

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
FEBRUARY 22, 2011

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey, was held on the above date with Mayor Amy Gatto presiding. Members present were Charles Cain Jr., Dr. Harvey Kesselman, Thomas Palmentieri and Roger Silva. Also present were Michael S. Jacobs, Township Administrator, Joan I. Anderson, Township Clerk, Robert S. Sandman, Township Solicitor and Robert J. Smith III, Township Engineer.

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice on the bulletin board in the municipal building and by faxing or e-mailing a copy of the notice along with the agenda of this meeting to the Atlantic City Press, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place in the municipal building, Mays Landing, New Jersey at 6:30 PM on Tuesday, February 22, 2011.

A moment of silence for private reflection was observed. Mayor Gatto asked the public remember the family of former Mayor Charles Pritchard and the celebration of Black History this month.

Clopp Family Presentation to Chief Tappeiner

Mark Clopp presented a plaque expressing the family's gratitude for the response of the Chief and the police department regarding his son Christian's diagnosis of an inoperable brain tumor. Chief Tappeiner said he accepted it on behalf of the Police Department and everyone in the municipal building because they all did a lot of work.

45 Mill Street Associates & Viridian Solar Presentation

Nicholas Menas, attorney for Viridian Solar, explained the presentation would focus on revitalization of 45 Mill Street to retool and refit the existing infrastructure for a solar panel manufacturing facility. He commented on it being a beginning of a solar master plan for Atlantic County and said the same presentation was made to the County Executive and County Administrator. He said input from the governing body, planning and zoning are critical to the process. He introduced the current owners of the property and David Saunders of Viridian Solar. Mr. Saunders explained his company has arranged for a lease of and subsequent acquisition of the property. He explained their plans for now to retrofit the existing building and manufacture solar panels and said subsequent to acquisition of the property they will install and build a solar power generation facility or assets on the site. Mr. Saunders commented on it being a private/public partnership and having investors from the United States, Europe and Latin America. Mr. Saunders gave a slide presentation on the proposal which was videotaped and can be viewed on the Township website.

Mayor Gatto thanked Mr. Saunders for the presentation and said she is very excited about the project and potential partnership. The Mayor said she gets excited when she hears things like generous revenue generation, sharing it with the municipality, and no investment of money. She commented on making it clear when they met that the Township wants the labor to be local as much as possible; the jobs given to township residents; and being in favor of anything that can be done to keep it local. The Mayor said the investors seem to be solid; the demand is high; and the supply chain is established. She commented on it being a manufacturing plant before and said it will be nice to see it restored to that use again and bring some vitality to that area of the downtown district.

Mr. Silva said he thinks it offers an opportunity to further develop the Industrial Park because customers coming here may want to settle in that area and there could be a lot of ancillary uses that might develop.

Mr. Cain commented on revenue being generated downtown by the workers. He thanked Ron and Lou for bringing them here and said the Committee looks forward to working with them.

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Mr. Sandman explained he is the Industrial Commission Solicitor and asked if the presentation was also in written form because he would like to report it to them if Mr. Saunders didn't deem it proprietary. He said it does act with other projects being viewed in the Industrial Park. Mr. Saunders said he could provide a narrative of it. Mayor Gatto said they talked about the landfill redevelopment plan, potential of putting solar on the municipal buildings and all the partnership possibilities.

Mr. Saunders commented on their partners, particularly the one involved in robotics technology business work, with the auto industry, aerospace industry and a lot of high and low tech industries. He said they have the technology applicable to the kind of organizations the Township is interested in attracting and would be interested in a business opportunity in conjunction with the Industrial Park. He explained the whole focus of Veridian's bankers, who are also German, is to relocate or expand businesses from Europe into this country. He commented on possible collaboration that extends beyond Veridian's business that would benefit the Township's work with regard to industrial development.

Quality of Life Subcommittee Report

Dr. Kesselman referred to former Mayor Silva establishing the Strategic Planning Committee last year and said they established priorities; a new mission statement for the Township; and the sub-committees are Fiscal Vitality, Safety, Quality of Life and Smart Growth. He said 2 of the 4 sub-committees have already provided interim reports and the Quality of Life sub-committee chaired by Rodney Guishard would be heard from tonight.

Mr. Guishard thanked the Committee for the opportunity to tell them what they discussed over the past several months to improve the quality of life in the Township at no cost or very minimal cost. He introduced Subcommittee Members Jennie Ayres and James Kerrigan who were present. The slide presentation was video taped and can be seen on the Township website. A printed copy of the slide presentation is on file and available for public review in the Township Clerk's office. Mr. Guishard thanked their Township Committee Liaisons Mr. Palmentieri and Mayor Gatto and said they owe Lisa Hedrick a great deal of gratitude for her support and putting together some of their presentations. He explained part of their goal was to recognize what the Township would be facing; minimize any degradation in township services; and improve the services where possible. Mr. Guishard said they concentrated on essential services but residents brought out concerns about intangible things that aren't essential services but are identified as important characteristics for a community. He commented on their goal being to make a significant contribution in spite of the constraints they were operating under including doing things appropriate for government; recognizing that they couldn't obligate any costs; getting the community involved in doing some of the things they are recommending; and having to look at their relationship to other sub-committees and the Township Committee. Mr. Guishard said they found that Quality of Life fell into 3 major categories: Environment, Community Spirit and Communications. Mr. Guishard commented on the township tradition and pride in having events throughout the year that require considerable coordination, funding, notification of citizens and businesses for the events, and said the newly created advisory Committee is one of the key areas of the Combined Events Committee they are suggesting be established. He commented on the Township not having a community meeting place and said the Duberson School is one of the public and private facilities not being fully utilized. Mr. Guishard explained it would require modification which would require money and said they want to focus on identifying grants or other funding sources and to look around for organizations that might be able to use the facility. He commented on the Township providing a number of amenities but not advertising them and explained the Subcommittee is recommending development of a compendium identifying all the amenities available in and outside the Township that could be funded by advertisements and updated every 2 or 3 years. Mr. Guishard explained their recommendations for action on a Community Quality of Life Survey; a Combined Events Committee, a Township Directory/Booklet; identifying existing Neighborhood Associations and establishing new ones to compliment the existing ones; communications activities; creating a Community Advocate and a Small Business Advocate.

Jennie Ayers explained she is a member of the Historic Commission, Cove Committee, Strategic Planning Committee and Quality of Life Subcommittee. She said that while she agreed with and supported components of the presentation Mr. Guishard made, she feels they also have an opportunity to address the current quality of life. Ms. Ayres commented on the need to listen to the residents who attended the last few Township meetings; the need to ask what can be done now to preserve current programs and how the Township can engage and involve the seniors to create a volunteer program to keep the senior center open. Ms. Ayers commented on the Cove being opened last year and said it was didn't cost a penny. She asked how to get the Cove open this year and said she thinks that has to be addressed. Ms. Ayres said there are concerns about safety, reduction in social activities, programs for children and the community at large. She said the way to preserve all or some of them is to encourage volunteerism. Ms. Ayres said a meeting of the current neighborhood associations has to be convened to determine how neighborhood watches can support the Police Chief and his force in their diligence to keep the community safe. She said these are things that can be done right now and look to the future with Mr. Guishard's broader presentation. Ms. Ayers said that as a society and community we need to pull together, not apart.

Mayor Gatto said she thinks Mr. Guishard's committee did a great job and there is a lot the Township Committee can look at now and for the future as he outlined. She said asked Dr. Kesselman if the next step was for them to prioritize their goals and come up with a plan. Dr. Kesselman explained the Smart Growth subcommittee report will come next and then all the task force subcommittee leaders will reconvene to come up with the next stage of the project. Mr. Cain said the Smart Growth Committee had also touched on the Small Business Advocate. He commented on the overall feeling at each meeting held throughout the Township was the desire of each community to have its own identity while remaining part of Hamilton Township and said it can be done at no cost through partnerships with local businesses. He commented on having worked on different committees with Ms. Ayers and said her points were well taken and her volunteerism is appreciated.

Mr. Silva moved, seconded by Mr. Palmentieri, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township that the following items be added to the agenda for consideration and action to be taken thereon tonight:

7.A Insert names of businesses:

- (1) Scamblock-Fraud Reimbursement Warranty Co. - asset recovery/loss prevention services at Hamilton Mall
- (2) Sideyard Nursery - wholesale nursery on Harding Highway
- (3) Ooh La La Day Spa - massage therapy/massage products sales on Cape May Avenue
- (4) Mays Landing Dance Works - Dance Studio on Main Street

7.G Add no objection to D.O.T approval/issuance of permit to Vietnam Veterans of America Chap. 825 South Jersey for coin drops to be held Apr. 16 & 17, 2011 and Sept. 24 & 25, 2011 at Route 322/Wrangleboro Road jughandle only.

Be it further resolved that Agenda Item 8.A, Approval of February 7, 2011 regular meeting minutes be and is hereby deleted.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

There were no executive session confirmations to be made.

Early public comment on agenda items not listed for public hearing

James Kerrigan thanked the Mayor and Dr. Kesselman for replying to his e-mail and said he is still trying to get on the Historic Commission. Mr. Kerrigan said the Committee Members must all cut their salaries by 20% to \$9,652.00. Mayor Gatto said Mr. Kerrigan signed up for Item 9.A, the Historic Preservation Commission, and had made his points on that. She said the Committee would take the other item into consideration.

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Added/omitted assessment services proposal

Mr. Jacobs explained the Township has to have professional appraisers on occasion and said the proposal is well below the bid threshold and is on an as-needed basis. Mayor Gatto asked if it was because of the conclusion of the revaluation. Mr. Jacobs said he thought it preceded that and is back-up to the Township Staff if they need assistance in appraisals. The Mayor asked if the agreement would stay in effect if the Township enters into an inter-local agreement for Tax Assessment services with any neighboring town. Mr. Jacobs said it would and explained it is strictly time and material.

Mr. Silva moved, seconded by Dr. Kesselman, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the proposal from Professional Property Appraisers to provide 2011 Added and Omitted Assessment Inspections Services on an as needed basis at rates set forth below be accepted and that the Mayor and Township Clerk are hereby authorized to execute the Agreement with them.

- New residential construction: \$25.00 per parcel.
- New commercial construction: \$75.00 per parcel.
- Condominiums: \$15.00 per parcel.
- New construction to existing parcels: \$12.00 per parcel.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

Assembly Bill 3412

Mr. Jacobs explained if someone is successful with a tax appeal the Township has to refund the full amount of taxes and this Bill will require school and the county to share in those refunds.

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

WHEREAS, under existing law the Municipality bears the full burden of a tax refund to any individual who files a tax appeal and receives a successful judgment thereon; and

WHEREAS, Assembly Bill #3412 sponsored by Assemblyman Michael Patrick Carroll would require Fire Districts, School Districts and County Governments to share in the burden of aforementioned property assessment appeal refunds; and

WHEREAS, Assembly Bill #3412 as introduced October 18, 2010 would relieve the municipality and its taxpayers from the burden of the full tax refund resulting from an individual's successful property tax assessment appeal,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton, Atlantic County, does support Assembly Bill #3412 and urges the Members of the New Jersey Assembly to bring said Bill to a vote immediately and affirmatively thereon.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

Parking at Underhill Park

Chief Tappeiner commented on recurring parking issues at the Park and explained the police put up temporary no parking signs and if someone complains the police go, make an announcement, and if the cars aren't moved they will take enforcement action. He said that is a stop gap to this point and he thinks something more permanent would be needed if the Committee chooses to make certain sections a no parking area with the caveat that if someone complains and the police go down, they will have to enforce it. The Chief said this is just a recommendation at this point. He explained Officer Smith did a diagram of areas where there were complaints that can be made

available for consideration. Chief Tappeiner explained where the designated areas would be. Mayor Silva asked if there was a lot of parking on the school side since the Third Street Bridge was fixed. Chief Tappeiner said the school side isn't being utilized as much as it could be. Mayor Gatto said the field users should be made aware of the extra parking they aren't taking advantage of if the Committee moves forward with this. The Chief said an announcement is usually made to the parents, coaches, etc., at the beginning of the year.

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Solicitor is hereby authorized to prepare an Ordinance for parking regulations at the John W. Underhill Park as outlined in Officer Wade Smith's memo.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

Public hearing/adoption - Ordinance #1685-2011

There being no questions or comments on the Ordinance, Mr. Cain moved, seconded by Mr. Palmentieri, that the public hearing be and is hereby closed.

MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Mr. Palmentieri moved, seconded by Mr. Cain, that the following resolution be adopted.

WHEREAS, Ordinance #1685-2011 was introduced and passed first reading on February 7, 2011 and was duly advertised in the February 9, 2011 issue of the Atlantic County Record for a public hearing to be held on Tuesday, February 22, 2011; and

WHEREAS, the public hearing has been held as advertised and closed,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1685-2011 be and is hereby adopted.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

**TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NJ**

ORDINANCE #1685-2011

AN ORDINANCE AMENDING CHAPTER 301 OF THE HAMILTON TOWNSHIP CODE TO CREATE A FOUR-WAY STOP INTERSECTION AT OLD LANDIS AVENUE AND ESTELLE AVENUE

WHEREAS, the Township of Hamilton wishes to create a four-way stop intersection at the intersection of Old Landis Avenue and Estelle Avenue; and

WHEREAS, both roadways are under the jurisdiction of the Township of Hamilton;

WHEREAS, a municipality may establish a four-way stop intersection on municipal roads without the approval of the Commissioner of Transportation pursuant to N.J.S.A. 39:4-8, N.J.S.A. 39:4-140, and N.J.S.A. 39:4-197; February 22, 2011

WHEREAS, whereas the Hamilton Township Police Department has conducted a detailed traffic study of the intersection; and

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WHEREAS, the Township engineer has reviewed and agreed with the aforementioned study and further, under his seal as a licensed professional engineer, certified to the governing body that any designation or erections of signs or placement of pavement markings has been approved by the engineer after investigation of the circumstances, and it appears to the engineer to be in the interest of public safety and the expedition of traffic on public highways, and conforms to the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways, as adopted by the Commissioner, and that the provisions of this ordinance are consistent with the Manual on Uniform Traffic Control Devices for Streets and Highways, consistent with accepted engineering standards, based on the results of an accurate traffic and engineering survey, and does not place an undue traffic burden or impact on streets in an adjoining municipality or negatively affect the flow of traffic on the State highway system;

NOW, THEREFORE, BE IT ORDAINED, by the Township of Hamilton, County of Atlantic, State of New Jersey, as follows:

1) Chapter 301, Article IX, Section 27 is amended to insert the following:

N. Four-Way Stops

The following intersections shall be designated four-way stop intersections:

Old Landis Avenue and Estelle Avenue.

BE IT FURTHER ORDAINED that signage and road-markings consistent with the requirements of the Manual on Uniform Traffic Control Devices for Streets and Highways as set-forth in the traffic study conducted by the Hamilton Township Police Department and recommended by the municipal engineer shall be erected at the intersection of Old Landis Avenue and Estelle Avenue consistent with the provisions of this ordinance.

BE IT FURTHER ORDAINED that upon adoption and final passage, the municipal clerk shall transmit a copy of this ordinance to the Commissioner of the Department of Transportation.

BE IT FURTHER ORDAINED that all portions of the Hamilton Township Code which conflict with or are inconsistent with this ordinance are repealed to the extent of such conflict or inconsistency.

BE IT FURTHER ORDAINED that if any portion of this ordinance is adjudged invalid, such adjudication shall apply only to that portion and the remainder of this ordinance shall be deemed valid and effective.

2) This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

ATTEST:

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
ATLANTIC COUNTY, NJ

JOAN ANDERSON, R.M.C.
TOWNSHIP CLERK

AMY L. GATTO, MAYOR

ROLL CALL: CAIN "YES"
KESSELMAN "YES"
PALMENTIERI "YES"
SILVA "YES"
GATTO "YES"

ORDINANCE NO. 1685-2011 INTRODUCED AND PASSED FIRST READING ON FEBRUARY 7, 2011.
ORDINANCE NO. 1685-2011 ADOPTED ON FEBRUARY 22, 2011.

Chief Tappeiner explained the Police would like to make a public announcement through the media and put up sign boards in addition to the STOP signs to notify people that it is now a 4-way stop now that the Ordinance has been adopted.

Public hearing/adoption - Ordinance #1686-2011

Aline Dix asked if the Strategic Planning Committee and the four Steering Committees are now permanent Committees since they were memorialized in an Ordinance. She said the people on those Committees are volunteers and asked who will determine who sits on the Quality of Life Committee for the life of the Ordinance. Mayor Gatto said she thinks it would be for as long as the Committee is in existence. Mr. Sandman explained that reference to it in the Ordinance doesn't create an official standing committee and it says that as long as it exists they would provide input to the Committee to make their decision. Ms. Dix commented on the Ordinance creating a position that was abolished 2½ years ago when the Community Education/Recreation Director position was abolished in the 2008 Salary Ordinance and replaced by a Division Chief for Recreation and Senior Services position. Mayor Gatto said that position would be amended to Division Chief for Recreation and Community Affairs. Mr. Sandman commented on this being a public hearing and said he didn't think it would substantially alter the Ordinance. He said he thinks it would appropriate to amend it and incorporate it before it is voted on for adoption. Ms. Dix asked if it would be changed to Division Chief for Recreation and Senior Services. The Mayor said she thinks it would be changed to a very similar Division Chief Title if the Committee takes Ms. Dix's comments.

There being no further questions or comments on the Ordinance, Mr. Cain moved, seconded by Mr. Silva, that the public hearing be closed.

MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

DISCUSSION ON AMENDMENTS

Mayor Gatto asked how to address the couple of changes she wanted that she sent to the Solicitor in an e-mail. Mr. Sandman explained that if the Committee was going to consider changes, they should discuss them and then have the motion and second for adoption. Mayor Gatto said the changes she sent were to add a Member of the Historic Society to the membership and to keep the athletic organizations vague and have it be "recognized athletic service providers for the community" because names can change. Mr. Sandman asked if the list was comprehensive in the Mayor's opinion and said he didn't know of any organizations other than those listed under Membership. He suggested leaving it the way it was and explained that if an entity listed ceases to exist and is replaced with something else, the governing body can deal with it then but right now they are the existing associations with structure, representatives and probably vote accordingly.

Mr. Cain moved, seconded by Dr. Kesselman, that the following resolution be adopted.

WHEREAS, Ordinance #1686-2011 was introduced and passed first reading on February 7, 2011 and was duly advertised in the February 9, 2011 issue of the Atlantic County Record for a public hearing to be held at 6:30 PM on Tuesday, February 22, 2011 in the municipal building, Mays Landing, NJ; and

WHEREAS, the public hearing has been held as advertised and closed,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Section 15-3 Membership and Officers be and is hereby amended to add One (1) representative of the Township of Hamilton Historical Society to the list of Members and to increase the number of members **from 14 to 15**; and

BE IT FURTHER RESOLVED that Ordinance #1686-2011 be and is hereby adopted as amended.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

NOTE: Prior to the roll call vote, Mr. Sandman said he didn't believe the changes made were substantial.

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ORDINANCE NO. 1686-2011
TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NJ

AN ORDINANCE AMENDING CHAPTER 15 OF THE HAMILTON TOWNSHIP CODE TO ABOLISH
THE COMMUNITY EDUCATION/RECREATION ADVISORY BOARD AND TO CREATE THE
COMMUNITY BASED PROGRAMS ADVISORY BOARD

WHEREAS, the Township of Hamilton created the Community Education/Recreation Advisory Board on October 20, 1997 by the adoption of Ordinance 1288-97, codified in Chapter 15 of the Hamilton Township Code, to advise the Township Committee and Township Administrator with respect to long-range planning in the areas of education and recreation; and

WHEREAS, the Township Committee has determined that the Community Education/Recreation Advisory is no longer the most effective or relevant means of accomplishing those goals; and

WHEREAS, the Township Committee desires to create an advisory body to assist and advise the Township Committee and Township Administrator on maintaining community pride, holding hometown events and celebrations, and enhancing the quality of life in the Township of Hamilton through community and recreational activities; and

WHEREAS, the Township Committee recognizes that those goals must be accomplished through the public/private partnerships and the solicitation of donations instead of through the use of tax dollars; and

WHEREAS, the Township Committee desires to create the Township of Hamilton Community Based Programs Advisory Board to effectuate the aforementioned goals;

NOW, THEREFORE, BE IT ORDAINED, by the Township of Hamilton, County of Atlantic, State of New Jersey, as follows:

1) Except to the extent that it repealed Ordinance 849-83 and Ordinance 152-53, Ordinance 1288-97 is hereby repealed in its entirety and the Community Education/Recreation Advisory Board is hereby abolished.

2) Chapter 15 of the Township Code is amended to read as follows:

Section 15-1-Purpose

It is the purpose of this chapter to repeal Ordinance #1288-97, except to the extent that the ordinance repealed Ordinance 849-83 and Ordinance 152-53, to abolish the Community Education/Recreation Advisory Board, and to create the Community Based Programs Advisory Board.

Section 15-2-Establishment

There is hereby established in the Township of Hamilton, County of Atlantic, State of New Jersey a Community Based Programs Advisory Board. The purpose of the Community Based Programs Advisory Board shall be to assist and advise the Township Committee and Township Administrator on maintaining community pride, holding hometown events and celebrations, and enhancing the quality of life in the Township of Hamilton through community and recreational activities that do not involve the use of tax dollars. To accomplish those goals, the Community Based Programs Advisory Board shall create a system for accepting and recommending the distribution of donations for community based programs, create a community based program operational implementation checklist, review and recommend improvements to the Township's special events ordinance (Hamilton Code § 235-1 et seq.), review and recommend improvements to draft ordinances regulating the use of Township facilities, leverage existing data to develop shared services with community partners, develop a system for managing, attracting and recognizing volunteers for community based programs, work collaboratively with the Quality of Life Strategic Planning Committee on mutually beneficial initiatives, and complete such other tasks within its purpose as the Township Committee or Township Administrator shall from time to time direct.

Section 15-3-Membership and Officers

- A. The Community Based Programs Advisory Board shall consist of the following fifteen (15) members: **(per amendment 2/22/11)**
- The Township of Hamilton Community Education/Recreation Director
 - The Township Committee Liaison to the Quality of Life strategic focus area (or designee)
 - President of the Mays Landing Merchants Association (or designee)
 - President of the Rotary Club of Mays Landing (or designee)
 - President of the Kiwanis Club of Mays Landing (or designee)
 - One (1) representative each designated by the Mays Landing Athletic Association, Hamilton Township Police Athletic League, Hamilton Township Soccer Club, and Hamilton Youth Athletic Association.
 - The Community Education Director of the Hamilton Township Public Schools
 - A representative designated by the Greater Egg Harbor Regional High School District
 - Three (3) residents of the Township of Hamilton appointed by the Mayor, provided however, that the mayoral appointees shall not be associated with any of the organizations represented on the Community Education/Recreation Advisory Board.
 - One (1) representative of the Township of Hamilton Historical Society **(added per amendment 2/22/11)**
- B. The mayoral appointments shall expire December 31 of each year. The terms of all other members shall terminate from time to time as the offices in their representative organizations shall require.
- C. The Community Based Programs Advisory Board shall reorganize at its first meeting of each calendar year. During the reorganization, the members of the Community Based Programs Advisory Board shall choose from among themselves a Chairperson and a Vice-Chairperson. The Community Education/Recreation Director of the Township of Hamilton shall be the Secretary of the Community Based Programs Advisory Board. During the annual reorganization, the Community Based Programs Advisory Board shall also establish its meeting dates for the year, which shall be, to the extent necessary, once per month and which may be altered at the discretion of the board.
- D. Notwithstanding any other provision of this Ordinance, any person who is a member of the Community Education/Recreation Advisory Board at the time of its abolition and who is also associated with one of the youth athletic associations set forth in Section 15-3a, but is not designated as that association's representative on the Community Based Programs Advisory Board, shall nevertheless serve as an *ex officio* member of the Community Based Programs Advisory Board until December 31, 2011.

Section 15-4-Powers

The Community Based Programs Advisory Board shall not have the powers to purchase or own real estate nor shall it have the powers conferred upon a Board of Recreational Commissioners, as set forth in N.J.S.A. 40:12-1 et seq., nor shall it have the power to enter into contracts which would bind the Township of Hamilton. It shall serve in a purely advisory capacity providing information and advice to the Township Committee and Township Administrator concerning the areas set forth in Section 15-2.

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3) This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

ATTEST: TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
ATLANTIC COUNTY, NJ

JOAN ANDERSON, R.M.C.
TOWNSHIP CLERK

AMY L. GATTO, MAYOR

ROLL CALL: CAIN "YES"
KESSELMAN "YES"
PALMENTIERI "YES"
SILVA "YES"
GATTO "YES"

ORDINANCE NO. 1686-2011 INTRODUCED AND PASSED FIRST READING ON FEB. 7, 2011.
ORDINANCE NO. 1686-2011 ADOPTED ON FEBRUARY 22, 2011.

Introduction of Ordinance #1687-2011

Mr. Cain said it was important to note that the non-union employees gave up an additional \$32,000.00 with this concession.

Mr. Cain moved, seconded by Mr. Palmentieri, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1687-2011 be and is hereby introduced and passed on first reading and that the Township Clerk is authorized to advertise same in the February 26, 2011 issue of the Atlantic City Press for a public hearing to be held in the municipal building, Mays Landing, NJ, at 6:30 PM on March 7, 2011.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY
ORDINANCE NO. 1687-2011

AN ORDINANCE TO AMEND ORDINANCE #1630-2008 ADOPTED AUGUST 18, 2008 ENTITLED "AN ORDINANCE OF THE TOWNSHIP OF HAMILTON TO REPEAL ORDINANCE NO. 1615-2007 WHICH PROVIDED FOR SALARIES AND COMPENSATION TO BE PAID TO THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF HAMILTON AND SUBSTITUTE THEREFORE SALARIES AND COMPENSATION HEREIN FOR THE YEAR 2008 AND BEYOND" TO REPEAL SECTION 8 THEREOF IN ITS ENTIRETY.

WHEREAS, the Township of Hamilton is currently facing a projected deficit in the amount of \$2,370,000.00 for the budget year commencing January 1, 2011; and

WHEREAS, the non-affiliated (non-union) employees were requested to make permanent financial concessions to help alleviate the aforesaid budget deficit; and

WHEREAS, aforesaid non-affiliated (non-union) employees have agreed to relinquish the matching deferred compensation contribution made by the Township pursuant to Section 8 of Ordinance #1630-2008 effective January 1, 2011,

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hamilton that:
February 22, 2011

SECTION 1. Ordinance #1630-2008 is hereby amended to delete Section 8 thereof in its entirety.

SECTION 2. All ordinances or parts of ordinances or any resolutions of the Township of Hamilton inconsistent herewith are repealed to the extent of its inconsistency.

SECTION 3. If any part or parts of this Ordinance are for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately after final passage and publication as provided by law.

ATTEST: TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HAMILTON ATLANTIC COUNTY, NEW JERSEY

JOAN I. ANDERSON, R.M.C. TOWNSHIP CLERK

AMY L. GATTO, MAYOR

ROLL CALL: CAIN "YES" KESSELMAN "YES" PALMENTIERI "YES" SILVA "YES" GATTO "YES"

ORDINANCE #1687-2011 INTRODUCED AND PASSED FIRST READING FEBRUARY 22, 2011.

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following Business Registration Licenses are hereby approved:

- (1) Scamblock-Fraud Reimbursement Warranty Co. - asset recovery/loss prevention services at Hamilton Mall (2) Sideyard Nursery - wholesale nursery on Harding Highway (3) Ooh La La Day Spa - massage therapy/massage products sales on Cape May Avenue (4) Mays Landing Dance Works - Dance Studio on Main Street

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following list of Mizpah Volunteer Fire Company Members eligible for 2010 LOSAP credit as certified by Chief Anthony Cortes is hereby accepted:

Table with 4 columns: Member, Points, Member, Points. Lists names and points for Mizpah Volunteer Fire Company members.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following list of Weymouth Volunteer Fire Company Members eligible for 2010 LOSAP credit as certified by Chief John Carrigan is hereby accepted:

Table with 4 columns: Member, Points, Member, Points. Lists names and points for Weymouth Volunteer Fire Company members.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

February 22, 2011

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Liberty Mutual Subdivision Bond #070009174, in the amount of Nine Thousand (\$9,000.00) Dollars is hereby accepted as the landscaping performance guarantee for T-Mobile Northeast LLC (Block 1135.01/Lot 10.01 site #1AT1059).

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Purchasing Agent is hereby authorized to begin negotiating a shared services agreement with Galloway Township for fleet maintenance services on an as needed basis; and

BE IT FURTHER RESOLVED that the Purchasing Agent is authorized to proceed with public bidding for vehicle maintenance services.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Purchasing Agent is hereby authorized to bid snow removal services on an as needed basis to augment the Township's new staffing levels.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that release of the \$1,350.00 being held in escrow as a performance guarantee for Southwest Bell Mobile cell tower project (Block 592/Lot 10.02 file # SP-15-04 be and is hereby denied as recommended by Robert J. Smith III, Township Engineer, dated January 12, 2011 due to uncompleted punch list items.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that it has no objections to the New Jersey Department of Transportation approval and/or issuance of permits to Guinta-Marucci Veterans of Foreign Wars Post 220 for coin drops to be held at the Route 322/Wrangleboro Road jughandle on April 2 & 3, 2011 and on September 17 & 18, 2011.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that it has no objections to the new Jersey Department of Transportation approval and/or issuance of permits to Vietnam Veterans of America Chapter 825 South Jersey for coin drops to be held at the Route 322/Wrangleboro Road jughandle on April 16 & 17, 2011 and on September 24 & 25, 2011.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

February 22, 2011

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that notice of the change in corporate structure of Maglio Spirits Inc., Liquor License #0112-32-029-014 effective January 10, 2011 is hereby acknowledged.

John L. Maglio Family Trust 33% Stockholder
Joseph Dinardo 33% Stockholder
Michael J. Maglio 34% Stockholder, President & Secretary

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY
NEW JERSEY
LAYOFF RESOLUTION NO. 1 AMENDMENT

SUBJECT: A RESOLUTION AUTHORIZING AN AMENDMENT TO THE RESOLUTION AUTHORIZING LAYOFFS OF NON-UNION HAMILTON TOWNSHIP EMPLOYEES

WHEREAS, the Township of Hamilton (the "Township") has implemented a Lay-Off Plan in order to reduce a projected deficit in the amount of \$2,370,000.00 for the budget year commencing January 1, 2011; and

WHEREAS, the Township has the authority to decrease the number of employees it employs, provided such employees are terminated in compliance with the Township's Ordinances and Policies; and

WHEREAS, it has come to the attention that a portion of the duties performed by a non-union employee are an important part of the Township's Volunteer Fire Departments that cannot be performed by a volunteer; and

WHEREAS, the Township has approved the elimination the \$3,200 part-time Emergency Services Advisory Board Secretary/Accounts payable clerk, in accordance with Township Ordinances and Policies; and

WHEREAS, the Township has received a request from a non-union Employee who will become eligible to retire in place of being laid off.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, Atlantic County and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by reference.
2. The elimination of the \$3,200 part-time Emergency Services Advisory Board Secretary/Accounts Payable position in the Lay-Off Plan is amended from elimination to reduction, and the salary reduction from \$3,200 to \$1,000, is hereby approved.
3. The Township accepts the irrevocable letter of retirement presented by Steve Maimon with the understanding that he shall retire on or before July 1, 2011, and he shall not obtain unemployment benefits.
4. The layoff plan is hereby amended to allow Mr. Maimon, Zoning Officer, to retire and therefore rescinds the lay-off notice provided.

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5. A copy of Mr. Maimon's irrevocable letter of retirement is attached as Exhibit "A".

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Mr. Cain moved, seconded by Mr. Silva, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Rider to Bond Safeguard Insurance Company bond #5033569, performance guarantee for Fernmoor Homes at Woods Landing LLC clubhouse reflecting a reduction in the guarantee **from** \$900,000.00 **to** \$500,000.00 as authorized on February 7, 2011 is hereby accepted.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Mr. Palmentieri moved, seconded by Dr. Kesselman, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that all properly executed and approved payrolls and bills are hereby ordered paid, the bill list total being \$1,687,567.90 as of February 17, 2011.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Mr. Cain moved, seconded by Dr. Kesselman that the resignation of Historic Preservation Commission Member Linda Benner be accepted, effective February 10, 2011.

MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Administrator's Report: Mr. Jacobs reported discussions have begun regarding Lake Lenape Dam (LLD) project where the County is under contract and making some repairs to the Dam right now. He said they are working on the issues as they relate to the Township, the County and the private redevelopment agency. Mr. Jacobs said they are trying to get all parties to the table and the LLD Committee is meeting on Thursday to try to work out a little bit more. He said he will probably need assistance from the Solicitor to help draft ordinances and resolutions to help the Township implement some of the things they are going to discuss. Mayor Gatto thanked Mr. Silva for attending the meetings.

Mr. Jacobs reported effects of the recent restructuring are starting to be felt; a number of services are going to change because there is less staff, some significantly and some will reflect delays in receiving the service; it took longer to get to some areas for snow removal; there are longer lines at the Tax Collector's window; and requests for information are going to take longer to get from the Clerk's Office. He said Chief Tappeiner would speak on the Police Department. Mr. Jacobs reported an announcement will be made shortly that the offices will be closed to the public at 3:30 but the staff will continue working until 4:30 to get their mandated documents prepared and accounted for and to get their deposits ready. He said there are only two employees in Township Clerk, Tax Collector and Tax Assessor's offices and only one with vacation or a sick day so that could mean closing at lunch. Mr. Jacobs said they are going to work to fill in the void where they can to keep providing the best services they can. He said he is working on a presentation for a future meeting to detail this.

Chief of Police Report: Chief Tappeiner commented on the residents knowing the Police Department has been downsized and that they have lost 19 officers in the past year or so. The Chief commented on being charged with making sure a solid level of protection, safety and security is provided to the public that is why they had to restructure the Police Department. He commented on prioritizing incidents and explained they are trying to have the least serious incidents and accidents reported on line. Chief Tappeiner said they are focusing on emergency and higher priority calls through the restructuring. The Chief referred to statements that there will be looting and robberies in the streets and said it isn't true. He commented on the need to have time for proactive policing and the importance of having the

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balance so they can do the property checks and traffic enforcement. He said that will be reduced but it is not accurate to say the Township is unsafe. Chief Tappeiner said he thought there was some miscommunication about burglar alarms in the news article today that the police will not be responding to burglar alarms. He said the police will respond to alarms. The Chief explained they were talking about false alarms and enforcement of false alarms. He explained they normally issued citations after so many false alarms but that will no longer be a function of the police department. The Chief commented on the original headline being innocuous but it apparently didn't jet up enough public sentiment so (the Press) changed it. He said he didn't fault Sarah Watson for that; that he thought they had a good conversation; and that the bulk of the article was accurate. The Chief said their focus is on the community but there are going to be changes and one reason for the press release was to make the public aware of them because they are going to start this week.

Solicitor's reports:

- Timber Glen Phases 3 & 4: Mr. Sandman read portions of a letter he received from Mark Mauriello on behalf of Edgewood Properties/Timber Glen Phase 3 and 4, indicating they completed the maintenance activities on the infiltration basin in December and presenting an as built plan. He said they are waiting for feed back from a representative of the township staff and the Pinelands Commission. Mr. Sandman said that from his perspective, unless told otherwise, he and the Committee have to discuss where they are going to go with respect to the bond issue. He explained nothing was being done on that right now because the sense from the Township Committee was that there was some cooperation but also not to let it go and let it sit there until they decided what they wanted to do.

- Red Light Camera contract: Mr. Sandman reported he submitted a revised contract to the successful Red Light Camera vendor and explained he made some revisions to the one proposed by the vendor because he didn't agree with some of the language and felt it didn't coincide with the RFP. He said he hopes to report back on it at the next meeting on something that can be approved as a final contract.

Engineer reports:

- Timber Glen Phases 3 & 4: Mr. Smith reported he has a meeting with representatives of Timber Glen on Thursday to review what has been done, what they plan to do going forward and what type of approvals they will probably need for the work being done. He reported he has been in contact with Ken Carter at the Pinelands and he thinks they will both look at it the same way. He said he is taking their lead from the Pinelands Commission and he will be able to report on what their plan is in more detail at the next meeting. Mr. Cain asked if there was any harm in waiting until after Thursday's meeting to proceed with the bond. Mr. Sandman said he didn't see any. He said he was invited to that meeting but chose not to attend because he is in a holding pattern at this time with respect to the bonds and he didn't want to be at a meeting saying what the Township would or wouldn't be willing to do. Mr. Sandman said he notified Mr. Jacobs that he would be on telephone standby if he was needed.

- Structural repairs to the municipal building basement: Mr. Smith reported a preconstruction meeting with the contractor was held last week; it will probably start in the next week or so; there only about a week or so of work; there will be some noise and intercom announcements will be made each morning about what is generating the noise. There is.

- Front steps and wall repair: Mr. Smith reported he dropped the contracts off for signatures; once they are executed they will be submitted to the contractor; and they will get started as soon as the weather is appropriate.

- Town hall roof repairs/replacement: Mr. Smith reported the contracts were executed; he is waiting for submittals for the contract so he can review them; once he receives them and weather is appropriate they can get started.

- Cell Tower behind town hall: Mr. Smith reported a preconstruction meeting was held with the contractor; he thinks they removed a portion of the pavement; they drilled for the foundation and he thinks it is in place; erection of the tower will begin when the concrete cures; and he hasn't gotten negative feedback on the parking lot impact.

Township Committee reports:

Mr. Cain congratulated Coach Joe Lynch and the Coyote Street Hockey team on winning their Championship game last night in overtime and said it is the second Championship game that they won in overtime.

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Mr. Cain said he believes there has been enough discussion on the Old Wheaton Factory and it is time to look into what the Committee can do to encourage the developer clean up the debris from the fire several years ago and the tree that fell down in front of the property. He asked that the Solicitor look into what powers the Township Committee has on this. Mr. Sandman suggested the Committee get the recommendations of the Dam Committee and incorporate them into what remedies they seek because they have a direct impact on it. Mr. Cain agreed it was the prudent thing to do and said the Administrator can advise the Committee of what might affect it but he would like to see it on the agenda as an actionable item based on what happens. Mayor Gatto said Mr. Sartorio said they were going to do some work this week and asked Mr. Smith if he knew anything about it. Mr. Smith said he didn't and that Mr. Sartorio is the point person on that. Mr. Cain said another thing that came out of the meeting with Citta-Friedman prior to tonight's presentation was the ownership of the elevated pedestrian walkway between the two buildings. He said Citta-Friedman claim they don't own it and he understands it is boarded up on both sides. Mr. Cain said if both property owners claim they don't own it he imagines they are looking for the Township to take ownership of it. He said it needs to be looked into and ownership granted to the rightful owner. Mr. Sandman said they had to get approval for it at some point. Mr. Cain said it was one entity at that point. Mr. Sandman will look into it. Mr. Smith said it is over a County roadway.

Mayor Gatto reported on the announcement today that the municipal aid for this year is flat. She said she feels the Committee can continue moving forward with their plans and not have to keep working up plans for mitigation of state aid cuts. Mr. Cain said it is important to note that Marcus (King) has reached out to the Administration to try to formulate an actionable plan. Mr. Jacobs said Mr. King wants to work out a plan for bringing back some of the employees back. The Mayor expressed her appreciation for all the work Mr. King and the employees have done since the last meeting to try to get used to the "new normal".

Mayor Gatto reported the Veterans' Advisory Board is doing an outreach program at the Veterans' Expo at Atlantic County Institute of Technology on April 30th and encouraged everyone to attend it.

Mayor Gatto congratulated Justin Hare on becoming the newest Eagle Scout in the Community and the Oakcrest High School drama group on an exceptional presentation of Les Miserables.

Public comment:

Doreen Masonheimer commented on asking Sue Giberson if someone could speak to the seniors about their options the day the RICE letters went out. Ms. Masonheimer said it wasn't what the Committee did, it was how they did it. She said she understood the need for confidentiality but it could have been framed in the context of "if the worst happens", this is what is available to you. She said the papers they were given didn't list anything apropos to their situation except Mary Lou Gagnon's phone number. She commented the amount of time she volunteered to help the seniors transition to Egg Harbor Township. Ms. Masonheimer commented on one Hamilton Township resident being unable to go there because he is blind and doesn't have a care giver and said he was able to go in Mays Landing because the other seniors helped him. She said the seniors would have volunteered to maintain the center, cook, serve and clean up if they were asked. She said if transportation was the only thing on the table as Dr. Kesselman told her at a Democratic dinner last year they may have been able to arrange with Atlantic County to transport the seniors to Mays Landing. Dr. Kesselman said he reported back to the seniors several months ago after he met with the County about arranging the transportation Ms. Masonheimer was talking about. Ms. Masonheimer said the people were gracious, welcoming and trying to help the seniors from Hamilton Township. She said Mary Lou Gagnon told her she called the Township Center many times and offered to speak to the seniors but nobody returned her calls. Ms. Masonheimer commented on the focus of Sue Giberson's job not being on the seniors and said the Township Committee has to be responsible to all the residents, including the senior citizens. She said the senior citizens are part of the quality of life and asked where the Senior Advocate is in the Quality of Life Plan. Ms. Masonheimer said the seniors are sad and heartbroken at the lack of respect shown them in the way

this was handled. Mayor Gatto said the Committee is also heartbroken that the center is gone and as frustrated that the money isn't there at this time. The Mayor said she knows Sue Giberson reached out to Mary Lou and had a date set up; she also knows Mary Lou has been very helpful; and that everyone is working as hard as possible to help transition the seniors in the best way that they can. Ms. Masonheimer said she has been very active in the transition and that there will be an article in tomorrow's PRESS. The Mayor expressed appreciation for her efforts. Mr. Jacobs that during the meeting he with Ms. Masonheimer, she agreed about the difficulty of balancing the confidentiality of the employees with providing lengthy notice. He explained it had to be done this way under the RICE process.

James Kerrigan urged the Township Committee to reduce their salaries 20% and allocate the savings to the senior center. Mayor Gatto said many of the members have discussed that but she doesn't know how it would be allocated. Dr. Kesselman said he is supportive of a reduction; that he doesn't know where it can be earmarked to; and he is pretty sure it will be discussed at the next meeting when the Ordinance is discussed.

Natasha Alvarado said the Committee tore apart an outstanding Police Department in less than 20 minutes and asked why. She said they were the most outstanding people she ever worked with. Ms. Alvarado read a lengthy prepared statement which was recorded and videotaped. The video is available for review on the township website. Her statement included statistics on numbers of officers killed in the line of duty; the life expectancy of police officers; the number of police officer suicides; various types of calls the police respond to; and the reasons they become police officers. Ms. Alvarado said the Committee needs to find a solution to bring back the cops. Mayor Gatto said there is no hatred for the police department and that everyone is under the town hall umbrella together. She said she has tremendous pride in Ms. Alvarado as a female officer and Nicole the day she became a canine officer. The Mayor said the Committee is looking for a solution because pride doesn't pay the bills or raise revenues and they are waiting for the PBA to come back and help them find the solution. She said Marcus from the Teamsters has been in trying to find solutions but she hasn't heard from the PBA at all.

Aline Dix asked if the Municipal Service Fee and the Interstate Billboard contract revenue are being counted as recurring revenue this year. Ms. Dix expressed her opinion those revenues shouldn't go into MRNA and become surplus because the Township doesn't need to build up its surplus, they need revenues to pay the bills. The Mayor asked the Administrator to look into it before the next budget meeting. Ms. Dix expressed her opinion that if the Committee chooses to cut their salaries the money can be allocated anywhere in the budget. Ms. Dix said she has a problem with the Township getting Community Development Block Grant money and not spending it or spending it for things like the \$22,000.00 pavilion at the Cove and then shutting the Cove; the new kitchen in the senior center and closing it; buying 2 vans for the seniors and now talking about selling them. Ms. Dix said the Township should be making the highest and best possible use of that grant money. She said Park Road is in the 2010 paving project; the curb is being replaced but there is no plan to do sidewalks and she thinks sidewalks should be put in with a slight pitch towards the fence so rainwater runoff goes onto the sand and naturally percolates. Ms. Dix said she thinks concrete sidewalks on Park Road is the highest and best use of that money because people with baby carriages or riding bikes can navigate sidewalks but not the mulch behind the curb and that it needs to be considered quickly so it can be part of the bid and not a changer order later on. Ms. Dix referred to the liquidation of various bond ordinances last October totaling \$385,515.43 and Mr. Sasdelli saying it went to surplus. She said she discussed it with Division of Local Government at the convention in November; that it is borrowed money that can only be used for capital items; and that it doesn't go to surplus.

Lorraine Granese suggested cars being parked in the fire zone at Shaner and Hess Schools during pick up and drop off times be looked into. Mr. Silva asked if she had brought it to the attention of the School Administration. The Mayor asked Mr. Jacobs to reach out to the school superintendent about it.

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Ms. Granese said she thought the layoffs were orchestrated 6-8 months ago and that no employees would be brought back even if God himself dropped \$6 million on the roof. She said the Township has a deficit and the Administrator was asked how many people had to be laid off to make up \$1.6 million and they started with the police department because they are the largest part of the budget. She said the Committee should have made a list of everything they can do to save and redirect money and they can still do it. Ms. Granese said the Committee obviously thinks they made the best decision they could and it is a decision they have to live with. She commented on the time to stop talking is when someone makes up their mind and you know they will never change it mind no matter what you say. Mr. Cain said it was embarrassing for Ms. Granese to suggest that any Committee Member isn't still working to find ways bring officers back on the street. He said she was a politician that presided over the largest tax increase in Township history but she didn't preside under a 2% CAP. He said that is a big difference and asked where the Committee is going to get the money. Mr. Cain said the Committee had to stop the bleeding now so it didn't get worse and asked Ms. Granese to tell him a way around the 2% CAP.

Jay Edelman said the Governor noted in the Burlington Times that MUA's throughout the state should be abolished because they are nothing but patronage. He said he understood the Committee was negotiating with the police; that they (PBA) wanted a 2-year stretch; and the township wanted permanent concessions. Mayor Gatto said she wouldn't speak to negotiations. Mr. Edelman asked if their contract was to expire in one year. The Mayor said it has already expired and they are in negotiations.

Peg Capone commented on taking a day off work and her daughter taking a day off school for a parking violation. She asked if the Committee would consider offering evening court dates so people don't have to miss work. Mayor Gatto said she believed there are night sessions. Mrs. Capone said she was told she had to come at the specific time designated and that it was during the day. Mr. Jacobs said they schedule it for when the officer is on his regular shift. Mrs. Capone asked if the Committee knew how much overtime is associated with officers attending court and said it is an incentive for them to write tickets. Chief Tappeiner said most often officers don't go to court because the Township has a liaison officer who processes the case and refers it to the prosecutor but if someone contests a summons and wants to go to court, the officer has to attend by law and testify and they are paid overtime in that case. Mrs. Capone asked if overtime affects their pension. Mr. Jacobs said it doesn't. Mrs. Capone asked if there were two part-time retired cops, would they be entitled to benefits and pension. Mr. Jacobs said he didn't think new part-timers can get into the pension system but he would have to confirm it with the division of pensions. Mrs. Capone said Officer Alvarado was a very nice and she is sorry that her fellow officers will not make concessions to save her job.

John Neupower referred to the loss of police officers and said Route 40 alone needed half the force because of the number of accidents. Mr. Neupower said he lives in the condo closest to Route 40 in Mays Landing Village and commented on seeing the relief on faces of people involved in accidents when the police arrive. He said he remembered an article in the PRESS in 2009 when Mr. Sasdelli said 2010 was going to be bad but 2011 would be worse. He said the message (Ms. Masonheimer) was getting is that Egg Harbor Township appreciates her and this Committee doesn't. He said everybody knows it should have been done differently. Mr. Neupower referred to the Chief saying they will do everything they did before and that the town is safe and asked what the other officers were doing and if they were superfluous. He said they were needed because the town is growing and people need to feel safe. Mr. Neupower said people in his condo are uneasy and don't feel safe. Mayor Gatto said Mr. Neupower can rest assured the police restructuring plan works if their response time was 3 minutes a few days ago.

Chris Rizzo said he is the senior most officer laid off, the alternate shop steward, and was the community police officer. He referred to Mr. Cain taking offense to comment that the Committee wasn't working hard to bring jobs back and the Mayor saying she heard nothing from the union. Mr. Rizzo said he is on the PBA Board and that knows of no communication between the

Township and PBA other than the one that said the Township didn't want anything except permanent concessions. Mr. Jacobs said the PBA said the officers aren't interested in permanent concessions. Mr. Rizzo said he thought there was a communications issue. Mr. Jacobs said he is available every day and would be happy to talk with Mr. Rizzo. Mr. Rizzo said that at the last meeting they had regarding layoffs Mr. Jacobs said the original \$100,000.00 had been reduced to \$60,000.00 in addition to the 11 layoffs and equated \$55,000.00 to one officer's position. He asked why it took cutting 2 extra officers to equate \$60,000.00 if there was only a \$5,000.00 discrepancy. Mr. Jacobs said he didn't remember the two salaries off the top of his head but he had to get to that minimum. Mr. Rizzo said two officers was \$100,000.00. Mr. Jacobs said it wasn't for a whole year and it would be significantly less for part of the year. Mr. Rizzo said Mr. Jacobs said at their last meeting that the cuts on the unions were because they didn't agree to concessions and asked if it was a punitive punishment. Mr. Jacobs explained the proposal was to layoff a certain number in dollars; the Township hoped all of the unions and non-unions would contribute some or all of it; all employees were asked to contribute; it was not punitive; it was not targeted just at the PBA or the unions; and the plan also asked the taxpayers to contribute. Mr. Rizzo said that at the last Township Committee meeting Mr. Jacobs said the non-union employees gave and the unions didn't so he added extra cuts to the union employees. Mayor Gatto explained the outline presented January 18 gave the options on the table; some of the options included concessions and outlined the amounts; and that if the concessions were not given the Committee had to explore other options to fill in the hole. Mr. Rizzo asked if 100% of the grants gotten by the Police Department are used for police offices because his understanding is that they were taken into the general fund and spread throughout the Township. Mr. Jacobs said that would be illegal and that in the budget it actually has someone's name by it. He said he would be glad to meet with Mr. Rizzo and go over it. Mayor Gatto said she asked the Chief if any of the grants could cover more or less of an officer when she met with him and she was told the Township uses the grants for officers as the can. Mr. Rizzo said that the Committee asked the employees for concessions for the past two years and the Police agreed to concessions to save jobs under threat of layoffs and, from his point of view, the Committee hasn't acted on their behalf to make government run more efficiently and prevent it from happening every year. He said this year they are asking for permanent concessions and don't want or are reluctant to deal with temporary ones. The Mayor said it was to prevent this from happening every year. Mr. Rizzo said they are extorted every year and it is a way of breaking contracts.

Greg Ciambrone commented on asking if a comparison was done between and inter-local agreement and dissolving the MUA two meetings ago and said he hasn't gotten an answer. Mayor Gatto said a comparison has somewhat been done; from the MUA's standpoint there are savings identified by the Township auditor that the MUA auditor says are not there; there is a certain amount the MUA can legally be requested to give the Township; the MUA has given the Township \$250,000.00-\$260,000.00 a year; and the Committee attempted to make up more of the gap through the inter-local agreement with some of the things identified on the slide. Mr. Jacobs explained they are trying to incorporate as many mutually beneficial shared services as they can into it. Mr. Ciambrone said he wants the actual numbers of how much will be saved with an inter-local agreement and how much will be saved if the MUA is dissolved. Mayor Gatto said the problem is that the question of dissolution and amounts it saves is open ended. Mr. Ciambrone commented on talking about shared services, engineering fees, not having the (MUA) Board, and said they aren't saying to cut the MUA employees. He said if the Township has to cut money they have to do it wherever they can. Mr. Ciambrone asked who came up with the inter-local agreement. Mayor Gatto said it came up in dialog among many parties. Mr. Ciambrone asked for their names. The Mayor said they are meeting as the budget committee; Mr. Jacobs is meeting with the MUA regarding their contribution and things like that; and they started to see operational efficiencies that could be achieved that could equate to some financial dollars. The Mayor said that had less of a risk and more definitive numbers than actual dissolution which had a lot of risk and unanswered questions because of movement of the balance sheet. Mr. Ciambrone asked what kind of risks they were talking about. Mr. Jacobs asked if Mr. Ciambrone's issue was how much money the Township can save on a reoccurring

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basis or he suggesting the Township can take the cash which is one-time money. Mr. Ciambrone said he reviewed the last meeting and there is no dispute the money in (MUA) surplus now is a one-time gig (sic) but the income from what the rate-payers are paying every year is constant and reoccurring. He said even if the Township took the \$8 million, didn't touch it and marked it just for main breaks, they would still get a positive cash flow from the MUA. He commented on it happening every year and said it was in the neighborhood of \$2.4 million since 2007 so it isn't a one-time shot. Mr. Palmentieri said he thought there was some misconception because he believed that positive cash flow can't be used for purposes other than what it was collected for and the Township can't be funded with MUA receipts. Mr. Jacobs said Mr. Palmentieri was correct. He referred to South River where they did water, sewer and electric and said you can't create a profit in your utilities and transfer it to the general operating account. Mr. Jacobs explained the auditor in South River told them part of his salary, part of the CFO salary, costs that are defensible, could be allocated but they couldn't raise or use higher than needed water or sewer rates if there is a surplus being generated and move it into the regular budget. He explained allocating costs is what the Township is trying to do with the inter-local agreement. Mr. Ciambrone said his problem is that the Township had Leon Costello a professional that has done it for many years, Mr. Sasdelli who came back to work here twice because he did a good job, and not once did either of them mention an inter-local agreement. He said he meant no disrespect to Mr. Jacobs but he comes along not knowing the Township through and through like Mr. Sasdelli did, and now there is the inter-local agreement. Mayor Gatto said she thinks Mr. Jacobs did a great job getting up to speed. She said he came in knowing the budget inside and out when interviewed and that was one of the things that very much impressed the Committee. The Mayor said she thinks the problem is that there is no easy answer. Mayor Gatto said there are so many unanswered questions about what can legally be done and the risk is too great to do it without those questions being answered. She said the Committee will absolutely continue to explore but they see the recurring revenue and savings needed at this time in operational efficiencies that they are pursuing in an inter-local with the MUA. Mr. Ciambrone asked how Mr. Blankenship is going to find time to run the MUA and Public Works. Mayor Gatto said the Township is moving an operations manager over there to assist with day-to-day management. Mr. Ciambrone asked who that will be and said he assumes it will be Ingrid Perez or Bill Montag. Mr. Jacobs said an individual employee can't be talked about without a RICE notice. Mr. Ciambrone said he understood that Mr. Montag wasn't doing a bad job but was replaced by Mr. Morley and it didn't make any sense to him that if Mr. Montag was doing such a horrible job the Township was going to replace him and then keep him on the books. He said basically the Committee is saying the Township had one extra employee that wasn't needed all this time. Mayor Gatto said that isn't what they are saying. Mr. Ciambrone said he believed Mr. Barse cancelled the last negotiations meeting and asked if he shouldn't be the one to come back and say they need to talk again. Mr. Jacobs explained that he had no involvement in the collective bargaining during the process of the layoffs. He said that they were being kept separate and Mr. Barse wasn't involved in discussions as far as potential give backs. Mr. Ciambrone said the Committee started negotiating a contract then stopped and said they (PBA) had to give up \$12,000.00 each or people will be laid off, and that is basically part of the contract. Mr. Jacobs said he didn't think they were ever asked to give up \$12,000.00 each. He said the Township came to the table without any preconditions on what it was; the way they approached the table was if they could save one or all the jobs. Mr. Ciambrone asked how the Township expected officers to say they would like to keep all 13 of them but they would only give half the money because they only want to save half the jobs. Mr. Jacobs said he had no expectations except to honor their contract and the Township would be criticized if they hadn't asked and just did the layoffs but the PBA never came to talk. Mr. Ciambrone said he had a problem with it being said that Marcus came and wants to sit down and talk when the PBA was willing to talk before and Mr. Barse cancelled the meeting. Mr. Jacobs said that was collective bargaining and a separate issue. Mr. Ciambrone said it is the same thing in his perception. He asked how the \$32,000.00 figure from the non-union employees was come up with. Mr. Jacobs explained the non-union employees had a deferred comp matching contribution benefit by ordinance and the Ordinance is being changed to eliminate it. He said the \$32,000.00 is what was budgeted last year and the concession removes \$32,000.00 from the

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budget this year. Mr. Ciambrone asked how many seniors were affected by closing the center. Mayor Gatto said 40 regular users of which about 25 were Township taxpaying residents. She said some visit from the Oaks at Weymouth and other towns. Mr. Ciambrone said he understood it was more like 80-100. Dr. Kesselman said he thinks that is a total number that use it on an annual basis but on a regular basis it is much closer to what the Mayor said. Mr. Ciambrone said he understood 25-40 eat there every day but that doesn't encompass going to doctor's appointments, picking up prescriptions, and grocery shopping. Mayor Gatto said it does. Mr. Ciambrone asked if anything was done prior to closing the center to make sure the seniors could transition into something else. Mr. Ciambrone asked how much revenue will be generated by the tower behind town hall and if the Township gets to use it. Mr. Silva said \$2,400.00 a month; there will be space for 4 vendors and there is a space on it for the Township. Mr. Ciambrone referred to quotes in an article in the PRESS and said he assumed they were accurate: "we put it out in July to make everybody aware of the deficit this year, you can't close a gap if you don't know what the figures are" and "when we did meet with the unions everybody was looking for a raise". He referred to Mr. Silva saying the deficit was \$2.4 million and said that if seven months later it is \$2.4 million Mr. Silva kind-of knew the numbers and that they would layoff 11 officers. Mr. Silva said "no" and suggested Mr. Ciambrone read the rest of his comments in that article. Mr. Ciambrone referred to two shop stewards having an informal meeting Mr. Silva and asking him to bring somebody from the democratic party so they could share in the meeting. Mr. Ciambrone asked if there was any discussion of them being willing to talk "all zeros". Mr. Silva said there was no discussion and it was laid on the table that they would not discuss any negotiations. Mr. Silva said they didn't talk about it at all. He said he didn't know what was taken back to Mr. Ciambrone but he told them he wasn't there for negotiations; that he was strictly there to listen to them and the comments were that they had to understand they had to do a better public relations job in the township if they want the police to be endeared by everybody. Mr. Silva said that, aside from all the comments made tonight, what you have to look at is the fact they were trying to impress him with the fact they get it; would he please go back and tell the Committee that they understand what the Committee is talking about; and he spoke to Committee Members. Mayor Gatto asked Mr. Ciambrone to wrap up his comments because there were other members of the public that want to speak. She said the Committee isn't going to go through negotiations. Mr. Ciambrone referred to Mayor Gatto's platform being open and honest government and said maybe it should be closed and dishonest government if she decides to run next time.

Harry Rogers said he was dismayed at the spectacle he saw tonight and asked how many millions the Committee has and isn't aren't telling the (public) about that these people think they can lay claim to. He commented on unemployment being 15%-17%; the township being millions of dollars underwater; the state being billions of dollars under water and the federal government being trillions of dollars under water. Mr. Rogers said the sense of entitlement when people are suffering is huge and he thinks it is misplaced. He questioned how many millions in recurring revenues were anticipated in the next two years and said the township isn't going to hire people without recurring revenues. Mayor Gatto said the Committee didn't find it a prudent practice to base the budget on anticipated revenues. Mr. Rogers said raiding capital budgets for one-time benefits was tried numerous times in the past and doesn't work even when the money does show up not to mention when it doesn't. He said the township went through a decade of irresponsible spending; expanding township government to unsustainable levels; and agreeing to unsustainable contracts. He commented on the need to share this sacrifice together or find ourselves bankrupt and then everybody loses. Mr. Rogers said compromise has to be the order of the day and he didn't see any tonight. He said he has to assume the Committee was hiding millions of dollars because people feel they have a claim to it. Mr. Rogers commented on not seeing them here any other time. Mayor Gatto said she wasn't aware of any millions laying around. Mr. Rogers said he didn't think there was either and to say the Committee hasn't done anything for the past 2 or 3 years is also irresponsible because there were layoffs two years ago, last year and again this year. He commented on people knowing this was coming in 2011 and said there wasn't sufficient compromise. He said people only show up when they want more and their piece of the pie.

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Mr. Cain asked Mr. Jacobs where the township will be next year from a fiscal standpoint providing State Aid remains the same. Mr. Jacobs said assuming the Committee approves the tax increase they have done layoffs equal to what it would take to eliminate the structural deficit of about \$2.4 million. Dr. Kesselman asked Mr. Jacobs if he was saying that for the first time in years, assuming every step the Committee has taken, the township will have a balanced budget. Mr. Jacobs said "yes" but he wanted to clarify that this year's budget doesn't quite get there because the township didn't want to lay off one more employee than they had to so there is half-million dollars built into the projected school deferral numbers because next year those additional funds will be saved for some of the additional salaries the township partially paid through this year. Dr. Kesselman said assuming State Aid and everything else remains the same the Township will have a balanced budget January 1, 2012.

Kaman Potts referred to Mr. Rogers comment and said it isn't about entitlement, it is about less devastation on a person's life. He said the township was devastating 13 people's lives and they don't need to because there are other reasonable solutions to the crisis. Mr. Potts said people voted for the Committee Members and asked them to come to those reasonable solutions with the least devastation possible. He said it's about responsibility and the Committee dedicating themselves to those who dedicated themselves to the community because a lot of them left well paying jobs, have children, beginning families and homes. He said everyone is asking the Committee to look at those other avenues and the Committee said they are willing to do that. Mr. Potts said he thinks permanent concessions are unreasonable. He said he isn't familiar with the senior center but he will be a senior someday and he wouldn't want to be put out in the cold.

Richard DeFeo commented on sitting in meetings the past couple of weeks and said he has never seen a town as divided the as the township is. He said he thinks people should put there heads together in bad times to find out what could be done to survive. Mr. DeFeo said Mr. Silva isn't to blame for cops being laid off. He said he remembered when Mr. Silva was against hiring officers 3 years ago because the township didn't have the money; they were hired anyway and then had to be laid off; 6 months later Mr. Silva got the blame for it; and they were hired back sneakily last year. He commented on Mr. Ciambrone asking for the figures on the MUA 3 meetings ago and no one got the answers; and he thinks someone should get them. Mr. DeFeo commented on making \$150.00 a month (as an MUA Member) and said if the Township needs it he will give it up. He suggested it would pay the Township to do like companies do and get a headhunter to come in, look at who is doing their job, who is being over paid, how many people are in the same job, and get rid of people that way. Mr. DeFeo said he thinks there are cuts that can be made if the township really looked around. He said it was a shame about the senior center and he doesn't think that much money is being talked about. Mayor Gatto said it is \$260,000.00 a year. She said many people approached the Committee about volunteering and she has asked Mrs. Giberson to maneuver them wherever they can go and she thinks the food bank is biggest place they can go right now. Mayor Gatto explained there are issues with volunteers to cook because it is overseen by the Board of Health; issues with people volunteering to drive the vans because they aren't covered by the Township's insurance; and a host issues that come into play when people are trying to do really good things. She said she asked Mrs. Giberson to look at what people who volunteer can be used for. Mayor Gatto said she believed one option would be, with the seniors permission, to give out their name and address and let person-to-person volunteering begin. Mayor Gatto said there was nothing sneaky with bringing the 4 cops back last year; the township had negotiations with them and were able to come to an agreement. Mr. DeFeo said the ones brought back were laid off again and asked how they could be brought back if the township couldn't afford them. Mayor Gatto said it was because there was a temporary concession that brought them back until the end of the year and then that money went back on the books. Mr. DeFeo the police probably think it happened last year so they can do it again this year and suggested someone explain to them how it was done so they don't make all the accusations because they think if they complain enough they will come back. He said he was tired of hearing about it and about the MUA. He referred to comments made to Dr. Kesselman tonight and said he thinks he is doing a great job. Dr. Kesselman commented on being

at the Senior Center when Mr. DeFeo was there. Mr. DeFeo said his wife worked in the school for 17 years; she was cut and lost everything. Mr. DeFeo said he donated the TV and Wii to the senior center and he would like to have it back before something happens to it so he can donate it to the Women's Center.

Mark Clopp said he lobbied pretty hard with for the police to make concessions last year to bring back the 4 officers that were laid off. He said there was some bad communications in the process but they worked it out. Mr. Clopp said what bothers him is that the police were willing to make concessions last year to bring the officers back but this year the budget deficit is too great it is almost impossible to make up the budget gap without layoffs. He said the point he made last year was that if they are going to make concessions, if cuts are going to be made, they have to be across the board and if one group is being asked for money it should be taken unilaterally across the entire township. Mr. Clopp commented on seeing this train wreck coming and whether it was before or after election time didn't matter but it would have been nice if people were put on notice so that, if nothing else, they could have been job hunting in advance instead of saying on January 1st "by the way you're unemployed". He said the relation ship can't be kept without communications and he hopes that if something like that comes about in the future, the Committee would communicate with the police. He said they will certainly try to do what they can to assist.

John Pucci commented on being present during some hard times last year and on not knowing what all the specifics are regarding negotiations. He said the 13 states didn't all agree when writing the Declaration of Independence but they spent a couple of days trying to hammer out a solution that they could all agree to. He said he thinks there should be another meeting as soon as possible and the parties involved should put on the record tonight their willingness to immediately and continuously negotiate for a solution.

Mrs. Anderson was given permission to have the Deputy Clerk come up and take her place while she made a comment on behalf of the non-union people. Mrs. Anderson gave her name and said she was speaking as a citizen and a non-union employee. Mrs. Anderson said the non-union employees all took 5 voluntary unpaid days two years ago which was a reduction in salary and not too big a deal unless you were a single mother and there are some; that last year they had 10 unpaid furlough days plus with increases in deductions they ended up with a pay cut; this year they have a pay freeze and gave up over \$32,000.00 for deferred comp match and that figure came right from the finance department; it was a little perk given to them because they didn't get all the other niceties the unions do. She said that on behalf of the non-union employees, she thinks they have done their share. Mrs. Anderson returned to her seat on the dais.

There being no further comments from the public, Mr. Silva moved, seconded by Mr. Palmentieri, that the public comment portion be closed.

MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Dr. Kesselman moved, seconded by Mr. Palmentieri, that this meeting be adjourned.

MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

ATTEST:

JOAN I. ANDERSON, R.M.C.. TOWNSHIP CLERK