

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
APRIL 1, 2013

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 L. Gatto presiding. Members present were Aline Dix, Rodney Guishard, Judy Link 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 e-mailing a copy of the notice along with the agenda for this meeting to the Press of Atlantic City, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place on Monday, April 1, 2013 at 6:30 PM in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Agenda Item 5.C be changed to read (#1744-2013 if introduced); and

BE IT FURTHER RESOLVED that the following items be added to the agenda for consideration and action to be taken thereon tonight:

- 5.B Add (#1743-2013 if introduced)
- 8.I Accept \$9,440.60 Susquehanna Bank cashier's check #110667129 to be held in escrow as a performance guarantee for Vickie Britton site work on Block 736, Lots 11-13.
- 8.J Authorize Township Engineer to submit the NJDEP Authorization to Discharge 5G3 - Construction Activity Stormwater General Permit Application for Malaga Road Section 2.
- 8.K Authorize advertising & receiving bids for Reconstruction of Malaga Road - Section 2.
- 10.D Appoint Adrian Ohnemuller a part-time Dispatcher at \$15.00 per hour - effective date to be determined by the Police Chief.

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

Early public comment on agenda items not listed for public hearing:

Peg Capone complimented the Committee for a zero tax increase budget, paying down debt, reflecting the community's desires; and setting a standard that she hopes the school boards in future years will demonstrate as well. Mrs. Capone said the school board was told that over 50% of the students are free or reduced lunch and she is concerned about how many more will fall into that category with the new tax increase. She thanked Mrs. Dix for her comments at the Board about what its small penny increase means to individuals on fixed incomes.

Mrs. Capone referred to the agenda item on a Public Works Director and asked if someone retired. Ms. Gatto said the Public Works Director left two years ago and in an effort to save money, the Township entered into a shared services agreement with the MUA to borrow their Director part of the time. She explained budgeting has been being done to be able to afford a full time person for the position and they are there this year; the Committee feels dedicated attention from a leadership position is needed; Mr. Blankenship has

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done an excellent job in both arenas but the Committee wants to bring on a leader for that department and maybe find other efficiencies. Mrs. Capone asked if Mr. Blankenship received a stipend for the shared service. Mrs. Dix said the MUA carried it 100%. Mrs. Capone commented on the Committee having to demonstrate where the money will come from to pay for the position. She referred to the Organizational Chart and asked if it was right that there will be a Public Works Director, 2 Division Chiefs, and a Deputy Director for 15 employees. Mr. Jacobs explained the Deputy Director position is being eliminated and a Projects Manager position created out of it; it is a mid-level management position; and it will not be in the Public Works Department anymore. Mayor Gatto explained the Ordinance for that is on tonight's agenda.

Mrs. Capone said it would be nice if a couple of girls in the Clerk's Office were notaries. Mayor Gatto said they are and Mrs. Dix said there are 19 notaries on staff. Mrs. Capone said no one in the Clerk's Office could notarize a document for her today; she had to go to the bank and come back; and maybe they couldn't do it because she was filing the application with the Clerk's Office. Mayor Gatto said she thought it was offered as a service for a charge in the past. Mr. Jacobs said his understanding is that the Township doesn't notarize for the public; if it is something for the Township they do. The Mayor said when the Township was reducing staff, they essentially reduced tasks and in the Clerk's Office all non-mandated activities were reduced. Mr. Jacobs said the Township has Notaries; he couldn't answer why the Clerk's Office wouldn't notarize what Mrs. Capone had but maybe Mrs. Anderson could; the Township doesn't notarize for the general public; and most of the Notaries are in the Police Department because they need them for different shifts. Mrs. Dix said it is a pending issue.

2013 Municipal Budget:

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

RESOLUTION TO READ 2013 BUDGET BY TITLE ONLY

WHEREAS, N.J.S.A 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building, the local public library, and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, in the County of Atlantic, State of New Jersey, that the budget shall be read by title only.

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

Mayor Gatto commented Mrs. Capone's tone and that of the public being much different over the last several years and said that the Committee heard and listened to them. She commented on this being the second year with a zero tax increase; the budget being over \$100,000.00 less than last year's; \$9.2 million in debt being paid down since 2006; keeping the employee count reduced from 177 in 2007 to 118 in 2013; going to a pay-as-you-go policy, paying cash where they should and not borrowing where they don't necessarily need to; increased Public Safety; continuing to purchase fire trucks, ambulances and police vehicles; making improvements to the Dispatch Center including some automation coming in April and May; continuing the Street Paving Program; enhancing security around the building; maintaining services they held the line on for the past several years

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that are either mandated or voted on by the Committee as services they want to provide that don't have an alternative elsewhere in the County; not using school deferral; nobody being laid off; no furloughs being asked for; no negotiations on people's pay being asked for; and no other services being reduced. Mayor Gatto said government has gotten smaller and her intention is that it stays smaller. Mr. Silva said the budget is \$1,283,000 under the 2% CAP. The Mayor said it took a lot of hard work by Committees past and present; a lot work and sacrifice by the employees and the taxpayers; and it will take a lot of hard work by Committees in the future. She said the Committee's goal now is to get into a rhythm where they provide quality services to the residents at an affordable price and to get that message to the other tax collecting entities. Mayor Gatto said she is very proud of the budget; proud that the Committee is moving forward united on it; and they appreciate everybody's continued hard work and focus on it. Mr. Guishard commented on the Committee trying to use in-house resources to the extent they can with many people serving in multiple positions; they have done well and the Township saved a lot of money in a number of those areas; and there was a tremendous amount of help from the public. Mrs. Link commented on being able to maintain the Cove at no cost to the Township.

There being no questions or comments from the public on the budget, Mr. Silva moved, seconded by Mrs. Dix, that the public hearing be and is hereby closed.

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

Resolution authorizing local examination of the budget:

Mr. Jacobs read the first paragraph and explained the budget has to go to D.C.A. for review only once every three years if certain requirements are met. Mr. Tuthill said the Township will be exempt from going to D.C.A. again next year.

Mr. Guishard moved, seconded by Silva, that the following resolution be and is hereby adopted.

RESOLUTION AUTHORIZING LOCAL EXAMINATION  
OF THE MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Hamilton has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2013 budget year,

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Hamilton that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.

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2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

ROLL CALL: DIX "YES"  
GUSHARD "YES"  
LINK "YES"  
SILVA "YES"  
GATTO "YES"

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

Introduction of Budget Amendment:

Mayor Gatto explained the amendment is to set up a reserve fund for potential tax appeals. Mr. Jacobs explained one of the Township's largest taxpayers filed a tax appeal that will go to trial; the Township will have to pay them back the Township, County and Board of Education taxes for whatever they (win) when the trial is done. He explained this amendment will put a half million dollars in a reserve account so that if the Township loses or settles some of the appeal, there will be money for it that won't affect the budget in 2014 or 2015 depending on when it settles. Mayor Gatto explained this wasn't done when the budget was introduced because it had to be discussed with the auditor to be sure it was done correctly. Kenneth Moore, the Auditor, said he reviewed it with the Finance Department; it is an excellent budget; this step is very appropriate; it is funded with one-time dollars; it isn't creating any impact on the surplus; and the potential liability would affect the Township in the future. Mrs. Dix asked how other one-time revenue would be added to the reserve if the Township got some. Mr. Moore said it might not be able to be done this year but the revenue could be reserved and put into next year's budget. Mrs. Dix asked how it could be marked for reserve if they got a windfall before the end of the year. Mr. Moore said he was pretty sure they could pass a resolution to do it; and those kinds of funds can be set up in a reserve and budgeted with off-setting appropriation to fund additional tax appeals. Mr. Sandman said there is one State tax appeal for 2012; it is the one Mr. Jacobs referred to; and they filed a 2013 appeal. He explained the final equalization table was received today that shows the 2013 ratio 97.85% meaning the assessed value compared to true value is 97.85%. Mr. Sandman explained how the ratio is determined and said it makes defending the appeals easier in 2013 because of the good work done in the Assessor's Office; the township was largely successful with the tax appeals last year, particularly before the County Board; and the appeals filed in the Tax Court were negotiated. Mr. Sandman said he thinks this is the wisest course the Committee could possibly take.

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Mr. Silva moved, seconded by Mrs. Link, that the resolution to amend the 2013 Municipal Budget to include \$500,000.00 anticipated revenue from Reimbursement from FEMA and offsetting appropriation of an equal amount in Reserve for Tax Appeals as set forth in full on a subsequent page be adopted.

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

Amendment to Temporary Budget:

Mayor Gatto explained the amendment is needed to extend the original temporary budget that ended March 31<sup>st</sup> to the end of April.

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

**RESOLUTION AMENDING THE TEMPORARY BUDGET FOR THE YEAR 2013**

WHEREAS, N.J.S.A. 40A:4-19 provides that the governing body may, and if any contracts, commitments or payments are to be made before the adoption of the budget, shall by resolution adopted prior to January 31, of the fiscal year, make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the budget, and

WHEREAS, after January 31 any appropriation which becomes necessary before the adoption of the budget, and which has not been included in the Temporary Budget, must be made by adoption of a resolution amending the temporary budget provided for in N.J.S.A. 40A:4-20

NOW THEREFORE, BE IT RESOLVED that the following appropriations shall constitute an amendment to the Temporary Budget of the Township of Hamilton, County of Atlantic.

Township Administrator S&W	6,900.00
Township Administrator OE	1,000.00
Township Committee S&W	2,300.00
Human Resources S&W	2,000.00
Human Resources OE	1,500.00
Municipal Clerk S&W	7,200.00
Municipal Clerk OE	1,000.00
Financial Administration S&W	8,300.00
Management of Information Systems S&W	3,000.00
Tax Collector S&W	8,500.00
Tax Assessor S&W	5,700.00
Municipal Court S&W	28,600.00
Legal Services OE	5,000.00
Planning Board S&W	10,800.00
Board of Adjustment S&W	500.00
Construction Official S&W	13,300.00
Construction Official OE	1,000.00
Housing Code Enforcement S&W	5,400.00
Housing Code Enforcement OE	1,000.00
Employee Group Insurance	40,000.00
Police S&W	268,000.00
Fire Protection Official S&W	5,000.00
Prosecutor's Office OE	5,000.00
Public Works S&W	62,800.00
Public Works OE	35,000.00
Vital Statistics S&W	300.00

PERS	282,591.40
PFRS	642,033.30
Social Security	27,700.00
Animal Control	1,000.00
Historical Advisory Board S&W	500.00
<b>Total Current Fund</b>	<b>1,482,924.70</b>

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

Wheaton Property cleanup update:

Mr. Jacobs explained an inspection was made; a list of violations sent to the owner; and he read an e-mail response from the owner stating they are ready to begin demolition and clean up immediately; they feel it is important to meet at the site, to clarify exactly what they can and should be doing. Mr. Jacobs said there are some issues with Pinelands as to what they can and can't demolish and they will probably meet with them at the site next week. He said he believed they were going to demolish all of the fire damaged structures. Mr. Sartorio said they will have to go through Pinelands and come back to the Planning Board to get their certificate of appropriateness amended and that they are aware of that. Mr. Silva questioned how long that would take. Mr. Sartorio didn't know. Mrs. Dix asked if they filed yet. Mr. Sartorio said that as far as he knows they haven't. Mrs. Dix asked if the Planning Board file could be looked at to see the date they filed with Pinelands the first time and when they got a response to estimate a time frame. Mr. Sartorio explained they were also dealing with the State Historic Preservation Office at the same time they first filed with the Pinelands and he understands they will only be dealing with Pinelands Staff at this time. He explained the issue is the building by Mill Street, Building B, because the certificate of appropriateness only calls for removal of the roof and the e-mails he got indicate they want to demolish everything. He said that is where they need clarification and correction. Mrs. Dix said her impression was that they want to tear down everything except the 3-story building on Old Harding Highway (Building A). Mr. Sartorio said that was his understanding also. Mr. Guishard commented on the building that connects across the street not being demolished and said not to expect to see it all cleaned up. The Mayor said it will be substantially cleaned up if they do what they are committing to and the Township has a plan in place to enforce the ordinances if they don't. Mr. Jacobs said they want to do the demolition; they are going to clean it up and that could be boarding it up. Mr. Silva asked Mr. Sartorio if they have given him anything more on what they plan to do with the remaining structure. Mr. Sartorio said they haven't. In response to Mrs. Link's question on needing a study on asbestos, lead, etc., Mayor Gatto said that was done as part of getting their demolition permit. Mr. Guishard asked how long the Township must tolerate having the remaining buildings in that condition before action can be taken. Mr. Sartorio explained the most the Township can do if Building A is safe, is tell them to secure it to keep people from getting in. Mrs. Link commented on economic times in the building industry determining whether they are going to do something with the property and said they won't invest in it and not want to make some money on it.

Introduction Ordinance #1743-2013:

Mr. Jacobs explained there is an Ordinance that requires everyone to put up escrow money in advance for outside extra duty police services; if a developer is doing work on a road the Township has to pay the officers who work it even if the developer doesn't pay the Township and the problem is that developers can go bankrupt and the Township may not get its money. He explained the electric company, gas company, the MUA, and the school districts are included in the escrow requirement in the current Ordinance; the issue came up in the exit interview with the auditor; the auditor suggested this be done if the Township wants to continue exempting them; and the Township will have

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to start charging them the escrow if this isn't done so that the current practice is consistent with the Ordinance. Mr. Silva asked how quickly they pay when an invoice is submitted to them. Mr. Jacobs said he hasn't heard of a problem and Mr. Tuthill said there wasn't any problem with any of the agencies listed. Mr. Jacobs said the proposed Ordinance says "as long as they are current" so if they are late they would have to put up escrow. The Mayor explained the Ordinance will exempt Greater Egg Harbor Regional School District, Hamilton Township Schools, all public utility companies regulated by the Board of Public Utilities, Hamilton Township MUA and any other governmental agencies from the prepay component. Mrs. Dix asked where the money will come from to pay the officers while the Township waits for the deposit. Mr. Jacobs said it would come from the normal cash flow and that is what the Township has been doing. Mrs. Dix said she would like a legal opinion that the Committee can legally do this before they go ahead with it. She said she is against it; the Township has been too far behind with other people; she doesn't like the whole system; and she will not go with it. Mr. Jacobs explained he has to start charging them if this isn't done and said the Auditor recommended the Township charge them or change the Ordinance to be consistent with its current Ordinance. Mrs. Dix said if the Ordinance is changed the Township won't be in violation when there are overdrawn accounts because of long delays in money coming in and that she talked to Mr. Jacobs about it when she first got on Township Committee. Mr. Jacobs said was talking about developers and he will find out what the cash flow has been with these entities before the next meeting. Mr. Sandman said it appears the Township exempts them now but the Ordinance doesn't allow that. Mr. Jacobs said he asked the Auditor if the Township can legally exempt them and he said "yes". Mr. Sandman said he will look at it but he is pretty sure it is permissible. Mr. Silva asked how much money they were talking about and if anything turned up in the audit about it. Mr. Tuthill said that he didn't have a number with him and that nothing turned up in the audit about it. Mr. Guishard asked if requiring them to pay up front caused them a hardship or that they would object to it. Mr. Jacobs and the Mayor said they already objected to it. Mr. Jacobs explained what the Boards of Education and MUA would have to do and said he didn't know if they would object. The Mayor said these groups have to collect fees and money from a service payer which is different from a developer. She said she supports the Ordinance and thinks it is the right thing to do. Mrs. Link asked if the electric company has been slow at paying for the service. Mr. Jacobs he wasn't aware of any agency on the list being in arrears. Mrs. Dix said Greater Egg Regional has been slow to pay. Mr. Jacobs said he can get the Committee more information before the next meeting. Mr. Guishard and Mr. Silva said they don't need any more information. Mr. Silva said he would move to introduce the Ordinance with the understanding that the Committee will get a firm opinion from the Solicitor that it meets the criteria. The Mayor asked if the public hearing would be on April 15<sup>th</sup>. Mrs. Anderson explained it wouldn't because Mr. Sandman probably couldn't get a legal opinion done and to her before the advertisement deadline of 10 a.m. tomorrow morning. The Mayor said the public hearing will be on May 6<sup>th</sup>. Mrs. Dix said she would vote yes because it is only to introduce and will decide how she will vote on May 6<sup>th</sup> after she sees the legal opinion and other things she wants to look at.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following Ordinance #1743-2013 be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the April 3, 2013 issue of the Atlantic County Record for a public hearing to be held on Monday, May 6, 2013 at 6:30 PM in the municipal building, Mays Landing, NJ.

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

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**TOWNSHIP OF HAMILTON  
ORDINANCE NO.: 1743-2013**

**AN ORDINANCE AMENDING ARTICLE III OF CHAPTER  
70 OF THE CODE OF THE TOWNSHIP OF HAMILTON,  
PROVIDING FOR EXTRA DUTY EMPLOYMENT**

WHEREAS, the Township Committee has previously established the requirement for persons and entities to establish escrow accounts when Extra-Duty Employment services for police officers is requested; and

WHEREAS, this ordinance did not provide any exceptions to this requirement; and

WHEREAS, this reorganization will not increase the total cost of salaries and wages; and

WHEREAS, the Township has determined that exceptions to this requirement are appropriate to certain agencies; and

**NOW THEREFORE BE IT HEREBY ORDAINED** by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that Article III of Chapter 70 of the Township Code, titled Extra Duty Employment, shall be amended as follows:

**SECTION 1.**

Amend Article III. Extra Duty Employment Section 70, by adding to the end of 70 -14, A. and new Sub-Section 70-14.A.1. to read as follows:

- (a) The following agencies are exempt from the Escrow Requirements as long as prior payments are current:
  1. Greater Egg Harbor Regional School District
  2. Hamilton Township Schools
  3. All Public Utility Companies which are regulated by the New Jersey Board of Public Utilities.
  4. The Hamilton Township Municipal Utilities Authority.
  5. Other Governmental Agencies

**SECTION 2. Severability and Effectiveness Clause.**

- (a) If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
- (b) Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION 3. Effective Date.**

This Ordinance shall take effect immediately upon final passage and publication as provided by in law.

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Joan I. Anderson, R.M.C.  
Township Clerk

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Amy L. Gatto, Mayor

ROLL CALL:	DIX	“AYE”
	GUISHARD	“AYE”
	LINK	“AYE”
	SILVA	“AYE”
	GATTO	“AYE”

ORDINANCE #1743-2013 INTRODUCED AND PASSED FIRST READING APRIL 1, 2013

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Introduction of Ordinance #1744-2013:

Mr. Jacobs explained the Deputy Director of Public Works, Division Chief-Roads and Drainage, and Division Chief-Maintenance Recreation & Grounds job titles and the stipends for Alternate Fund Commissioner and additional pay for use of the Certified Public Works Manager's license are being deleted. He explained three new job descriptions are being created in their place and salaries established for them -- Operations Supervisor, Deputy Operations Supervisor and Special Projects Manager; the people in the eliminated positions will maintain their employment but with different job titles, different job duties, different reporting structures; and it is all in line with the anticipated hiring of a new Public Works Director. Mayor Gatto said it was also a general plan of reorganization of that department and it was recommended by both the Personnel Committee and the Administration.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following Ordinance #1744-2013 be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the April 3, 2013 issue of the Atlantic County Record for a public hearing to be held on Monday, April 15, 2013 at 6:30 PM in the municipal building, Mays Landing, NJ.

DISCUSSION ON THE MOTION:

Mrs. Dix asked if the job descriptions will be included in the advertisement. Mrs. Anderson explained only the Ordinance will be advertised; the job descriptions will not be. Mrs. Dix said she thinks the list of equipment to be able to be operated by the Deputy Operations Supervisor needed to be more extensive; she thinks the person should be able to operate more of the equipment like the leaf machine and power tools like the power hack saw, so if they have to train someone. Mr. Jacobs said job descriptions are approved by him and if Mrs. Dix gives him her comments he can incorporate them into it. Mayor Gatto said if anyone had comments on the job descriptions they should get them to Mr. Jacobs. Mr. Guishard said he thinks some of those machines can be learned and it may eliminate a number of people who would otherwise do a very good job if they go out with too many restrictions or requirements. Mr. Jacobs explained no one is being hired; the three existing employees are being reassigned to the positions. He said he wants the specifics and more can be put in the description if something is missing. There being no further discussion, Mayor called for a vote on the motion.

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

**TOWNSHIP OF HAMILTON  
ORDINANCE NO.: 1744 -2013**

**AN ORDINANCE AMENDING EXHIBIT A, SECTION 1  
ARTICLE II OF CHAPTER 66 OF THE CODE OF THE  
TOWNSHIP OF HAMILTON, PROVIDING FOR THE  
MAXIMUM NUMBER OF EMPLOYEES**

WHEREAS, the Township Committee has previously decided to hire a full-time Public Works Director; and

WHEREAS, the Township Committee has determined that re-organizing the Supervision of Public Works Department is in the best interest of the Township; and

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WHEREAS, this reorganization will not increase the total cost of salaries and wages; and

**NOW THEREFORE BE IT HEREBY ORDAINED** by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that Article II of Chapter 66 of the Township Code, titled Personnel, shall be amended as follows:

**SECTION 1. Delete Positions**

Amend Exhibit "A" Section #1, entitled FULL-TIME REGULAR DEPUTIES AND DIVISION CHIEFS, by deleting the following positions:

Deputy Director of Public Works  
Division Chief, Roads and Drainage  
Division Chief, Maint., Rec., & Grounds

**SECTION 2. Delete Position**

Amend Exhibit "A" Section #1, entitled PART-TIME DUAL POSITIONS, by deleting the following positions:

Alternate Fund Commissioner

**SECTION 3. Eliminate prior approved stipend**

Eliminate additional pay for use of Certified Public Works Manager License

**SECTION 4. New Titles and Salaries**

Amend Exhibit "A" Section #1, entitled FULL-TIME DEPUTIES AND DIVISION CHIEFS, by adding the following positions:

<b>TITLE</b>	<b>SALARY MAXIMUM</b>	<b>STARTING SALARY</b>
Operations Supervisor	\$70,000	\$57,000*
Deputy Operations Supervisor	\$60,000	\$54,000
Special Projects Manager	\$75,000	\$67,000

\* At the end of one year the Township Administrator is authorized to increase this salary if the employee in the position has completed assigned training, and met the expectations for the position.

**SECTION 5. Severability and Effectiveness Clause.**

- (a) If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
- (b) Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION 6. Effective Date.**

This Ordinance shall take effect immediately upon final passage and publication as provided by in law.

TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF HAMILTON,  
COUNTY OF ATLANTIC and  
STATE OF NEW JERSEY

ATTEST:

\_\_\_\_\_  
Joan I. Anderson, R.M.C.  
Township Clerk

\_\_\_\_\_  
Amy L. Gatto, Mayor

ROLL CALL: DIX "AYE"  
              GUISHARD "AYE"  
              LINK "AYE"  
              SILVA "AYE"  
              GATTO "AYE"

ORDINANCE #1744-2013 INTRODUCED AND PASSED FIRST READING APRIL 1, 2013.

Amendment to Gaskill Point Variable Message Sign Policy:

Mr. Jacobs explained they found after adoption of the policy was adopted that it didn't include anything about the schools or clubs in the schools and this amendment adds "events and activities sponsored by Hamilton Township schools, Greater Egg Harbor Regional School District, Atlantic County Institute of Technology and private schools within the Township". He explained it will be for activities the schools sponsor but will not advertise the school. Mrs. Dix asked if the County Library was included. Mr. Jacobs said it wasn't on the list but could be added and suggested he be allowed to put some wording together and have on another agenda. Mayor Gatto suggested adding "g. Atlantic County Events". Mr. Jacobs said it would be for if one of the County agencies was doing something at one of the Township's parks, the library or something like that.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton the Section III (2) of the Policy and Procedures for the Gaskill Point VMS Sign be amended to add the following:

(g) Atlantic County Government and/or Agency events held in the Township.

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

Mrs. Dix 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 Policy and Procedures for the Gaskill Point VMS Sign be amended to the amendment to include Section III (2) f. and to read as follows:

**III. Messages approved for posting**

A. The Township Administrator or his/her designee is authorized to post the following messages:

(2) Special; as Requested:

- (a) Fire Company events
- (b) Rescue Squad events
- (c) Main Street Merchants events (no specific business names)

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- (d) Events for Volunteer Organizations created to serve residents of Hamilton Township
- (e) Township of Hamilton Historical Society
- (f) Events and Activities sponsored by Hamilton Township Schools; Greater Egg Harbor Regional School District; Atlantic County Institute of Technology; and private schools within the Township.
- (g) Atlantic County Government and/or Agency events held in the Township.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Township Administrator be and is hereby authorized to sign the Cape Atlantic Soil Erosion and Sediment Control Plan Certification application for the Reconstruction of Malaga Road - Section 2 project.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that all bids received on March 24, 2013, Janitorial Services Bid #2013-04, be and are hereby rejected because the specifications are being changed to clarify language pertaining to the section on background checks and the plan of operations and the project rebid.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Raffle License #6-2013 is hereby approved for Cologne Volunteer Fire Company Ladies Auxiliary off-premises draw raffle being held on November 2, 2013.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Raffle License #7-2013 is hereby approved for South Jersey Cancer Fund arm chair race raffle being held on May 4, 2013.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that legal representation shall be provided to Peter Burns, a former Police Officer in the Hamilton Township Police Department in a civil action lawsuit filed against him pursuant to provisions of Chapter 17, §17-4 of the Township Code; and

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BE IT FUTHER RESOLVED that aforesaid legal representation shall be by the attorney of said defendant's choosing at a rate not to exceed \$135.00 per hour and the aforesaid defendant shall be financially responsible for any legal fee in excess of \$135.00 per hour charged by the attorney he chooses.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Atlantic City Electric Company is hereby granted permission to install two 35' stub poles and 15' anchors on Block 989, Lot 1.01 as shown on Drawing #5607840; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are authorized to sign the necessary easement on behalf of the Township.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that a Special Meeting of the Township Committee for the purpose of executive session interviews for the Director of Public Works position be and is hereby authorized to be held 6 o'clock PM on Monday, April 8, 2013.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that award of Bid #2013-01 for One New, Stock, Demo or Slightly Used Pumper Apparatus be and is hereby extended for 30 days as permitted by N.J.S.A. 40A:11-24(a).

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Susquehanna Bank cashier's check #110667129 in the amount of \$9,440.60, be and is hereby accepted to be held in escrow as a performance guarantee for Vickie Britton for site work on Block 736, Lots 11-13.

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

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

BE IT RESOLVED by the Township Committee of the Township that Robert J. Smith, III, Township Engineer, is hereby authorized to submit the NJDEP Authorization to Discharge 5G3-Construction Activity Stormwater General Permit application for the Reconstruction of Malaga Road - Section 2 project.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that advertising for and receiving of sealed bids for the Reconstruction of Malaga Road - Section 2 project be and is hereby authorized.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the March 18, 2013 regular meeting minutes are hereby approved and adopted as published.

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

Mr. Silva moved, seconded by Mr. Guishard, 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 ordered to be paid, the bill list totaling \$2,075,082.90.

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

Mr. Guishard moved, seconded by Mrs. Link, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the March 18, 2013 resolution appointing Phillip Beeler and Mark Sciore as part-time Dispatchers be and is hereby amended to reflect the correct starting salary of \$15.00 per hour.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that John Lake be approved as Maintenance/Carpenter III at \$38,391.46 per year effective April 2, 2013.

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

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

BE IT RESOLVED that approved as a temporary full-time Laborer/Painter at \$15.00 per hour with no benefits for a period not to exceed 11 months beginning April 3, 2013 and contingent upon successful completion of pre-employment/post-offer physical and background check.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Adrian Ohnemuller be and is hereby appointed a part-time Dispatcher at \$15.00 per hour, effective date to be determined by the Chief of Police.

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

Reports:

Mrs. Dix said the roads in Tavistock aren't paved, the basins are full, and the sidewalks are brown and asked where the Committee was going to go with it since the bonds were to be called if they don't get moving. Mr. Silva said Mr. Smith has been investigating and will come back to Committee once he has an answer. He said the Association wants to meet again and wanting to know what the status is. He asked what additional pressure the Committee can put on the developer. Mr. Smith explained he thinks the recent e-mail from Mr. Sciacca dealt more with drainage problems around the homes and said they had an understanding that they would do some grading work to address those issues. He explained those are separate and distinct from the performance bond issues; there was a meeting with both bonding companies in August to discuss those issues; but there hasn't been any action since that meeting. Mr. Smith said he thinks Tavistock seems ready to do and do some work in and around the dwellings which he thinks are the more emergent issues because the residents can't get full enjoyment of their homes. Mr. Sandman asked if these were performance bonds; if the development was more than 90% complete; and if it was correct that the top coat on the roadways wasn't done. Mr. Smith said they are performance bonds and the development is more than 90% complete; the development is in four phases; and top course of paving has been installed in Phases 1 and 2 but not Phases 3 and 4. Mayor Gatto said the Committee had a hearing on Tavistock and Mr. Smith said the bonding companies were put on notice. Mr. Sandman said all the Committee has to do then is authorize him to take the next step. Mr. Smith explained bonds for Phases 1 and 2 were posted by the developer's site work contractor and bonds for Phases 3 and 4 were posted by a subsidiary of the developer. Mayor Gatto said Mr. Smith reached out to the developer and their response was that they were too busy with tax season. Mr. Smith explained Mr. Sciacca is their comptroller who handles their corporate affairs and is heavily involved in the sites. Mr. Silva said the Committee has to press the issue. Mr. Sandman said he will pull the file out and give the Committee his opinion at the next meeting. Mr. Silva suggested inviting the principals in the Homeowners' Association because other issues have come up; they haven't accepted the community building because they found substandard work that almost caused a fire; and he thinks the Committee has to show them that they are serious and are going to take action. Mrs. Dix said Mr. Sciacca and other representatives of the developer don't even attend the Homeowners' Association meetings. The members agreed to have the matter on the next agenda to take action.

Mrs. Link reported she, Mr. Jacobs, Mr. Smith and Mr. Guishard took proposals to Pinelands that they think will be palatable to them so the Committee can get sports organizations on track. She commented on Mr. Jacobs's solution for getting lighting on the practice fields and said the letter from Rhonda said as long as there is a cap or something on top that prevents bird perching, the Township can proceed with the lighting. Mrs. Link said they will also be proposing drainage. Mr. Jacobs explained the Township wants to get lights up before the fall season starts so they have a place to practice. He explained they also want to get it graded and seeded because it takes a couple of years for it to grow right before starting to play games on the field. Mr. Jacobs explained that will provide time to work on

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the drainage issues; they need more drainage because parking is needed if they are going to have games there; and they have to have drainage for concession and rest room facilities they want to build. Mr. Jacobs said the meeting was very, very positive and the paperwork was submitted on Thursday. Mr. Smith explained the field is currently under review to be graded and seeded; the Commission said the Township could submit a plan to do the lighting as a separate application and if there are no issues with the drainage they will act on the two applications as one; if there are issues with the drainage they will act on the lighting separately so it can go out to bid for the proposed game field and some ancillary practice fields. He said he received a call today that Pinelands went through the all the files and the information given at the meeting was that there would be no adverse impact on installing the lighting. Mr. Jacobs explained that at the suggestion of Pinelands they put an extra set of lights on the lighting plan that could light two more areas in the future but they don't intend to do that now. Mrs. Link asked if there was funding for it. Mr. Jacobs explained he didn't know the cost yet but he is comfortable that there are funds to install the lights on the plan. He said Sue Giberson is setting up a meeting with Musco to be sure they can do what was designed; the new light system will be have control-link so the timers can be set and lights turned on or off by any computer if you have the password; and they are trying to get an alternate in the bid to incorporate the hockey court lights as part of the control. Mr. Guishard commented on the Pinelands people pulling out plans dating back to 1998 and said he thinks Pinelands now has a better understanding of what the Township's needs are; they really are trying to and did assist; and it looks like the Township is on the right path for this fall. Mr. Guishard commented on the number of kids in the sports programs and the Township not having the capacity to provide a place for all of them to practice in the fall. Mr. Guishard commented on automobile lights and portable generators from the MUA being used in the past and said that isn't ideal. He reported he has met with every one of the sports groups a number of times; they have been very helpful and worked together; and they have gotten people to contribute lights and people to install electricity.

Mr. Guishard read the letter he received from the Fleet Reserve Association, signed by Bob Campbell, President of the Branch 13, regarding a recently passed State Law that allows public organizations to give set-asides for veterans. He said he thinks it is a good idea and suggested it be considered at a future meeting. Mr. Guishard explained it will put a burden on the Administration if the Committee decides to participate in the program because it makes the processes they have to go to in awarding stuff more cumbersome but it probably provides opportunities because the Township can make set-asides. He suggested the Cove is one of the possible areas for having beverages, etc. Mr. Guishard thanked the organization for bringing it forward and suggested any other public entity that has a good idea present it. He reported on another State Law that allows veterans with a driver's license that had a couple years driving experience in the military to get a State CDL license without having to go through the training. Mr. Guishard commented on needing to find a way to get this kind of information out to the public and said he is working on it.

Mr. Silva reported planning for the 200<sup>th</sup> anniversary celebration; a lot of sponsors have come in; many activities are planned; they believe 5,000-7,000 people will attend; the magnets and banners are out. He explained they are looking at alternate parking sites and will probably have shuttle services to them once the parking lot at Lenape Park is filled; he and Mr. Jacobs have come up with quite a few; they have been talking with jitney operators. Mr. Silva said 18 people attended the last planning committee meeting.

Mrs. Dix asked how soon the security cameras at Liepe will be operational and said some people are very concerned about the purpose of it and who's going to get arrested. She commented on the Mayor having been contacted about who is and isn't allowed to use the hockey

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Court; needing someone to talk to the Committee about the structure of the hockey court and why you can't skate on it; and needing to meet with the users or people who are going to be told they can't use it so they all have an understanding as to what the issues were. Mrs. Dix said she thought roller skates weren't allowed and asked if skates are the issue because of the side boards, the decking, it is a puck not a ball, or if there is damage to the new fencing. She suggested that in all fairness to people who say they are taxpayers too the Committee has to bring it to a head and a fair conclusion; if it is that you can never skate on it, they need to understand why; and if people are still unhappy the Committee will have an understanding of why. Mrs. Dix said she and Mr. Guishard can take the lead as liaisons to recreation and hopefully call a meeting with those people by the end of April.

Mrs. Dix reported cars were parked on Leipzig by the "No Parking" sign and on the grass by the softball fields and suggested the Baseball Commissioner be notified about enforcing the "No Parking". Mr. Silva said he thinks it should be enforced; there are designated parking areas; and it should be enforced so people don't ruin the ground. Mayor Gatto said there is a difference between notification and asking him to enforce and she doesn't think it's their job to enforce. She asked Mr. Jacobs to contact the M.L.A.A. and said some of the parking issues will be taken up with the Chief. Mr. Jacobs said the Committee has to consider more fencing there as the Township increases its investment in the grass and fencing to keep people who are not welcome at the hockey courts off of them.

Mr. Guishard said Mrs. Dix would have liked to attend the meeting with the Pinelands but they couldn't have 3 Committee Members there at the same time and Mrs. Link was a key person for that meeting. He said Mrs. Dix is very supportive of the sports program.

Mayor Gatto said great things are happening with the recreation sites and the 200<sup>th</sup> year celebration. She commented on needing sponsors for the 200<sup>th</sup> celebration and said interested businesses can contact any of the Committee Members for the contact information.

The Mayor announced there will be a spring cleaning event on April 20<sup>th</sup> as part of the Clean Communities Program that will include road-side clean-up, document shredding for Township residents, drop off for computer and electronics, drop off for slightly used clothing and household items for the benefit of the Community Food Bank of New Jersey and free vegetative waste bags for the first 100 participants. She announced that donations of peanut butter and jelly for the food bank can be dropped off at the cafeteria in town hall. Mayor congratulated Buffalo Wild Wings on opening and said she is looking forward to the Longhorn Steak House opening on April 8<sup>th</sup>. She congratulated the Cologne Fire Company on their successful fish fry. Mayor Gatto commented on attending the Rescue Squad swearing in ceremonies.

Public Comment:

Robert Campbell, Sr., thanked Mrs. Link, Mr. Guishard, Mr. Jacobs and Mr. Smith for going to the Pinelands. He thanked the Public Works Department for helping the American Legion clean up trees that were blown over by (hurricane) Sandy. Mr. Campbell said the American Legion has been donating a lot of American Legion materials to the Historical Society for the community. He thanked Mr. Guishard for bringing up his recommendation for the set aside ordinance and said it would be appreciated if the Committee would consider introducing it. Mr. Campbell commented on job fairs for veterans being held by the federal government, county government, VFW, American Legion and the Fleet Reserve. He suggested the Committee might consider a set-aside, giving veterans preference, for Township employees and that they send it to the attorney and maybe pass the ordinance as soon as possible. Mr. Campbell asked if the veterans' organizations were permitted to

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announce their activities on the electronic sign. Mr. Guishard said he already asked about that and it is allowed. Mr. Campbell suggested an announcement be put on the sign once or twice a year about Lou (Green) giving out information for the veterans at the mall.

Peg Capone said the lights were on at 3 of the soccer fields on Hickory Street after 8 o'clock and only 1 field was being used. Mrs. Dix suggested a couple of fields may have just emptied out and they shut the all of the lights together.

Jim Link said his organization has sponsored the "pooch parade" since the inception of Hometown Celebration and it is his understanding that they are excluded this year on a technicality. Mr. Silva said it wasn't excluded entirely; the idea was that if they couldn't have it in the Park because you can't have animals there, they could have in the back of their skating rink; ad that will be brought to Mr. Link's attention. Mr. Link said if his tax dollars support Lake Lenape Park and someone can be given an exception for alcoholic beverages for a full weekend and vendors being there, he asked the Committee to explain to the powers that be that this is part of the Hometown Celebration and shouldn't be excluded for that technicality. Mayor Gatto commented on finding a lot of things that need special exceptions like the pony ride and petting zoo that can't come because they can't have animals there; it is one of a few other fun things they want to do and she thinks they will put together a list and have a constructive conversation about. She said the Committee needs to address (Mr. Link's) situation quickly. Mr. Link commented on past participants being concerned and disappointed. Mayor Gatto suggested they go to the Board of Freeholders meeting and voice their concerns. Mr. Silva said that is what happened when they made an active park passive and took away the opportunity to showcase it better.

Mr. Link commented on his and Mrs. Link's skating rink being private and said they had no problem with people playing deck hockey; they supported it with the understanding there wouldn't be roller skating of any sort on that public property. He said he didn't believe it was fair for him and Mrs. Link as taxpayers to have to compete with a publically subsidized competitor. Mrs. Dix said it wasn't really a competitor because she didn't know that money was being exchanged. He explained competition in terms of entertainment is where somebody decides to spend their money or spend their time. Mr. Link said he understood it is public property that the Committee has dominion over on what comes and goes there. He said they may be able to show the Committee the benefits of staying deck hockey versus moving into the roller hockey realm if the Committee needs guidance from someone who has acted as professional consultants in the industry.

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

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that this meeting be adjourned to an executive session to discuss the following matters of litigation which are exempt from public discussion pursuant to the New Jersey Open Public Meetings Law:

1. Dare vs. Hamilton Township et al.
2. Cain vs. Hamilton Township et al.

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BE IT FURTHER RESOLVED that the governing body will reconvene in public session and confirm the results of the executive session if there is a majority consensus for action to be taken on the matter tonight.

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

The Committee adjourned at approximately 8:19 p.m. on the recorder.

Confirmation of the executive session:

Mayor Gatto recalled the meeting to order. Mr. Sandman stated it the time on the wall clock was 8:56 PM on Monday, April 1, 2013; the Committee met in executive session and discussed the matters announced and no other matters were discussed. Mayor Gatto stated that no members of the public were present in the meeting room or the rotunda.

Mrs. Dix 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 be and is hereby authorized to prepare a resolution to provide indemnification in case of Dare vs. the Township of Hamilton.

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

Mrs. Dix moved, seconded by Mrs. Link, that this meeting be adjourned.

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

ATTEST:

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

