

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
JUNE 6, 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 Gatto presiding. Members present were Charles Cain Jr., Dr. Harvey Kesselman, Thomas Palmentieri and Roger Silva. Also present were Michael S. Jacobs, Township Administrator, Joan I. Anderson, Township Clerk, Robert S. Sandman, Township Solicitor and Robert J. Smith III, Township Engineer.

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice on the bulletin board in the municipal building and by 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 at 6:30 PM on June 6, 2011 in the municipal building, Mays Landing, NJ.

A moment of silence for private reflection was observed.

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 this meeting be adjourned to an executive session to discuss the following matter which is exempt from public discussion pursuant to the New Jersey Open Public Meetings Law:

1. Threatened litigation - Glen Eyre.
2. Pending litigation - Liepe property purchase.
3. Pending litigation - Cotton Mill Associated demolition legal report.
4. Collective Bargaining.

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"

MEETING RECONVENED IN PUBLIC SESSION AT APPROXIMATELY 6:48 PM.

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 following items be and are hereby added to the agenda of this meeting for consideration and action to be taken thereon tonight:

5.C (1) add "as outlined in the June 6, 2011 Capital Budget Presentation".

6.A Insert names of businesses:

- 1) M & N Ice Cream-n-Treats - mobile ice cream truck (owners are from Egg Harbor City)
- 2) Pinnacle Construction Inc. - retail construction contractor
- 3) Om Shree Ambica Hotel Inc. - Plaza Motel on Black Horse Pike
- 4) Sure Business Solutions - accounting services home office in Mizpah
- 5) Picture People - photograph studio at Hamilton Mall
- 6) D-N-A Pretzels - Veteran selling soft pretzels at Hamilton Greene pool

6.K Amend May 16, 2011 resolution authorizing person to person transfer of Plenary Retail Consumption License #0112-33-033-014 to change the effective date from June 1, 2011 to June 16, 2011 due to buyer/seller revised settlement date.

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

There were no executive session confirmations to be made.

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

Rodney Guishard asked if maintenance of the fields was going to be contracted out; if the public will still have use of the fields if they are or would they have to get permission from the contractor; and what provisions if any were made for families that can't afford it. He commented on the evaluation criteria and said that, to him, a key factor in evaluation of any proposal and the success of the program would be the degree of participation but he didn't see anything in the evaluation criteria that would address that. Mayor Gatto said had she jotted down his questions and would make sure they were answered when more detail on the item was given.

John J. Percy III asked if the structural deficit was now cured so that personnel could be added. Mayor Gatto said that kind of detail will be given when the Committee has its discussion of that item. She said everything being done is within what was budgeted and nothing new is being added to the budget. Mr. Percy commented on the tax increase being to help solve the structural deficit and asked if bringing back employees was built into part of the tax increase; where the revenue came from that is allowing these employee items to come back on the table; and if this will create another problem for next year. He said he isn't against it because the personnel is needed. Mayor Gatto said it is not over or above what Mr. Percy is already paying for. Mr. Silva the staffing level is not being increased and it will be explained when the item is discussed. The Mayor said there was attrition over and above what was laid off.

Mayor Gatto explained what Youth in Government Day is and introduced Aubree Tomasello, David Wigglesworth and Tommi Lynn Scheider, three students in the audience who had participated in the event last Wednesday as Mayor, Administrator and Information Technician/Manager respectively. David was invited to join Mr. Jacobs for the remainder of the meeting. Tommi Lynn assisted Mr. Jacobs during the Capital Budget Plan presentation.

Mizpah Fire Company request re: Block 38/Lot 9:

Mr. Jacobs explained the Fire Company requested the property turned over to them for a substation site and said there is no problem on the Township side with that use of the property but it is on the Reserved for Open Space Inventory (ROSI) list and to switch it over to the fire company would take a diversion that has to go to the State House Committee and would take a lot of time. Mr. Jacobs explained when property is acquired for open space or purchased with Green Acres money, it has to stay open space forever; the only way to change it is a very lengthy and somewhat expensive process through application to the State; and the State wants to keep it open. He said the purpose here is to put a building there which is contrary to purpose of the purchase and isn't practical for this parcel.

No action was taken on the request.

Atlantic County request re: acquisition of Block 854/Lots 44-50:

Mr. Jacobs explained the County wants the Township's opinion on their purchasing a property for open space adjacent to 700 acres they already own as open space. He said the issue is whether the Township wants to preserve it as open space and explained the property would come off the tax rolls and the Township would lose the revenue if the County buys it. Mayor Gatto said she understood it is wetlands and asked if any of it was buildable. Mr. Sartorio explained it is the last privately owned parcel on that section of Cologne Avenue; part of it is wetlands; only 2 of 5 of the lots listed have road frontage and have the highest assessed value right now; and part of it may be buildable. He explained that two or three dwellings could be constructed on it based on the approximate maps and depending on the configuration they ultimately came up with, what street vacations the Township would agree to, etc. Mr. Silva said the total assessed value is \$155,300.00 and estimated tax would be \$3,463.19. He said a large part of the 700 acres the County already owns was a drainage property into the aquifer and couldn't be built on but there was an assessed value and ratable there. Mr. Silva said there were other properties with ratable and taxes paid that sometimes exceed \$25,000.00-\$30,000.00 a year. He said that is always a consideration to determine if you want to let it go for open space

there are many arguments for why to do it or not to do it. Mr. Silva said people are paying 2-cents on their tax bill for Open Space Tax and they may say they are being taxed and then the Township is giving up taxable property. Mr. Palmentieri said he shared Mr. Silva's views. He said the philosophically the Open Space Tax was designed to acquire land that was developable and keep it from being developed. Mr. Palmentieri said if he had a choice, he would only buy land that was developable which is a good trade-off for the loss of a ratable and wouldn't buy land that will remain open because it is wet. Mr. Silva said the County wants to know if the Township supports controversial acquisitions and he didn't know if they would go ahead with the purchase if the Committee didn't support it. Mr. Silva asked how much the County was going to pay for it. Mr. Sartorio didn't know.

There being no motion of support for the purchase, no action was taken.

2011 Capital Budget presentation:

Mr. Jacobs gave a power point presentation assisted by Tommi Lynn Scheider. Hard copies of it were distributed to the public and a copy is available for review in the Township Clerk's Office. Mr. Jacobs explained the proposed 2011 Capital Budget is \$1.5 million; the 5% down payment required by law is in the Operating Budget; and it will not increase the total debt because \$2,732,000.00 of existing debt will be retired this year. He explained the purpose of a Capital Budget and each of the recommendations shown in the proposed budget presentation. Mr. Jacobs said the proposed \$268,000. for fire apparatus will be combined with prior year funding for a total of \$450,000.00 to be used to purchase a fire truck for Cologne Fire Company which is part of the Study done. He explained most of the money is going to road repair and combining the \$802,000.00 with \$510,000.00 of prior year's approved but unexpended money for a proposed project total of \$1.3 million. He explained the amendment to prior the approval for Knight Avenue is to do a couple of patches instead of a total overlay and to use the balance for miscellaneous patching throughout the whole subdivision. Mayor Gatto said the Township has a pavement management plan that is used to prioritize the road program. She said that she and Mr. Jacobs looked at the condition of Knight Avenue compared to the intersections at Reading, Rose and Monmouth Avenues, and they feel the money would better serve Harding Lakes to do them rather than do a road that is in okay condition. Mr. Jacobs said patching would do and it may be another 10 years before the Township would need to overlay that street. He said the Township is working with Egg Harbor City for shared dispatch services but replacement of dispatch console equipment is needed regardless of the outcome of that agreement. He said there may be a request to switch it with e-ticket software. Dr. Kesselman asked if it would cover all the costs associated with upgrading the dispatch system. Mr. Jacobs said he isn't sure but the vendor has notified the Township they don't provide support for this particular item any more and may or may not be able to get parts. Mayor Gatto said if it was struck by lightning right now it would be dead in the water. Mr. Jacobs explained the additional projects proposed and the use of approximately \$1.3 million of previously approved unexpended money for them. Mr. Jacobs explained the steps needed to implement the Plan are: (1) a resolution authorizing Bond Counsel to prepare the ordinances; (2) an amendment for patching throughout the Harding Lakes subdivision instead of paving Knight Avenue; (3) authorization to go to bids for the projects shown on pages 8 and 9 of the presentation. He explained they can't go out to bid without Committee authorization and that each of the projects will come back to the Township Committee for approval before the money is spent. Mayor Gatto commented on efforts to streamline the road design, bid specs and plans process to reduce engineering costs. Mr. Jacobs said they are working on it. He said Mr. Smith believes all the roads can be done during this paving season. Mr. Jacobs said he hopes to have the bond ordinance for introduction at the next meeting and for final approval the meeting after that if the Committee approves these resolutions tonight.

Mr. Silva commented on the significance of retiring \$2.7 million in debt this year. He questioned what percentage of the roads could be done this year. Mr. Smith said the intent is to do 100% of them.

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Mr. Cain said he thought the Committee stretched the money as far as they could; that it is a diverse budget touching on many different areas; he liked following the Fire Study and the paving management plan; and he particularly appreciated re-purposing the money in Harding Lakes.

Mayor Gatto commented on realizing the Rescue Squad was not included in the Study when discussing the safety apparatus in the budget committee meeting. She said she and Mr. Cain plan to attend the next ESAB Board meeting and have an Emergency Services Budget workshop for more long-term planning.

Mr. Jacobs explained he didn't utilize any of the \$200,000.00 still set aside in one of the bonds for park improvements so there is some money if the Committee decides to improve the surfaces on the hockey court or other improvements in the park. Mr. Cain said that and some improvements to parking at Underhill were also discussed.

Mayor Gatto commented on wanting to improve entrances to town to attract businesses and visitors. She said they are looking into using electronic signs as a way to better communicate with the community; potential for revenue from advertising on it; and potential grant money for it if it is used for Amber Alerts. Mr. Cain said that is a minimal part of it and they are looking for additional funds and grant money. Mr. Jacobs said the seed money would also help with the shared services with the MUA.

Dr. Kesselman said he liked how it emphasized things that have been talked about the past year in the area of safety; it was well thought out and well done; and he supports it.

Mr. Palmentieri said he is glad to see that that the amount is still within the debt reduction plan the Committee implemented in 2003 and that this year \$2.7 million is being retired and only \$1.5 is being added. He said the Committee has managed to hold the line and keep spending under control through voluntary efforts on the part of all Committee Members for the past 8 years. He congratulated everybody that had been on Committee for the past 8 years.

RESOLUTIONS TO IMPLEMENT THE CAPITAL BUDGET PLAN AS PRESENTED:

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

WHEREAS, the condition of the streets and roads in Harding Lakes have been reviewed and it has been determined that the condition of Knight Avenue does not support repaving as previously approved by the Township Committee; and

WHEREAS, it has been determined that many of the streets/roads in Harding Lakes are in worse condition than Knight Avenue,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the \$112,300.00 previously approved for paving of Knight Avenue be and is hereby reallocated to fund patching and repairing as many streets in the Harding Lakes Development as possible including Knight Avenue as set forth on page 9 of the June 6, 2011 Capital Budget Presentation.

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

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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 solicitation of bids, quotes, professional services and/or proposals for the following projects as presented in the 2011 Capital Budget presentation are hereby authorized as set forth on page 9 of the June 6, 2011 Capital Budget Presentation:

1. Electronic Door Locks.
2. Courtroom Rehabilitation.
3. Architect Design for Administration Building Floor Repairs.
4. Fire Suppression System for server room.
5. Snow Plow for front end loader.
6. Restroom Improvements to Public Works Shop.
7. Dispatch Wireless Console System.

BE IT FURTHER RESOLVED that authorization is given for receiving sealed bid proposals for the following Road Projects:

1. Park Road
2. East Walnut Street
3. Strand Avenue
4. Harding Lakes Road Patching and Repairing

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Bond Counsel is hereby authorized to prepare the Bond Ordinances for the following Capital Budget Projects as outlined in the June 6, 2011 Capital Budget Presentation:

- Road Resurfacing & Repair
- .Drainage, Curb & Sidewalk Repairs
- .Dispatch wireless console system
- .Misc. Emergency Equipment for Fire Companies
- .Fire Apparatus
- .Computer, Phone, Signs, Hardware & Software

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

Mr. Silva requested Consent Agenda Item 6.B, Audit Certification, be voted on separately. Mayor Gatto requested Consent Agenda Item 6.I, Rejection of RFP/RFQs be voted on separately. There was no objections from any member.

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

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

- 1) M & N Ice Cream-n-Treats - mobile ice cream truck (owners are from Egg Harbor City)
- 2) Pinnacle Construction Inc. - retail construction contractor
- 3) Om Shree Ambica Hotel Inc. - Plaza Motel on Black Horse Pike
- 4) Sure Business Solutions - accounting services home office in Mizpah
- 5) Picture People - photograph studio at Hamilton Mall
- 6) D-N-A Pretzels - Veteran selling soft pretzels at Hamilton Greene pool

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.

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NJ

BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that pursuant to N.J.S.A. 39-4-8(e) the following described locations are designated as bus stops:

Added Bus Stops:

1. Along 32nd Avenue, northbound, on the easterly side thereof at:

- a. Route 40- mid block (250' S)
Beginning 250 feet south of the southerly curb line of Route 40 and extending 135 feet southerly therefrom.

This Bus Stop may need to be relocated in the future in order to avoid interference with the driveway and related road improvements associated with the development approved and known as the Millworks Commercial Center.

2. Along 32nd Avenue, southbound, on the westerly side thereof at:

- a. Route 40 - mid block (250' S)
Beginning 250 feet south of the southerly curb line of Route 40 and extending 135 feet southerly therefrom.

BE IT FURTHER RESOLVED that upon installation of the aforesaid added Bus Stops, New Jersey Transit shall eliminate the existing Stop #10560 located on the South side of Route 40 approximately 100-150 feet east of its intersection with 32nd Avenue.

BE IT FURTHER RESOLVED that the Township Committee of the Township of Hamilton will enforce the needed traffic regulations governing the aforementioned Bus Stop locations.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that amendments to the Wilmington Trust Company letters of credit, the performance guarantees for Conson LLC, as set forth below reflecting reductions authorized on April 18, 2011, are hereby accepted:

<u>LOC #</u>	<u>Performance guarantee for</u>	<u>New amount</u>
8-169 (8-0146)	Volunteer Way behind Wawa	\$52,206.82
8-0132	Volunteer Way St. 18+65 to end of cul-de-sac	\$237,506.94
8-0133	Site improvements	\$701,857.14

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

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

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

- #9-2011 for St. Vincent DePaul Parish 50/50 on July 17, 2011.
- #10-2011 for St Vincent DePaul off-premise 50/50 on Oct. 22, 2011.
- #11-2011 for St. Vincent DePaul on-premise 50/50 on October 22, 2011.
- #12-2011 for Atlantic County SPCA off-premise raffle on November 30, 2011.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the notice of Apple New Jersey LLC/Applebee's corporate structure change in Liquor License #0112-33-039 effective May 9, 2011 is hereby acknowledged.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Payment Certificate #2 for payment of \$11,088.00 to RDA Construction Company for Repairs to Front Steps & Wall project is hereby approved as recommended by the Township Engineer on May 26, 2011.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that payment of \$1,294.70 (final) to Statewide Fire Restoration Inc. for Municipal Building Basement Structural Repairs project is hereby approved as recommended by the Township Engineer on June 1, 2011.

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

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

WHEREAS the Township Construction Official has completed inspections of the Fernmoor Homes at Woods Landing Clubhouse and issued a Certificate of Occupancy therefore,

NOW, BE IT RESOLVED by the Township Committee of the Township of Hamilton that release of Bond Safeguard Insurance Company bond #5033569, the performance guarantee for Fernmoor Homes at Woods Landing Clubhouse construction, is hereby authorized as recommended by the Township Engineer on June 2, 2011.

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

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

WHEREAS the buyer and seller of Plenary Retail Consumption License #0112-22-033-014 notified the Township Clerk that their settlement date was postponed until June 16, 2011,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the May 16, 2011 resolution authorizing a person-to-person transfer of aforesaid PRC #0112-33-033-014 is hereby amended to change the effective date **from** June 1, 2011 **to** June 16, 2011.

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

2010 Audit Certification:

Mr. Silva said this is the second year in row that there were no Findings or Recommendations and a lot of the credit for it goes to the township employees. Mayor Gatto said audits without findings mean the Township keeps its good bond rating, maintains low interest rates, and saves taxpayers money. Mr. Palmentieri acknowledged the great job the staff has done through the years. He commented on Audits having 20-25 findings in 1999-2000 and having gone down to zero through the years. He said that is being maintained and the Township is past a point of continual improvement and at a point where the goal is to maintain it.

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

RESOLUTION

WHEREAS, N.J.S. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Township of Hamilton Township as pursuant to N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: *Schedule of Findings and Questioned Costs* **OR** *Schedule of Findings and Recommendations*; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: *Schedule of Findings and Questioned Costs* **OR** *Schedule of Findings and Recommendations* as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article shall be guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

TOWNSHIP CLERK'S CERTIFICATION

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON JUNE 6, 2011.

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

June 6, 2011

Rejection of RFP/RFQ proposals to provide Football, Cheerleading, Baseball, Softball & Street Hockey Programs and to provide Soccer & Lacrosse Programs:

Mayor Gatto explained the Committee was going to reject all the proposals received on May 26, 2011 because they exceeded the budget appropriation and to authorize the Administrator to negotiate with qualified organizations. She asked Mr. Jacobs to explain what has been done and what has occurred since the bid opening.

Mr. Jacobs explained the Township is rejecting proposals for maintenance, not for programs because the Township does not run the youth programs; they are run by the MLAA and Soccer Association so there are no programs for the Township to eliminate. He explained that as part of the RFP/RFQs the organizations would have to continue providing the programs and were asked if they would pick up the mowing, trash pickup, bathroom maintenance, and those type of things at the different parks they use for their programs if the Township provided some funding because the employees that used to do that work were laid off. Mr. Jacobs said the township never considered going out and getting a contractor; they hoped the groups would submit proposals for the parks they use; both groups submitted proposals but they were slightly higher than the amount budgeted. He explained that under the law the Township isn't allowed to discuss terms until it has gone out to bid and officially rejected them twice. Mr. Jacobs said the Committee is being asked to reject the submitted documents tonight because it is over the budgeted amount and to authorize him to meet with the two groups and negotiate terms to maintain the fields. He explained that if they don't come to an agreement the Township may have to look at contract services because the employees who provided those services were laid off. Mr. Jacobs said he believes that that if the groups took over the maintenance, this could actually enhance their programs depending on their available volunteer hours because the money that would go into paying a contractor could go into the programs. Mr. Jacobs referred to Mr. Guishard's question on how the Township helps people who can't afford the programs and explained this isn't about the programs; the groups run them and collect a fee to participate. He said he isn't sure what they do to help those who may not be able to afford it. He referred to the question of public use of the fields and explained that by this RFP the lead agencies would give the Township their calendar and it would lock in the fields to them; any time outside of that it would be open to the public and any citizen could come in, have a pick-up game or use a swing set or whatever amenities are available at that park while a league game was going on at the field but a person couldn't go up in the middle of a game and say they were going to have a pick-up game. He explained the funding used to improve the parks allows the Township to permit them and they would be permitted first to lead agencies. Mr. Jacobs said they had a brief meeting; no negotiations were done; he thought it went very well; and they are trying to identify what the organizations can do and are able to pay. He the township wants to keep the services as best they can and the Township isn't cancelling the services because they don't provide them.

Mayor Gatto summarized the intent of the RFP and said the Township would work in conjunction with the lead agencies to enable use by any other members of the public that wanted to use it any other time.

Mr. Jacobs referred to Mr. Guishard's question about participation being part of the evaluation criteria and said there was just one proposal for each RFP; they were from the two organizations they hoped would come in; but it would have been a much more important criteria if a private individual had come in.

Mr. Cain asked when Mr. Jacobs would be available to meet with the agencies if the motion passes tonight. Mr. Jacobs "as soon as possible"; they already had a preliminary meeting where a rough outline was put together of what to go over if it is approved tonight; and he hopes to get it in place sometime in July or August. Mr. Cain asked what the Township's role would remain in this. Mr. Jacobs explained the Township will maintain a role that is comparable to other users. He said they discussed trash collection and MLAA is not the 100% user of the park so they will put it in the dumpster and the Township will continue to pay for its removal. Mr. Jacobs explained they are trying to make sure they aren't paying or working outside the scope of their use of the park. He said one of the things the

MLAA was strong about was the need for resurfacing the hockey courts. He said he isn't sure the Township could get that done within the next 30 days but any negotiated settlement would probably include a caveat that the Township will move forward with it. He said that he thought the Township should do it if they are going to be allowed to use it. Mr. Cain questioned the ongoing repairs that are needed on assets like the buildings at Underhill Park. Mr. Jacobs said he didn't think the (MLAA) could be expected to repair anything that occurs outside their watch but they might be responsible if something is abused or used during their permitted time.

Mayor Gatto reminded everyone that when the Committee did the budget and the layoff plan they knew they were getting rid of the human resources that performed some of these services and they took the RFP approach to continue to have viable fields for the existing programs to use.

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

WHEREAS, RFP/RFQ proposals for providing Football, Cheerleading, Baseball, Soft ball & Street Hockey Programs and for providing Soccer and Lacrosse Programs were received on May 26, 2011; and

WHEREAS all proposals received exceeded the budget appropriation for the services,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that all RFP/RFQ proposals received are hereby rejected.

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

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

BE RESOLVED by the Township Committee of the Township of Hamilton that that the Township Administrator is hereby authorized to negotiate with qualified organizations for the aforesaid provision of services in accordance with N.J.S.A. 40A:11-5(3) (i), (ii) and (iii).

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the minutes of the May 16, 2011 regular meeting and the May 2, 2011 ands May 16, 2011 executive sessions be and are hereby approved and adopted as published.

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 all properly executed and approved bills are ordered paid, the bill list total being \$1,047,574.34 as of June 2, 2011.

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

Mr. Cain announced he would refrain from any discussion and vote on the next two agenda items regarding the Police Department on advice of counsel.

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Rehiring of two sworn police officers:

Mr. Silva explained the 2011 budget provided for 49 sworn police officers and when the restructuring was done the level was set at 49. He said Hamilton Township had the most calls per officer in 2010 compared to Millville, Vineland, Egg Harbor Township, Galloway and Hammonton. He said there are three divisions in the Police Department; the patrol, support services, and internal affairs. Mr. Silva explained this was being brought up because each division had a lieutenant in charge but with retirements they are down to two and another one is retiring at the end of the year. He explained the rehiring of two sworn officers doesn't add any new money to the budget. Mr. Silva said he, Dr. Kesselman, Mr. Jacobs, the Chief and Captain of Police had a lengthy discussion about it and it just bring back two sworn officers that were laid off as a result of the reduction in force.

Dr. Kesselman said Mr. Silva accurately described the situation. He explained they were fully cognizant of the steps taken in January to reduce the structural deficit; exactly how many would be laid off in order to do that; they would be prepared to bring people back if there were any pending changes in those numbers; and these aren't the first ones brought back as a result of certain kinds of restructuring. He commented on 2010 data showing the Township ranked #1 in the number of residents' calls when there were many more police officers than it has now; and is second out of about #8 contiguous townships in the number of calls per officer. He said Galloway is first but the Stockton police force isn't included in its number and the 8000 folks at Stockton are policed by their own 25-member police force. Dr. Kesselman expressed his belief the Township will be the only one without a structural deficit as the result of the steps the Committee has taken. He said this is just to get back to the number the Committee approved and isn't going above it.

Mayor Gatto said she and Mr. Cain, as the budget committee at the time, had to consider where they wanted to be in terms of a police force on the street and the number the Township could afford to maintain the safe community they wanted. She said there are 47 now; there were 3 lieutenants; there are 2 acting lieutenants now; and there are 10 acting sergeants now. Mr. Silva said one sergeant is to be promoted to lieutenant so there would be 9. Dr. Kesselman said they are short one lieutenant now and that is why they are recommending one sergeant be promoted to fill that position which will reduce the number of sergeants that are needed for the various shifts in the three divisions. Mayor Gatto questioned the minimum number of sergeants needed to have a sergeant on every shift. Chief Tappeiner said they wanted to stay at 9 and when Mark Clopp retires he will be recommending they replace the position but not to promote another sergeant at that time.

Mr. Silva asked what it would do to the overall running of the department if there is any further reduction in the total staffing level. The Chief commented on the great pains taken to restructure to 49 and said he thinks they have to stay at that number or they would have to revisit it; restructure again; and essentially cut services to accommodate it.

Mayor Gatto said if by hiring the two and considering the promotions they would still not be returning the traffic coordinator position and the training coordinator. The Chief said they wouldn't be returned; they would be maintaining exactly what the Committee approved in January.

Dr. Kesselman said this only brings it back to the point it was at after making all the cuts.

Mr. Jacobs explained the actual start date for those positions will be towards the middle of July when the retirees are off the payroll long enough to cover the contractual payout obligations.

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

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY
NEW JERSEY

SUBJECT: A RESOLUTION APPROVING THE REHIRING OF TWO SWORN POLICE OFFICERS THEREBY MAINTAINING A STAFFING LEVEL AT 49 SWORN POLICE OFFICERS

WHEREAS, On February 7, 2011 the Township of Hamilton (the "Township") implemented a lay-off plan which had the effect of reducing the number of sworn police officers down to 49; and

WHEREAS, the Township provided funding in the 2011 budget to provide for the cost of 49 sworn police officers; and

WHEREAS, two sworn police officers have officially retired from employment with the Township;

WHEREAS, these positions have been vacant long enough to cover the cost of retirement pay outs; and

WHEREAS, the Township is required to comply with the PBA Collective Bargaining agreement and state law, when it rehires sworn police officers that have been laid-off;

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

1. Township Administrator to fill the two vacant positions; and
2. Make offers of re-employment as required by the PBA Collective Bargaining Agreement and State Law; and
3. To place two names on the next Committee agenda for action to hire.

BE IT FURTHER RESOLVED that nothing in this resolution requires the Township Committee to maintain any fixed staffing levels.

RESOLUTION ADOPTED WITH MEMBERS KESSELMAN, PALMENTIERI, SILVA AND GATTO VOTING "YES", NO MEMBERS VOTING "NO" AND MEMBER CAIN ABSTAINED ON ROLL CALL VOTE.

COMMENTS AND DISCUSSION PRIOR TO THE ROLL CALL VOTE ON THE MOTION TO ADOPT THE PRECEDING RESOLUTION: Mr. Jacobs explained the passage of the resolution gives the Chief the ability to talk to those laid off to see which two most senior want to come back and he has to bring the names back to the Committee. He explained he didn't know how long the promotion process takes but that resolution allows the Chief the ability to go through the process and bring the names back to the Committee. Mayor Gatto said just talking about Item A (rehiring two) they have to go to the officers that were laid off and go down the list in reverse order. She said it is being done without a Contract. Mr. Jacobs said that was correct.

MEMBER COMMENTS MADE WHILE CASTING THEIR VOTES: Mr. Palmentieri said he was voting yes because he thinks it is important to get back up to 49 for all the reasons discussed and also acknowledging that the Township still doesn't have a contract and is still in negotiations. He commented on the deficit in the State budget and hoping it will be adopted within the next couple of weeks and fixed in a way that doesn't cut the Township's State Aid.

Mayor Gatto said she voted yes because she agrees with the staffing level of 49 that was set at the time of the budget cuts made in January.

June 6, 2011

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

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY
NEW JERSEY

SUBJECT: A RESOLUTION TO AUTHORIZE THE CHIEF OF POLICE TO BEGIN THE PROMOTION PROCESS TO FILL A VACANT LIEUTENANT POSITION AND THE TO BE VACATED SERGEANT POSITION

WHEREAS, a one of the Townships Police Lieutenants has officially retired from employment with the Township; and

WHEREAS, the Township provided funding in the 2011 budget to provide for the cost of this lieutenant position; and

WHEREAS, promoting a sergeant to lieutenant will create a vacant sergeant position; and

WHEREAS, the Township also provided funding in the 2011 budget to provide for the cost of this sergeant position; and

WHEREAS, approval of these two promotions does not authorize the hiring of any new employees;

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

4. Chief of Police to conduct the Township's promotion process for the these positions; and
5. Upon completion of the process provide to the Township Committee for consideration, the names of the successful candidates.

BE IT FURTHER RESOLVED that nothing in this resolution requires the Township Committee to maintain any fixed staffing levels.

RESOLUTION ADOPTED WITH MEMBERS KESSELMAN, PALMENTIERI AND SILVA VOTING "YES", MAYOR GATTO VOTING "NO" AND MEMBER CAIN ABSTAINED ON ROLL CALL VOTE.

MEMBER COMMENTS MADE WHEN CASTING THEIR VOTE: Mr. Palmentieri said he voted yes to begin the process and will evaluate moving forward at a future time.

Mayor Gatto said she voted no because she agrees with authorizing to promote to lieutenant but isn't sure she agrees with the promotion of the sergeant at this point; she needs more information on the span of control and the numbers.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Warren DaGrosa be and is hereby reappointed the Construction Code Official effective May 23, 2011.

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

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Stipend for Acting Public Works Director: Mr. Jacobs explained the Public Works Director gave notice of his retirement effective the end of this month and has been out on unpaid furlough for some time and the other Deputy Public Works Director and Ingrid picked up their work load. He explained the stipend is the entry level salary of the Director; it is reasonable since she was appointed Acting Public Works Director; she is a licensed Public Works Manager and is paid for that; and the stipend should be given to her for the term she is doing it. Mr. Jacobs commented on the inter-local agreement with the MUA for this position; said Mr. Blankenship is getting acclimated and up to speed; he thinks this should go on until that is shored up and once the Township knows with direction it is going with the MUA it can be revisited. Mr. Jacobs explained it is not a raise; it is for additional work she picked up. Dr. Kesselman said Ingrid has done a phenomenal job over the past months and is to be commended. Mr. Cain said he echoed those comments.

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

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY
NEW JERSEY

SUBJECT: A RESOLUTION APPROVING A STIPEND FOR ACTING PUBLIC WORKS DIRECTOR

WHEREAS, On April 6, 2011 the Township of Hamilton (the "Township") approved a temporary promotion for Ingrid Perez to serve as Acting Director of Public Works; and

WHEREAS, Ms. Perez has served in this position since that date and will continue to do so, until the completion of merging this position with the Executive Director of the HTMUA; and

WHEREAS, to date Ms. Perez has not received any additional compensation for this additional work and responsibilities; and

WHEREAS, it is the recommendation of the Township Administrator and the Personnel/Administration Committee that the Township Committee approve a temporary stipend for Ms. Perez in the amount of \$500 per month retro-active to April 6, 2011 and to be pro-rated going forward as long as she continues in this acting role, however not to continue past December 31, 2011,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, Atlantic County and State of New Jersey, authorizes the Township Administrator to provide a stipend to Ms. Perez in the amount of \$500 per month beginning retro-actively to April 6, 2011, and continue for as long as she serves as the Acting Director of Public Work position (pro-rated), however such stipend shall not continue past December 31, 2011.

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

Redistribution of on-call pay for Public Works Supervisors: Mr. Jacobs explained there were 5 people on rotation for this each one doing it 10 weeks a year and now there are only 3 doing each doing it 17 weeks a year. He explained what on-call duty is and said he thinks it is justifiable compensation. Mr. Jacobs said it is not an increase, it is a redistributing and the money is in the budget.

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

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY
NEW JERSEY

SUBJECT: A RESOLUTION TO RE-DISTRIBUTE THE ON CALL PAY FOR PUBLIC WORKS SUPERVISORS

WHEREAS, two years ago there were five Public Works Supervisors each serving just over 10 weeks each year in an On-Call status for a fixed \$1,738; and

WHEREAS, during these past two years the number of Public Works Supervisors has been reduced from five down to three due to attrition; and

WHEREAS, the fixed compensation does not recognize that the Public Works Supervisors are now required to serve in an On-call status for over 17 weeks each year instead of 10 weeks; and

WHEREAS, while serving in an On-Call status the Public Works Supervisors are required at all times to be within 30 minutes response time to the Township, and ready, able, and fit for duty, thereby limiting the flexibility of their non-work time activities; and

WHEREAS, it is the recommendation of the Township Administrator and the Personnel/Administration Committee that the Township Committee approve increasing the annual payment of On-Call for Public Works Supervisors to \$2,800 each as compensation for the additional hours they are required to serve in an On Call capacity; and

WHEREAS, said funding for this change is available in the budget;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, Atlantic County and State of New Jersey, authorizes the Township Administrator to provide an increase in the stipend paid to the Public Works Supervisors from \$1,738 up to \$2,800 as compensation for serving just over 17 weeks each year in an On-Call status.

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

Appointment of Cove Staff for 2011: Mr. Jacobs explained the funding for this is coming from beach badge sales; a budget was set up that should cover the costs; seasonal badges can be purchased at County Seat Florist or from Lisa in the Administrator's Office; and that these are all former employees. Mayor Gatto said the Cove is opening June 17th.

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 Kelly Suckiel be and is appointed the Cove Day Manager for the 2011 season at \$13.00 per hour; and

BE IT FURTHER RESOLVED that Donna Giardina, Jillian Lewis and Kevin Nickels be and are hereby appointed Beach Bad Checkers for the 2011 Cove Season at \$7.50 per hour; and

BE IT FURTHER RESOLVED that Sean Gorbig, Kevin Nickels, Michael Nickels and Melissa Timmreck be and are hereby appointed Lifeguards for the 2011 Cove Season at \$9.25 per hour.

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

Administrator Reports:

Mr. Jacobs reported contacting the County immediately after receiving a call about the water level at Lake Lenape dropping because the Township Staff can't adjust the level during the construction process. He said he asked the County to notify the contractor; there was a meeting this morning about it; as a result of that meeting the contractor asked if the Township would share in making it happen and adjust collection of its money later; and that he agreed to it because the Township doesn't want the lake to go dry. He said he would keep the Committee updated as he gets information.

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Mr. Jacobs reported on meeting with the Police Chief, members of his staff, and some of the Egg Harbor City staff to discuss shared services for dispatching. He explained the Township had met with and given Egg Harbor City a proposal but they decided to go with Gloucester County because they thought that better suited their needs. He said he thinks there was some conflict about radio channels overlapping and they came back and asked if the Township would still be interested. Mr. Jacobs explained the Township feels it is in its interest to do it; Egg Harbor City will pay the Township \$176,000.00 a year; they have agreed to terms that will allow the technical people to get together and JIF to review the agreement; Mr. Sandman can work with the Egg Harbor attorney; and he hopes to have it on the next agenda.

Mr. Jacobs reported there was some concern about having the meeting in the building tonight because of fumes from solvent they are using for the rubber roofing being pulled in through the air system but by opening everything up and it aired out pretty quick. He commented on getting the MSDS sheet and talking with and trying to get PEOSHA involved before they use the solvent again.

Solicitor Reports:

Mr. Sandman reported the first day of hearings before the County Board of Taxation was held on June 2nd; there were about 60 cases listed; some were stipulated to at values set by the Assessor; about 30 cases were tried that day; it went very well; the next hearing date is July 14th; and there will be a third date after that. He said he would be remiss if he didn't tell the Committee how great their Assessor is. Mr. Sandman commented on how well prepared Gerry Mead, Bill Johnson and the Reval Company Representative were as an Assessor and making offers that were fundamentally fair to the taxpayer and the rest of the Township.

Mr. Sandman reported he researched how the Township could either get the Wheaton property demolished, cleaned up or brought on line in a way that the Township would recoup all costs as he was authorized to do on April 18th was that he was prepared to report on it in executive session tonight. Mr. Sandman said that he received a copy of a contract between the property owner and a demolition company 5 minutes after he arrived tonight; it is signed; and it provides the scope of work for demolition of the property.

Mr. Sandman reported the Lenape Dam Committee meets every other week and they are on top of things in terms of what is going on with the contract and work. He said what is happening now isn't within the scope of what was discussed at any of those meetings but they have compelled the contractor to come forth with an expert report telling them in a way that they can rely upon that the structure of the dam is safe and that their specification and design with respect to the coffer dam is going to work. He commented on the Dam Committee, with the County being the lead, analyzed the contractor's report and said the County sent them a letter last week telling them why they didn't think it was sufficient. Mr. Sandman said they are scheduled to meet again Thursday of this week.

Engineer Reports:

Mr. Smith reported the Basement project is complete and final payment authorization was on tonight's agenda. He reported the Front Steps Project is complete; payment #2 was authorized tonight; he hopes to have the final change order at the next meeting and he believes it will be a slight reduction in the contract amount.

Mr. Smith reported a significant portion of the shingle roof is done and good progress is being made on the EPM section. He reported a meeting is scheduled for 10 tomorrow morning to try to come up with a plan that will prevent the problem with the adhesive odor from happening again.

Mr. Smith reported the New York Avenue/West Jersey Avenue contractor base-paved the roadways late Friday; they are getting ready to schedule the surface course paving; and the contract should be completed and the roadways opened to traffic by the end of next week. Mr. Smith said there were a few minor complaints from unhappy motorists but he thinks the detour was well laid out and he thinks it went well for a project of that magnitude.

Committee Member Reports:

Mr. Palmentieri commented on Youth In Government Day being the 10th one and said it was great. He said there may be some future mayors in the group.

Mr. Palmentieri asked if the Township knew the status of the Lake Lenape Dam work and when it might be completed. Mr. Jacobs explained they can't resume reconstruction until the season when the Township can lower the water in November. Mr. Palmentieri said it is basically stalled between now and November and asked if the Township knew how much of the anticipated total amount of work needed was done before they stopped working. Mr. Jacobs explained the coffer dam is really what they had done and it has failed to some extent. Mr. Palmentieri said it is basically at zero if they have to reconstruct the coffer dam. Mr. Sandman explained it is a design-build contract; the design they bring to it is their product; and because of that they take control of the project from beginning to end. He said one sheet pile caved inwardly from the force of the water; they did a scour study; it showed there were changes in the level of the floor in the area of the dam caused by scour; and their opinion was that the scour was caused by introduction of the coffer dam. Mr. Sandman said either the sheet pile wasn't driven deep enough or didn't allow for scour or pressure pushed it inward but that has nothing to do with what is going on today. He said he couldn't tell the percentage of completion but in terms of money billed it is about 50%. Mr. Sandman said they don't know on how long it will be to completion when work starts up again in November because the Lenape Dam Committee, which includes the County Engineer, wasn't satisfied with the responses to their questions. He said they indicated they didn't think there would be a redesigning problem. Mr. Sandman explained he didn't want to go too far into it because there is a real probability, in his opinion, it will end up in some kind of litigation. Mr. Palmentieri expressed concern that some of the worst flooding and biggest rains are in the fall and whether they will be in a position to let large amounts of water through as needed with heavy rains they start work again.

Mr. Palmentieri questioned what is supposed to be going on at Timber Glen and Hamilton Commons. Mr. Smith said he received an e-mail from Timber Glen's engineer indicating they working on stabilization of the banks and once that was done they were going to excavate the unsuitable material to facilitate the infiltration. He said he forwarded that e-mail and his response to it to the Committee. Mr. Smith said he went out and noticed the entire area was holding water and the banks were essentially bare. He said the latest response he got from their engineer was that he would look into it. Mr. Palmentieri said it doesn't sound like they are on top of it or are not taking it serious enough on a quick enough schedule for the Township Committee's concerns.

Mr. Smith commented on seeing a dozer being in the basin at Hamilton Commons but he didn't know what they were doing. Mr. Palmentieri said it looked like all they did was push some dirt and put the fence back up. Mr. Smith said they were doing some general clean up of the area when he was there and that has absolutely nothing to do with what they are proposing to do to remediate the whole situation. He said he thinks they are pretty close to signing a contract with a new engineer and will then have a meeting to see how they are going to proceed and reschedule it. Mr. Palmentieri asked if there was any idea about their plans to get approval from Pinelands or DEP to put the water through the D.O.T. pipe. Mr. Smith explained D.O.T. is the first and foremost agency involved because if they won't grant permission there is no point going any further; next would be the Planning Board and Pinelands. Mr. Palmentieri asked if any of those applications had been submitted. Mr. Smith said nothing has been submitted to his knowledge and he doesn't think anything will be seen until the new engineer comes on and gets acclimated to the job. Mr. Sandman said he asked Nancy Rainbow to e-mail him all the Planning Board and Zoning Board Agendas and if he sees it he will make them aware of the governing body's perspective on it.

Mr. Palmentieri reported seeing a notice about widening of Route 40 to have left-turn lanes onto Cologne Avenue and Babcock Road. He said the Township started on this in about 2004 and that it was supposed to be a temporary fix to the permanent fix which is the realigning Babcock Road and Cologne Avenue.

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Mr. Silva asked if there was any information on the cross-over walkway at Wheaton's. Mr. Sandman explained there wasn't and it was part of what he would have reported on in executive session. Mr. Silva asked if the demolition was only the damaged portions of the Wheaton site. Mr. Sandman said he hadn't read the contract but will inquire about their intentions and report back.

Mr. Silva commented on the County repaving the area from Sugar Hill to Atlantic Avenue.

Mr. Silva said work now being done on (town hall) is from last year's capital budget and he thinks it is good that the roof is being finished up. He said he looks forward to doing the floors in the building too.

Mr. Silva said Mr. and Mrs. Wigglesworth have a very fine son; he thinks he will make a great administrator; and they should be proud of him.

Mr. Cain commented on the Committee being concerned about the air space and walkway (at Wheaton's) and said since work is going to commence there, it would be cheaper to have something accomplished there now than addressing it in the future.

Mr. Cain said Mr. Palmentieri covered Hamilton Commons pretty well but he believes they have to understand that they need to sign with somebody right away because he is at the end of his patience with it and with Timber Glen. He said it seems to him another stall tactic was presented by Timber Glen and there are other options the Township should start to pursue. Mr. Sandman said the Township already fulfilled the notice requirement for calling the Timber Glen performance bond but Hamilton Commons is different because of the nature of the bond. Mr. Cain said he could see another postponement on Timber Glen at the next meeting because it is starting to rain and they can't do the work. He suggested an item be added to the next agenda to take appropriate action to authorize the Solicitor to move forward to get it corrected once and for all if there isn't something positive from them prior to the next meeting.

Mr. Cain asked that the appropriate authorities be notified about a dislodged curb in front of Sugar Hill Inn

Mayor Gatto congratulated Cologne Fire Company on their successful BBQ.

The Mayor said Memorial Day Program was very nice and that the Veterans' Advisory Board did fantastic job honoring the memory of those veterans that are no longer with us and who served the country well. She reported she got a note from a resident about how wonderful the some other towns' Memorial Day Parades were and said if he wants to put one together she is open to him doing so.

Mayor Gatto reported attending the Hamilton Township PAL Dance Banquet and said they have 250 kids participating in the program. She commented on it being an opportunity to honor the volunteers that do the work for the organization.

Public Comment:

Rodney Guishard referred to comments about repairing the floor and said he didn't hear anything about getting reimbursed for it. He asked if the contractor that did the job had an obligation do the job right. Mr. Jacobs said he didn't think it was the responsibility of the contractor; he thinks there was a conscious decision to save money and a change order to not put down plywood in place of the concrete.

Mr. Guishard questioned the status of the solar panel plant that was discussed several months ago. Mayor Gatto said the last she heard they had gotten their financing. Mr. Jacobs said he and Mr. Sartorio met with their attorney about two weeks and they are still working on it.

Mr. Guishard said he was disappointed with the answer to his questions and because it says the Township handed over the responsibility for recreation to a contractor and didn't ask the contractor to make provisions for people who may not be able to afford the fees. He suggested scheduling certain periods of the day for free play. Mayor Gatto explained that the Township has not contracted out youth programs; the MLAA, Soccer Club, HYAA, PAL have been in existence and providing those programs as far back as she can remember; the Township is trying find a way to stretch its resources in collaboration with those organizations to provide fields and playgrounds for them and the public to continue to use. The Mayor said Mr. Guishard knows township budget situation and that he was in the audience and knows the straits the Township is under. She said the Township is actually continuing to provide services that were budgeted and stretching those dollars thin to get through the RFP process. The Mayor referred to Mr. Guishard's comments about free play and said all the schools have eliminated their athletic programs; they have fields ready and waiting; and she suggested he contact the school boards. Mr. Guishard said the Committee Members are the elected officials and that he thinks the Township has a moral obligation to see what can be done about folks that may not be able to afford it. He commented on questions being asked about what their budget is; how the money is spent; and complaints in the past that the organizations have not provided that information. He asked if that is a requirement. Mr. Jacobs said they give the Township their full budget and their revenues just about cover their expenses. Mr. Guishard asked if the information was available to the public. Mr. Jacobs said it is a public document once he has it.

Harry Rogers referred to the rehiring of two sworn officers and said he hopes the Committee will consider those who handled themselves with dignity when they were being laid off and not those who embarrassed themselves at the microphone. He said he knew that might not be able to happen because of hiring rules. Mr. Rogers said he hoped that part of the (police) negotiations going forward would involve hiring more township residents. He said it doesn't seem right that they are looking to people from outside the township for this vital service. The Mayor said the Township will hire in accordance with the law.

Susan Elkins commented on sending an e-mail to Mr. Jacobs this morning regarding the dirt dropped by the Township between the Dry Run Bridge and her property last May to create a barrier to prevent the flooding of Lenape Avenue. She said after speaking up at a township meeting, making numerous phone calls, and speaking to workers on the site, they used a backhoe to push the dirt from the street into the trees and water and called it landscaping. Mrs. Elkins said the township hasn't run a weed-whacker or lawn mower on it in over a year. She read a list of her concerns: it filled in a large section along Dry Run; it is now covered with tall weeds and trees which is affecting the normal balance of things in the area; there is no need for the berm because the water doesn't get that high; the fill causes water to back up on to properties along Dry Run more than it use to; she called public works a month ago but never got a return phone call; the berms put on both sides of Lenape Avenue have had a drastic impact on the entire drainage system in the area; the vegetation has changed the water's edge from clean to overgrown; you can't go behind the fence at the bridge and walk around anymore; people can no longer canoe/kayak from the lake onto Dry Run because you can't get under the bridge anymore; and she heard there is a beaver dam under the bridge. Mr. Jacobs said he read the e-mail this afternoon and was going to talk with Ingrid about it. He apologized for not having time to get back to Mrs. Elkins today and said he would get a response for her. Mayor Gatto thanked Mrs. Elkins for bringing it to the Committee's attention and the manner in which she did it.

Debbie Parks, Commissioner of Cheerleading for the MLAA, said she hopes the Committee Members know that if the Township puts paying the contractors on them they will have to raise their registration fees even more than what they already are and there will be a lot less people that can afford to pay. She commented on losing many kids because they have to raise the registration fees every just for their average costs. She said it is very important that the registration fees be kept at a reasonable level and that the organization is barely making it. Mayor Gatto said that is why the Township budgeted money to give the organizations to help with it. She said communications was a big part of the discussions when they met on Thursday,

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not just between the Township and the organizations but through the organizations. Ms. Parks commented on it is being very hard to get volunteers and asked if getting in touch with the County about having community service workers to clean bathrooms, paint bathrooms, paint fences, and line fields. Mayor Gatto asked if that was the Workforce Labor Board. Ingrid said it was and might be a possibility.

There being no further questions or comments 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 Dr. Kesselman, 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