

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NEW JERSEY
APRIL 18, 2011

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, NJ, was held on the above date with Mayor Amy L. 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, Robert J. Smith III, Township Engineer. Present for the 2011 Budget hearing and related actions were Leon Costello, Township Auditor, Richard C. Tuthill, CFO, and Cynthia Lindsay, Deputy CFO.

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 of the meeting on the bulletin board in the municipal building and by 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, NJ at 6:30 PM on Monday, April 18, 2011.

A moment of silence for private reflection was observed.

Mr. Palmentieri moved, seconded by Mr. Silva, 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 matters of personnel which are exempt from public discussion pursuant to the New Jersey Open Public Meetings Law.

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 matters tonight.

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

The meeting reconvened in public at approximately 6:41 PM.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Item 5.A Conifer Realty LLC request to be heard regarding proposal re: Block 1131, Lot 5.01 is hereby deleted from the agenda at request of Fredrick Schmidt, the attorney for Conifer Realty LLC; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Hamilton that the following additions and corrections be added to the agenda of this meeting for consideration and action to be taken there on tonight:

9.A Insert names of businesses:

- (1) Level Up Entertainment - games/comic books/toys store at Hamilton Mall
- (2) Chillaxin Frozen Yogurt - frozen yogurt store at Hamilton Commons

9.E Insert "or entering into a Cooperative Agreement, whichever is most advantageous to the Township" between the words "bids" and "for"

9.F Correct source of funding to read SFY 2010 State Aid

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

Executive Session Confirmations: Mayor Gatto asked the Solicitor for direction on how to proceed. Mr. Sandman explained the Committee should entertain a motion consistent the executive session discussion with and strictly limited to the matter that was discussed. He explained the Committee could do it now or wait until it came up as a discussion item on the agenda. The Mayor indicated they would wait. Mr. Sandman announced the only issue discussed was what was announced and the minutes will be available when the confidential nature of the matter is no longer confidential.

Early public comment on items not listed for public hearing: NONE

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Reorganizational Plan/confirmation of executive session

Mr. Jacobs explained the first part to the Reorganizational plan he prepared for the Committee to consider tonight was an additional layoff of a position because the eliminated work was performed by a non-union employee. He explained the second part he would be to recall two of the laid off employees and he hopes to discuss it at the next meeting. Mr. Jacobs explained this can be done because of other attrition that has taken place and they would do union work. Mr. Jacobs said the goal is to reopen the office windows until 4:30 to better serve the citizens. He explained the Plan is an employee reallocation based on union and non-union work. Mr. Jacobs said the only thing to be done tonight is the approval of the layoff of one non-union employee who used to work in the Social Services Building.

Dr. Kesselman 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 layoff of one non-union employee pursuant to discussions held in executive session tonight and as recommended in the Administrator's Reorganizational Plan is hereby approved.

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

2011 Municipal Budget

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

RESOLUTION

WHEREAS, N.J.S. 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 "AYE", NO "NAY", NO "ABSTAIN".

Public hearing on 2011 Municipal Budget:

John Pucci asked how what was done last year and this year resolved the structural deficit and would maybe get it completely resolved. Mr. Jacobs said this budget is the first step to total elimination of the deficit. He explained it was the first step because the additional savings from the layoffs won't be realized until next year and there is \$600,000.00 in school deferral in this budget but it will be covered next year by the savings from the original layoffs. Mr. Jacobs said issues that could affect it are State Aid that could be in question next year and even this year; unemployment extensions could affect the budget; and there are still some unsettled collective bargaining agreements. He said this budget eliminates the structural deficit assuming those other issues stay level. Mr. Palmentieri said it is about the 10th step because the Township has been working on it for years and every time they made a significant effort to address and overcome it, State Aid got cut a million dollars or pensions goes up one-quarter of a million dollars. He said he thinks \$3 million of savings over the past five years have evaporated because of things of that nature. Mr. Palmentieri said the Township has had address twice the amount of the structural deficit because the goal posts keep moving further away due to lack of state funds and increased costs.

Mr. Costello said everything said so far is exactly the process the Committee has taken and it wasn't easy. He said he has done this for 36 years and what this Committee has accomplished is unprecedented. Mr. Costello agreed with Mr. Jacobs that unforeseen things happen and said by time they sit down to do next year's budget the Committee should be well on the road to balancing it on their own without any outside influences. Mr. Costello commended Members for making the decisions they had to make under the pressures they were under. He said the Committee made some very sound financial decisions.

There being no further questions or comments on the 2011 Municipal Budget, Mr. Silva moved, seconded by Dr. Kesselman, that the public hearing be closed.

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

Mr. Palmentieri moved, seconded by Mr. 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 2011 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.
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: CAIN "YES"
 KESSELMAN "YES"
 PALMENTIERI "YES"
 SILVA "YES"
 GATTO "YES"

RESOLUTION ADOPTED APRIL 18, 2011.

Resolution to amend 2011 Municipal Budget:

Mr. Costello explained amendment is to insert both the revenue and the expenditure for three additional grants they have received. He said there is no change to the over all budget other than the total and it has no impact on the tax and no other factors are involved.

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

RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2011 was approved on the 21st day of March, 2011 and **WHEREAS**, the public hearing on said budget has been held as advertised, and **WHEREAS**, it is desired to amend said approved budget, now **THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Hamilton, County of

Atlantic

that the following amendments to the approved budget of 2011 be made:

<u>Recorded Vote</u>	(CAIN	((
	(KESSELMAN	(Abstained (NONE
	Ayes (PALMENTIERI	Nays (NONE	(
	(SILVA	((
	(GATTO	(Absent (NONE
			(

CURRENT FUND:

FROM TO

ANTICIPATED REVENUES:

3. Miscellaneous Revenues		
Section F: Special Items with Prior Written Consent of the Director of LGS – Public and Private Revenues Offset with Appropriations		
Justice Assistance Grant	0.00	10,655.00
Homeland Security Emergency Management Grant	0.00	5,000.00
CARS-E Grant Program	0.00	300,000.00
Total Section F: Special Items with Prior Written Consent of the Director of LGS-Public and Private Revenues Offset with Appropriations	667,617.96	983,272.96
Total Miscellaneous Revenues	5,210,537.30	5,526,192.30
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	8,235,537.30	8,551,192.30
7. Total General Revenues	<u>26,009,616.01</u>	<u>26,325,271.01</u>
	=====	=====

ANTICIPATED APPROPRIATIONS:

8. General Appropriations:		
a) Operations – Excluded from “CAPS”		
Public and Private Programs Offset by Revenues		
Justice Assistance Grant	0.00	10,655.00
Homeland Security Emergency Management Grant	0.00	5,000.00
CARS-E Grant Program	0.00	300,000.00
Total Public and Private Programs Offset by Revenues	383,576.96	699,231.96
Total Operations – Excluded from “CAPS”	463,576.96	779,231.96
H-2 Total General Appropriations for Municipal Purposes Excluded from “CAPS”	4,276,458.96	4,592,113.96
O) Total General Appropriations Excluded from “CAPS”	4,276,458.96	4,592,113.96
I) Subtotal General Appropriations (Items (H-1) and (O)	24,567,289.96	24,882,994.96
M) Reserve for Uncollected Taxes		
9. Total General Appropriations	<u>26,009,616.01</u>	<u>26,325,271.01</u>
	=====	=====

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the local Municipal budget so amended.

RESOLUTION ADOPTED APRIL 18, 2011.

Adoption of 2011 Municipal Budget as amended:

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

WHEREAS the 2011 Municipal Budget was introduced and approved by the Township Committee of the Township of Hamilton on March 21, 2011 and duly advertised in the April 6, 2011 issue of the Atlantic County Record for a public hearing to be held on April 18, 2011; and

April 18, 2011

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

WHEREAS the amendment to the Municipal Budget was adopted to insert three items of Grant Revenue and Offsetting Appropriation did not require advertising or further public hearing,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hamilton that the 2011 Municipal Budget be and is hereby adopted as amended.

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

Mayor Gatto thanked Mr. Costello, the Finance Committee, the Department Heads, and the Township Committee for their input. She said everyone worked hard looking for solutions. Mr. Silva commented on looking for the light at the end of the tunnel for years and said he believes it shines bright with the adoption of this budget. He said it is nice to part of a Committee that put forth a budget that attacked the structural deficit and seeing the reality that will happen over time. He thanked the Finance Committee for a budget the Committee can live with and credited a lot of it to the Mayor and Mr. Cain. The Mayor said it was a team effort. Mr. Palmentieri commented on being on Committee for 12 years and said that with very few exceptions most of the budgets during that time were unanimously supported and have been real bipartisan efforts.

Public Hearing/Adoption - Ordinance #1689-2011

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

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

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

WHEREAS, Ordinance #1689-2011 was introduced and passed first reading on March 21, 2011 and was duly advertised for a public hearing to be held April 4, 2011; and

WHEREAS, a resolution was adopted on April 6, 2011 to postpone the public hearing until April 18, 2011 due to there being insufficient time between the decision to cancel the April 4, 2011 meeting and the reschedule meeting date of April 6, 2011 to publish a legal notice of postponement; and

WHEREAS, legal notice of the postponement of the public hearing was duly advertised in the April 7, 2011 issue of the Atlantic City Press; 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 #1689-2011 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 #1689-2011

AN ORDINANCE TO AMEND SECTION 3. Annual Increases. OF 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 DELETE THE SALARY INCREASE FOR THE YEAR 2011.

WHEREAS, SECTION 3. Annual Increases. of Ordinance #1630-2008 authorized the Township Administrator to award annual percentage increases in salary to the non-affiliated (non-union) employees for the years 2009, 2010 and 2011; and

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

April 18, 2011

WHEREAS, the Township Committee desires to eliminate the 2011 salary increase provision in aforesaid SECTION 3. of Ordinance #1630-2008,

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

SECTION 1. Ordinance #1630-2008, SECTION 3. Annual Increases. be and is hereby amended to delete the phrase "**Jan 1, 2011 = 3.75%**".

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.

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

ATTEST:

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 #1689-2011 INTRODUCED AND PASSED FIRST READING MARCH 21, 2011.
ORDINANCE #1689-2011 ADOPTED APRIL 18, 2011.

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 #1690-2011 is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the April 20, 2011 issue of the Atlantic County Record for a public hearing to be held in the municipal building, Mays Landing, NJ at 6:30 PM on Monday, May 2, 2011.

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

**ORDINANCE #1690 - 2011
SUPPLEMENTING ORDINANCE # 310
OF THE CODE OF THE TOWNSHIP OF HAMILTON**

**AN ORDINANCE CREATING A NO PARKING ZONE
ON A PORTION OF OLD EGG HARBOR ROAD AND ON A
PORTION OF A DIRT ACCESS ROAD AT THE NORTHERLY
END OF THE UNDERHILL PARK RECREATION COMPLEX,
IN THE TOWNSHIP OF HAMILTON, COUNTY OF
ATLANTIC AND STATE OF NEW JERSEY**

BE IT ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic and State of New Jersey, that:

SECTION 1. The Code of the Township of Hamilton, Section 310, shall be and is hereby amended to include the following. No motor vehicle or other vehicles shall be parked on any of the shoulders, curbs or areas abutting the following streets in the Township of Hamilton, County of Atlantic and State of New Jersey:

- (a) On the Northbound side of Old Egg Harbor Road abutting the Northbound travel lanes (heading away from Route 40) from its intersection with Route 40 to a point 1,850

(b) On a portion of Old Egg Harbor Road abutting the Southbound lanes (heading toward Route 40) from 300 feet North of the intersection of Route 40 to a point 1,850 feet North of Route 40; and

(c) Area as having no parking on the road to access the additional parking area on the South side of the dirt road from the point of the roadway edge of Old Egg Harbor Road along the length of the curb line and extending from the end of the curb line to a point 150 feet East of the gate post and that there be no parking on the access road to access the additional parking area on the North side of the dirt road from a point 56 feet East of the Old Egg Harbor Road roadway edge and extending along the fence line to the gate post.

SECTION 2. The Township Clerk shall immediately after passage and publication of this Ordinance, make and file in the Office of the County Clerk for the County of Atlantic, a copy of this Ordinance, together with proof of publication hereof, duly certified by her, under the corporate seal of the Township of Hamilton, for record, as required by law.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, erroneous and/or incorrect, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. All Ordinances or parts of Ordinances of the Township of Hamilton, heretofore adopted, which are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of any such inconsistency.

SECTION 5. PENALTIES AND VIOLATIONS. Any individual, partnership or corporation violating any provision of this Ordinance, upon conviction thereof before the proper officer having jurisdiction, shall be subject to a fine not to exceed fifty (\$50.00) dollars or imprisonment for a term not exceeding fifteen (15) days, or both, in the discretion of the Court hearing the same.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon final passage and publication.

ATTEST:

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

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

AMY L. GATTO, MAYOR

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

ORDINANCE #1690-2011 INTRODUCED AND PASSED FIRST READING APRIL 6, 2011.

Introduction Ordinance #1691-2011:

Mr. Jacobs explained it is a small increase to daily and seasonal non-resident pass fee and said a little less than originally proposed because the coupons are not being done. He said a couple of the merchants are going to sell the passes (badges). Mr. Cain thanked Mr. Jacobs for his work on this.

April 18, 2011

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 #1691-2011 is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the April 20, 2011 issue of the Atlantic County Record for a public hearing to be held in the municipal building, Mays Landing, NJ at 6:30 PM on Monday, May 2, 2011.

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

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NJ
ORDINANCE NO. 1691-2011

AN ORDINANCE AMENDING CHAPTER 225, ARTICLE I, §225-2.A AND §225-2.B OF OF THE TOWNSHIP OF HAMILTON CODE ENTITLED COVE AREA AS PREVIOUSLY AMENDED

BE IT ORDAINED by the Township Committee of the Township of Hamilton that:

SECTION 1. Chapter 225, Article I, §225-2.A Fees. Is hereby amended to read as follows:

A. Fees for seasonal use of the Cove Area shall be \$12 per person for residents of the Township of Hamilton and \$24 per person for nonresidents of the Township of Hamilton with a season consisting of the date upon which the Cove Area is officially opened for swimming through the date of its closure that season.

SECTION 2. Chapter 225, Article I, §225-2.B Fees. is hereby amended to read as follows:

B. Fees for daily use of the Cove Area shall be \$6 per person per day for residents of the Township of Hamilton and \$9 per person per day for nonresidents of the Township of Hamilton, during the season consisting of the date upon which the Cove Area is officially opened for swimming through the date of its closure that season.

SECTION 3. 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 4. 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 5. 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 "AYE"
KESSELMAN "AYE"
PALMENTIERI "AYE"
SILVA "AYE"
GATTO "AYE"

ORDINANCE NO. 1691-2011 INTRODUCED AND PASSED FIRST READING APRIL 18, 2011.

April 18, 2011

Mr. Palmentieri 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) Level Up Entertainment - retail games/comic books/toys store at Hamilton Mall
- (2) Chillaxin Frozen Yogurt - frozen yogurt store at Hamilton Commons

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

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

BE RESOLVED by the Township Committee of the Township of Hamilton that Raffle License #6-2011 is hereby approved for the Oakcrest High School Falcon Crew Boosters Chinese Auction to be held on May 13, 2011; and

BE IT FURTHER RESOLVED that Raffle License #7-2011 is hereby approved for the Oakcrest High School Falcon Crew Boosters on-premise 50/50 raffle to be held on July 11, 2011.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Raffle License #8-2011 is hereby approved for the Alesia Shute Foundation Inc. off-premise raffle to be held March 3, 2012.

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

Rejection of bids for providing Soccer & Lacrosse Programs and for Football, Cheerleading, Baseball, Softball and Street Hockey Programs

Mr. Jacobs explained the Township went out for competitive contracting for the two programs and taking over operation and maintenance of the parks; a proposal was received from each of the organizations; and the process requires that the proposals be rejected and that it be rebid. Mr. Jacobs commented on needing a meeting with the organizations to straighten out the details and hoping to have it back for an award at the second meeting in May. Mr. Palmentieri asked if Mr. Jacobs thought the Township was in a position to get satisfactory bids from the same people. Mr. Jacobs said "yes" and explained they will take over a lot of work the Township used to do; they will run the programs and maintain the parks where they are run; the Township will provide some funding; and the bid is about how little funding the Township will provide. He commented on needing to work with the organizations because they don't do this kind of proposal on a regular basis. Mr. Palmentieri said that was discussed as a possible shortcoming of the anticipated bid responses. Mr. Jacobs explained it will have to be prorated to part of a fee because the Township is already spending some of the funds to maintain those parks because the process is taking longer. Mr. Palmentieri asked if the process would be started in November for next year once the Township gets through this. The Deputy CFO said the bid may provide for 1 or 2 year extensions. Mr. Palmentieri commented on this being new and questioned how much the Township wanted to get into something long-term because both sides will have things they want done differently after the first year's experience and before entering into a long-term agreement that is beneficial to both parties. He said he is glad for the prospects getting something agreed upon before it gets too much later in the season and once someone is chosen they can pick up from what has already been done.

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

WHEREAS, the following Bid Proposals were received on April 6, 2011:

- 1) To Provide Multifaceted Soccer & Lacrosse Programs: Hamilton Township Soccer & Lacrosse Club.
- 2) To Provide Football, Cheerleading, Baseball, Softball, and Street Hockey Programs: Mays Landing Athletic Association.

and

April 18, 2011

WHEREAS, after review by the Deputy CFO and Deputy Director of Public Works, it has been recommended that the aforesaid all Bid Proposals be rejected because the lowest bid in each instance substantially exceeds the estimated cost for the good and services requested and that rebidding be authorized,

NOW, THEREFORE BE IT RESOLVED that all of the aforementioned Bid Proposals are hereby rejected and rebidding is hereby authorized with the date and time for submission to be determined by the Finance, Public Works and Township Clerk's offices.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that reduction of Wilmington Trust letters of credit performance guarantees for Conson LLC Eaglesmere Project (formerly Glen Eyre Palette III) are hereby authorized as set forth below as recommended by Robert J. Smith III, Township Engineer, dated April 13, 2011:

LOC NO.	GUARANTEE FOR	FROM	TO
#8-0169	Volunteer Way behind Wawa	\$131,675.54	\$52,206.82
#8-0132	Volunteer Way St. 18+65 to end of cul-de-sac	\$293,778.00	\$237,506.94
#8-0133	Site improvements	\$827,687.04	\$701,857.14

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

Bidding for APS E-Ticket software:

Chief Tappeiner explained two vendors that provide the service; it has to go out bid; and it will be more efficient for the Police Department, Police Records and Court Clerks. Mr. Silva said he was at the presentation and finds it to be everything the Chief talked about in terms of technology and the end result will be real positive. Mr. Jacobs explained every single hand written ticket now has to be retyped into the system; this will reduce the errors and the demand on Court personnel which was reduced earlier in the year; and it is part of the overall plan. The Mayor said Mrs. Fieni explained interpreting what the ticket says is one of the biggest time consumers in the Court. She said this will be more efficient because it will be all electronic and fed into the system right from the street.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that authorization is hereby given for receiving of bids or entering into a Cooperative Agreement, whichever is most advantageous to the Township, for APS E-Ticket software.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the proposal from R. Grossman & Associates (RGA) for Consulting Service to Expand a Closed Circuit Video Surveillance System at Hamilton Mall is hereby accepted and the contract for same awarded to them in an amount not to exceed \$32,825.00 with funding to be through SFY 2010 State Aid CARS-E Grant Program.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the minutes of the Wednesday, April 6, 2011 regular meeting be and are hereby approved and adopted as published.

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

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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 all properly executed and approved payrolls and bills are hereby ordered paid, the bill list being \$1,292,531.63 as of April 14, 2011.

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

Mayor Gatto appointed Paul LaRoche a Citizen Members of the Community Based Programs Advisory Board for the balance of the year 2011. The Mayor said Mr. LaRoche has done a lot of work in Victoria Crossing, particularly with Neighborhood Watch, and is interested in expanding his role and activities in the community at large. She said she will appoint the second member on May 2nd.

Mr. Jacobs reported he and Ingrid Perez met with Mr. Blankenship today to kick off the inter-local agreement and the meeting went well.

Mr. Sandman reported he discussed the issue of the warranty on the roof shingles for this building with Mr. Smith. Mr. Silva said it was a specification in the bid package and asked how they responded to it when they were awarded the bid. Mr. Smith explained there were no exceptions taken in the bid submitted and said the issue of the warranty term for materials and workmanship came to light when they submitted shingles for approval at the preconstruction meeting. He said the contractor's position is that the 30-year term in the specs is not attainable and that he got two manufacturers to agree to 20 years. Mr. Smith said he discussed it with Mr. Sandman and Mr. Sandman will review it and report back to the Committee.

Mr. Smith reported the front steps/wall repair project is under way and hopefully will be completed in two weeks. He reported the structural repairs to the basement project is essentially complete.

Mr. Smith reported the preconstruction meeting on West Jersey Avenue Section 1 and New York Avenue will be held on Wednesday and hopefully construction will get under way within two weeks. He said there will be inconvenience to the residents because both roads will be closed for the term of the contract.

Mr. Smith reported the survey work on Malaga Road has been started and said he wants to get it out to bid as soon as possible.

Mr. Smith reported he and Mr. Jacobs are working on the 2011 Road Program.

Mr. Smith reported requests for stormwater management maintenance guarantee releases are coming in and he is monitoring the performance of those basins. He reported Mr. Mangels told him tonight how good the Hamilton Walk basin is performing and that he told him credit goes to the Public Works who did the remedial work. Mr. Smith reported receiving an e-mail from the Timber Glen engineer about two weeks ago; they apparently met with Pinelands and are working to finalize what their remedial plan will be and the work on their basin so there won't be the same kind of overflow as there was in the past from it to the newly working Hamilton Walk basin.

Mr. Smith reported he forwarded the Hamilton Commons/Consumer Square engineer's report dated March 25th to the Committee which was updated from their May 2010 report and that their plan of action remains essentially the same; they are going to dewater the basin behind BJs in Wrangleboro Consumer Square when the weather is more appropriate and remove all the accumulated silt, sediment, and debris so it will work as an infiltration basin. He said the basins by Men's Warehouse and Helzberg Diamonds aren't an issue; their engineer's research shows they were supposed to be detention basins that collect stormwater and release it at a slower rate; they are studying the possibility of reestablishing their elevation so they function more as detention basins and can be rectified so they don't hold water anymore. Mr. Smith said their goal for the infiltration basins is to meet the New Jersey Best Management Practices that requires infiltration within 72 hours after a storm. He explained the 6 basins at Consumer Square II/Hamilton Commons are designed as retention basins to store and infiltrate the runoff; some test pits were done; some unsuitable soils were found; their goal is to remove and replace the unsuitable soils; scarify the bottoms; and get them to work as infiltration basins; their other intent is to interconnect the basins and redirect their overflow into the 322 stormwater system out to the Gravelly Run. He said the report indicated they discussed that with the DOT case manager but they will also require some kind of approval from Pinelands and Planning Board if they are going to reconfigure or redesign those basins. Mr. Smith said the schedule included in the report of how they were going to proceed indicated a total project duration of about 7 months and that they anticipate the work at Hamilton Commons will be completed on or before December 1, 2011. Mr. Smith said he will probably contact their engineer this week to see where they are with the analysis and design

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work that will have to be submitted to agencies in the next week or so to get the review process underway. Mr. Cain asked Mr. Smith if he had said they were going to interconnect the basins and redirect them to Gravelly Run. Mr. Smith read the applicable portions of the letter regarding interconnecting basins 6, 5 and 4 for discharge into basin 3 and explained where basins 1, 2, 3 and 4 are. Mr. Cain said basin 3 is the one that has been being discussed. Mr. Palmentieri said basin 3 and 4 are the problems. Mr. Smith #6 by the movie theater is also holding water. Mr. Palmentieri said that is a huge basin and he never saw it overflow. Mr. Smith said they still have to address the function of it and their goal is to interconnect 6, 5, and 4 and discharge them into basin 3. Mr. Palmentieri said that is the one that overflows; it is where the pump is; and they want to discharge 3 basins into the biggest problem. He said that is a bad plan. Mr. Cain said they want to redirect it and make it the problem of the residents at the Fairways and Eaglesmere and he doesn't think that is even a plan. Mr. Smith said the Committee's concerns have been expressed to their engineer; they still have to go through Pinelands and the Planning Board so it will go through a formal review process because of the extensive changes to the stormwater management system. Mr. Sandman said that pipe runs across the Gravelly Run Square shopping center property and the Township is negotiating things with them. He said taking 3 basins and putting them into the one that has apparently failed sounded like a big deal to him. Mr. Sandman said if it has to go to the Planning Board, that is one step, but the Committee has the authority to get involved before that and he urged them to do so. He suggested he and Mr. Smith be allowed to get involved and be proactive if the result on developments near the Mays Landing Country Club will be as Mr. Cain pointed out. Mr. Sandman said that the Committee normally relies on the Planning Board and Zoning Board professionals, but when it comes to the Members' attention that they can avoid something, they could permit him or Mr. Smith or both to go on a fact-finding mission before it gets to the Planning Board. Mr. Cain expressed his confidence in the Planning Board Members and said the Planning Board that approved the original design plan for those two shopping centers would never have approved a plan to dump the water where they are looking to redirect it to now. He said it could be absolutely devastating to the Gravelly Run ecosystem and he doesn't want the Township to be in a position of having to start remedial work if those homes start flooding. He agreed that the Committee should do whatever they can they can to stop it from getting to that point or, if they can't do that, to have enough information so they can educate the Planning Board Members as to what is going to happen if they try this. Mr. Palmentieri said they were both Zoning Board applications and asked if that is where they have to go back to. Mr. Sandman said they have to go back to the Board that approved them. Mr. Palmentieri agreed the Committee should take whatever action they can. Mr. Sandman said it had been supposition until tonight when they heard it from the engineer. Mr. Palmentieri said it is somewhat in the Committee's laps from the standpoint that the development was already approved and built and he thinks it is still in the Committee's purview to do something unilaterally now with the problem as it exists. Mr. Sandman said if they have to go to Pinelands first, there is nothing to stop the Township Committee from telling Pinelands how they feel about it and that the municipal Engineer and Solicitor are authorized to oppose the application. He explained it would then go to the Zoning Board and it is very unusual for the municipal Solicitor to go before a Planning or Zoning Board to set forth a position but the law doesn't prohibit it and suggested the Committee not lose an opportunity to fight something that may turn out to be very bad. Dr. Kesselman said he concurred and Mr. Palmentieri said he agreed. Mayor Gatto said she thought the consensus of the Committee was for the Solicitor to move forward and report back at the next meeting. Mr. Palmentieri questioned the possibility they are in the process of trying to remediate the problems and want to dewater the basin by draining it to work on it or that is the plan to fix it as the permanent solution. Mr. Smith said his understanding is that it is the permanent fix. Mr. Palmentieri asked for that to be confirmed by e-mail or in a letter just to make sure it isn't a temporary dewatering for the real remediation before the Committee takes any legal action. Mr. Smith said there would be extensive costs to interconnect them as a temporary fix. Mr. Palmentieri explained he meant the using the pipe to drain them out while they work on them and that he isn't positive using the pipe under the Pike is part of the permanent solution. Mr. Sandman said basin 3 is already bad and asked where it will go when they add basins 6, 1 and 2 to it. Mr. Palmentieri said that as a permanent solution, it isn't the best, and dumping it into somebody else's property is unacceptable. Mr. Silva said it could become another Timber Glen. Mr. Sandman said he will meet with Mr. Smith and get an answer to Mr. Palmentieri's question. He suggested putting them on notice that the Committee is going to take whatever action is necessary to prohibit use of the DOT pipe. Mr. Smith reported the pump has been removed from the sidewalk and that he asked them not to put it on the sidewalk if they used it in the future.

Mr. Palmentieri commented on the Planning Board discussing drainage basin safety for years to prevent children from falling in if there is some kind of hazardous situation and asked if ordinances were passed about fencing around basins or was it just something that was discussed. Mr. Sartorio said he would have to

check into it. Mr. Palmentieri said he brought it up because the one by Borders is very steep, very deep, has a sidewalk running very near it and has very dense trees
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so if a little kid fell in you wouldn't see them. He said it seems unsafe and if the applicant has to come back to the Zoning Board for anything, they would want to look at it because it doesn't seem like a safe situation in a heavily traversed area.

Mr. Silva reported some repair work is being done on Leipzig Avenue going in from the Black Horse Pike and expressed hope it will be addressed in more detail with some sidewalks being put in.

Mr. Silva said there will probably be a report from the Lake Lenape Dam Committee by the next meeting. He said they were waiting for the report from the contractor and design engineer on the status of the coffer dam and the dam itself. Mr. Sandman said the State Review Board renewed their construction license for reconstruction of the dam for one year.

Mr. Silva said he thinks the time has come to address the Cornerstone/Wheaton property. Mr. Silva said the Committee has heard a number of comments from the would-be developer about tearing down the part that was destroyed and trying to clean up the property. He commented on the potential continued contamination being a great concern and said he wants to know the status of it. Mr. Silva ask that the Solicitor look into it and recommend what courses of action the Committee can take. Mr. Cain said it is becoming more dilapidated; is blighted; and it is a danger, not just an eyesore. He said he thinks it is time for the Solicitor to advise the Committee of its options and how to proceed to compel action at the site. Dr. Kesselman said this is a bipartisan issue; the Committee wants it fixed; it is an embarrassment to the town because it is on a road with a lot of traffic going through; and it leaves a bad lingering image of the town. Mr. Silva commented on severe flooding at that intersection during the recent rain storm and suggested that issue be looked at also. Mr. Sandman said there are three issues and explained the first is the earthen embankment to the dam on the Wheaton property; he is working with the Lake Lenape Dam Committee and the County on it; there are remedies that will come about on it; and there are issues that involve the remediation of the dam contract that he is working on with the County and others. Mr. Sandman said the second issue is the aerial walkway and suggested the Committee take that on as well. He said the third issue is to evaluate the property as a whole to determine whether or not it is a safety issue; where the Township remedies lie in terms of potentially assessing fines; and taking administrative actions and liening the property. Mr. Sandman said if he is given a 30 day window he can provide a road map on what he thinks should be done on all three issues. Mr. Cain commented on a concern that since the fire everything that was inside and covered has been getting rained on and running off into the river. Mr. Palmentieri said all the contents had been removed when he toured the building in 2005 or 2006 and the only potential problem is oils and other chemicals that seeped into the wooden floors and beams that may leech out now that they are exposed to the rain. He said he didn't know how much of that burned off in the fire but the ecological damage being done by it being opened and the rain washing things into the river should be assessed.

Mr. Cain recognized his Smart Growth Committee co-chairman, Wayne Choyce, and subcommittee members Aline Dix, John Pucci, and Bill Mangels who were in the audience. He commented on starting work on the power point presentation they hope to have before the Township Committee in three or four weeks that will show where they started, what they have been through, where they are now and where they want to go in the future. He said he is very impressed with the work they put forth.

Mayor Gatto announced on-line tax payments are now available and that there is a link for it on the Township website. She thanked everyone who worked on it and said she hopes it is the first of many on-line payment opportunities.

Mayor Gatto reported the Race Track had let her know the work on Leipzig Avenue was going to begin and the plan is for the work being done now to take it through to NextGen. The Mayor said there are a lot of other improvements planned with that project.

Mayor Gatto reported the Greater Egg Harbor Regional School District Superintendent and Business Administrator met with her and Mr. Cain just before tonight's meeting to update them on their budget; copies of their presentation were given to the Members; and she is sure it is available at the school for anyone interested in reading it. Mayor Gatto reminded the public that the school election is next week.

Mayor Gatto reported attending the Oakcrest Marching Ambassadors Reunion concert and tribute to Mr. Tobias for his 50 years in education and said alumni from all over the country came in for it. She reported she also opened the time capsule that was behind the school cornerstone for 50 years and one of the items in it was a copy of the bond ordinance for the original school.

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Mayor Gatto reported she received information from Cindy Lindsay on legislation that will mandate direct deposit of all public employees' salary and said she notified the legislative representatives that she is personally in favor of it.

Public Comment

John Pucci said Hamilton Commons and Wrangleboro Square went to the Zoning Board because there was a little sliver of residential property there that they needed a variance for and it was decided to go to the Zoning Board instead of the Planning Board but normally applications of that size go to the Planning Board. Mr. Cain said a project of that size belongs in front of the Planning Board with members skilled in applications of that size. He asked if that was discretionary; if it had to stay at the Zoning Board or if a decision could be made to move it to the Planning Board. Mr. Palmentieri said he believes that once the zoning issue is addressed the municipality has the option of deciding where it goes and that it was left at the Zoning Board by default through the years but he thinks the municipality can make the decision to do it differently. Mr. Cain asked Mr. Sandman to find out if there is an option to move it to the Planning Board. The Mayor asked if it was a case-by-case basis or an ordinance change. Mr. Sandman said the genesis of it lies in the Municipal Land Use Act because the Zoning Board of Adjustment is a quasi-judicial body that has the power to adjust the zoning ordinance when equity requires it. He explained it is also a jurisdictional matter and he will find out. Mr. Pucci said he thought the basins at both projects should be looked at together and he wouldn't want a decision made to hurry up and get Wrangleboro Square done first because there is more performance guarantees for that project. Mr. Smith said he believes the Wrangleboro Square maintenance bond is \$75,000 and the Hamilton Commons bond is a \$217,000.00 restoration bond. He said they are trying to get rid of the smaller bond first. He said their goal was to get the interconnection in place to help dewater the Wrangleboro Square basin but that may not work out the way they anticipated. Mr. Pucci asked that the pile of salt in the parking lot in back of the movie theater at Hamilton Commons be looked into because a swath of white is going into the drain because the tarp covering it has holes in it.

Mr. Pucci commented on outside contractors putting up signs and said it is unfair and discriminatory that those illegal signs are allowed to be placed in the township. He said when it was brought up last year it was suggested that the Building Inspectors and Public Works people could take care of it when they are out. Mayor Gatto suggested Mr. Pucci call in if he sees something and asked Mr. Jacobs to reinforce it with the Police, Public Works and MUA. Mr. Cain commented on sitting with the previous Administrator and Mr. Sartorio when this came up at the Smart Growth sub-Committee and said he can give Mr. Jacobs some background on it.

Cindy Baghat said she understood there are curfew signs in Misty Pines, the Woodlands, the movie theater and Harding Lakes but not many signs curfew are posted in town. She commented on her recent encounter with the police department involving her son and his friend and the curfew. She said she thought curfew was 10:30 and that is what she texted to her son. Mrs. Baghat commented on one officer saying it was 10 o'clock and another officer saying it was 9 o'clock. She referred to Chapter 150-4 of the Township Code that states a parent can take responsibility for the child in a curfew violation; she wanted to take the violation but wasn't afforded a chance to; she asked the officer on the site to do that and he denied it; the Sergeant told her the Prosecutor would do it for her; the Prosecutor told her Judge Switzer would do it for her; Judge Switzer told her it was at the discretion of the officer. She questioned where and how many signs stating the curfew the Committee members believe are posted in Mays Landing; how a parent can utilize Chapter 150-4 if the prosecutor, officer, sergeant and judge cycle the responsibility back to each other and then it isn't enforced; and how a parent protects themselves if a law enforcement officer is going to falsify information on a ticket. Mrs. Baghat said the tickets were written for 11:01 but the boys were really picked up at 10:30 because her son called her at 10:42. She said she offered the police department her phone record and a copy of her text message but they weren't interested in it. Mrs. Baghat said the fact the ticket said 11:01 may have swayed the judge. She said she lived here for 25 years and never knew there was a curfew law. Mrs. Baghat said the curfew has to be posted and parents should be afforded to take responsibility for their children. She said she was most upset that the child from out of town was not afforded a warning or that she could have taken his ticket. She said her son and his friend are 13 and she thinks the confusion comes from curfew being 9 o'clock for a certain ages and 10 o'clock for others. She said the officers knew her son's age but kept going back and forth on what the proper time is. Dr. Kesselman asked for clarification that Mrs. Baghat's son was issued a citation. Mr. Baghat explained both boys were issued citations and said she begged to take them in her name because the Township has an ordinance that says a parent could be issued the ticket. Mr. Silva asked how much the fine was. Mrs. Baghat said it was \$133.00

and she would have paid both of them. She said she would still like the tickets in her name if any adjustments can be made. Mayor Gatto said she was sorry for the

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unfortunate experience but she thinks it is an opportunity to learn. She asked Mr. Jacobs and Chief Tappeiner to get information on where there are signs; how many; and what exactly the ordinance is in terms of time. Mr. Jacobs said Mrs. Baghat's comment about a falsifying things should be put into writing to the Chief. He said most laws do leave it to the discretion of the officer as to how they write the ticket and that is an issue for the court. Mr. Jacobs explained this is the right venue if Mrs. Baghat wants to see changes made to ordinances but what happened in court is a separate matter and the Township Committee can't override the court. Mr. Jacobs commented on not knowing how signs could be put up all over town and said it would be a tremendous expense. Mayor Gatto said she thinks the Committee should understand what the Ordinance is in terms of ages and things like that and that it should be reported at the next meeting for the residents' benefit. She suggested the Chief might talk about the parents' role and what they do. Chief Tappeiner said the police put out a press release on curfew at the movie theater every spring. The Mayor suggested using Channel 2 and the website for it also. She said she knew there are signs in Harding Lakes but she doesn't think she ever saw one in town. Mayor Gatto commented on growth of the community and asked if the Township puts signs in the new subdivisions. Mr. Jacobs cautioned the Committee because of the number of ordinances and signs not being put up for all of them. Mr. Silva said he thought it was important to know if surrounding communities have such ordinances and if it fit the times. He commented on people having to walk in different areas because there isn't much public transportation and said it is worth looking into. The Mayor suggested it is an opportunity to get educated, to educate, and make changes if needed. Chief Tappeiner said the officer can cite the parent for allowing a child out after curfew and also write the child a violation but it is the officer's discretion. Mr. Palmentieri said he thinks it is critical that the Chief provide input into any discussion the Committee has on this. Dr. Kesselman said one way to address the issue without a lot of expense is to have paper signs stating the curfew times put up at any of the commercial entities where kids may congregate then they are on notice; there is no ambiguity; and the parents know.

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

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

Mr. Silva moved, seconded by Mr. Palmentieri, that this meeting be and is hereby adjourned.

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

ATTEST:

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