

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
JUNE 17, 2013

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was held on the above date with Mayor Amy Gatto presiding. Members present were Aline Dix, Rodney Guishard, Judy Link and Roger Silva. Also present were Michael S. Jacobs, Township Administrator, Joan I. Anderson, Township Clerk, Robert S. Sandman, Township Solicitor, and Robert J. Smith III, Township Engineer.

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice of this 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 Press of Atlantic City, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place at 6:30 PM on Monday, June 17, 2013 in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed.

There was no Executive Session and no Executive Session Confirmations.

Agenda Late List approval:

Mayor Gatto requested Item 10.C on the late list be deleted until the next meeting because she wanted more information about the money being spent. The Mayor said she understood the Personnel Committee reviewed it but she thinks this is the first time several Committee Members have seen it. Mayor Gatto asked that the letter from Sirens Media be added to the agenda as Discussion Item 5.F because they want to do taping on June 26, 27, and 28 and the next Committee meeting isn't until July 8th. She explained Lisa just got the letter.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Item 9.A, approval of the June 3, 2013 regular meeting minutes, be deleted from the regular agenda and that Item 10.C, appointment of Lea Brower as Claims Coordinator for the Police Department at \$2,748.90 annually effective June 18, 2013, be deleted from the agenda late list; and

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

- 5.F Sirens Media request for permission to film in Mays Landing.
- 8.A Insert names of Businesses:
 - (1) Hennes & Mauritz, LP - H & M apparel & accessories retailer at Hamilton Mall
- 8.J Resolution authorizing renewal of Atlantic County Municipal Joint Insurance Fund (JIF) for 3 years effective January 1, 2014.
- 8.K Resolution authorizing Emergency Management Coordinator to execute an agreement with Atlantic County Office of Emergency Preparedness for use of Homeland Security Equipment.
- 9.A(1) Approval of April 8, 2013 Special Executive Meeting Minutes.

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

Mayor Gatto commented on a lot of stuff coming in last minute lately and asked that Mrs. Anderson and the rest of the Staff make sure it has been through thorough review before putting it on the late list and that if there are things that can be held off until everybody has gotten the information. Mrs. Anderson commented on the e-mail she sends out telling them to get everything in by Tuesday.

June 17, 2013

No one signed up to make early public comment on agenda items not listed for public hearing.

At the request of the Mayor, Mr. Sandman introduced Bill Nieves, his firm's Summer Law Clerk. He said Mr. Nieves is a resident of Hamilton Township who went to school with his son Patrick and that he had the pleasure of coaching him in baseball for many years.

John Spencer Estate offer to donate Block 801/Lot 7 to the Township:

Mayor Gatto commented on the offer being referred to the County for their consideration because it abuts their parking lot and said she understood it is under review but they don't have a response at this point. She asked the Members if they wanted to table it until the July 8 meeting. Mrs. Dix suggested a reply be sent to the estate explaining that it was referred to the County. Mayor Gatto said she thought it would be good to do both and asked Mr. Jacobs to send a letter to that effect to the estate.

Mr. Silva moved, seconded by Mr. Guishard, that the offer from the John Spencer Estate to donate Block 801, Lot 7 to the Township be tabled until the July 8, 2013 meeting.

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

Resolution to terminate Main Street & Mill Street Improvement Project Agreement with the County:

Mr. Jacobs explained the Township entered into an agreement with the County quite a few years ago for some improvements on Main Streets, repaving of Mill Street, and some drainage on Mill Street; that only the Main Street portion has been completed; and that the County contacted him a couple of times about whether the agreement should be continued or terminated. He explained the proposed resolution limits what Township would maintain on Main Street; that there would be no maintenance on Mill Street; and the County understands they are they will be responsible for the Mill Street and the drainage problems forever. Mr. Jacobs explained the County said it would be put on their regular schedule, probably for when they do the bridge which they think will be fairly soon. Mr. Jacobs explained he wasn't here at the time the agreement was made and didn't understand why the Township would spend \$1 million on a County road and then take over maintenance of it. He asked if the County ever gave the Township any money because the Agreement said the County would put up X-number of dollars and the Township was responsible for everything else. He said that amount of money has already been spent; there is only \$275,000.00 left in the Township's bond; and if the Cotton Mill was going to give the Township money for the drainage, he didn't see that in the Agreement. Mrs. Dix explained the plan was that the Cotton Mill was going to fix the drainage as part of their development and do a large part of Phase 2; the Township was going to do Phase 3. Mr. Silva questioned the down side of terminating the agreement now would be. Mr. Jacobs said he didn't know of any. The Mayor said it gets the Township off the hook for the \$1 million liability. Mr. Jacobs said the Township won't take over maintenance of the travel lane of Main Street or all maintenance of Mill Street. Mayor Gatto explained she agreed with terminating the agreement but wants it made very clear to the County that Mill street still needs to be a priority and they are still on the hook for infrastructure improvements in the Township. She asked Mrs. Dix and Mrs. Link to follow up on it as Smart Growth Liaisons. Mrs. Link asked if it was definite that the County would execute this (termination). The Mayor said the County has a pavement management plan for all of their roads and Mill Street would fall somewhere within it; the bridge is high on the list and she hopes it would bump an abutting roadway up. Mrs. Dix suggested the reason Mr. Jacobs didn't have a clear understanding of the plan because adequate records aren't available for his review because there was a Main Street Committee that met in the Administrator's office; it wasn't open to the public; and virtually everybody who was on it, other than

John Kurtz, is gone now. Mr. Jacobs explained that from the files he assumed the Township wanted improvements such as brick sidewalks and smaller drainage facilities on Main Street and the County said the Township had to pay for unconventional improvements if they wanted them. He said he didn't think it benefited the Township when the County said they would put up X-dollars not knowing what it would cost and the Township was responsible for everything over that. Mr. Silva said he disagreed with the contract at the time because he felt the numbers they gave were too small for the amount of work that had to be done. He said the bridge was built by WPA in 1933-34 and suggested that with all the money the County has to expend on infrastructure, doing Mill Street may not be a high priority. He said that end of Mill Street has to be addressed at some point in time and suggested Mr. Jacobs ask (Mr. DelRosso) where it priority-wise. Mrs. Dix said she thought the intent was for the sidewalks to go from 40/50 traffic light on Main Street to the 40/50 light on Mill Street. Mrs. Link suggested the other impetus was that the Wheaton site was going to be the downtown centerpiece before the fire. Mrs. Dix commented on the Cotton Mill site being zoned in an area need of redevelopment and then being sold to another person. She asked if there would be a subsequent ordinance to let the \$278,495.00 remaining in the bond ordinance go to Capital Surplus if the agreement is cancelled. Mr. Jacobs said that he was going to recommend repurposing that bond Ordinance for the Lake Lenape Dam after the County approves the resolution because a lot of additional money is going to be needed for the Dam.

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

RESOLUTION ACKNOWLEDGING THE COMPLETION OF THE "STREET IMPROVEMENT AND MANAGEMENT AGREEMENT" CONCERNING MAIN STREET (CR559) AND MILL STREET (CR616) FOR THE PURPOSES OF COST SHARING CERTAIN IMPROVEMENTS AS LISTED BELOW IN THIS RESOLUTION.

WHEREAS, in recognition of maintenance and improvement work to be done on County Roadways and Drainage Systems, and in anticipation of major downtown improvements planned for the Historic Downtown of Mays Landing, the Township of Hamilton and County of Atlantic had entered into a "Street Improvement and Management Agreement concerning Main Street (CR559) and Mill Street (CR616) for the purposes of a cost share for the following purposes:

Non-standard improvements of Main Street between Rte. 50 and Mill Street, including brick pavers, landscape architectural amenities, and drainage improvements.

Standard Improvements of Mill Street, including design, permitting and construction of drainage system and paving of Mill Street.

Said agreement, in anticipation of certain redevelopment activities of the Downtown Historic District, also included the maintenance of the non-standard improvements to Main Street by Hamilton Township, and following improvements, the transfer of ownership of portions of CR616 to the Township.

The agreement comprised three distinct phases to be developed at an overall estimated cost of \$867,750.00 with the first phase consisting of the non-standard improvements to CR559, the second phase consisting of the design, permits and construction of the storm water management system of Mill Street, and the third phase being the milling and repaving of Mill Street; and

WHEREAS, Phase 1 of the planned improvements has been completed. Phases 2 and 3 have not; and

WHEREAS, Planned improvements associated with this portion of the Historic Downtown are delayed at this time with no firm timeline of proceeding,

June 17, 2013

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that this agreement will terminate on the date this resolution is adopted by the Township of Hamilton (Atlantic County) and the County of Atlantic, and said termination shall occur on the following manner:

Since the agreement is being terminated prior to total completion, it is agreed that the Township of Hamilton's maintenance responsibilities shall be limited to maintenance of the non-standard brick pavers, landscape, trees that were planted as part of this project, curbing elements and drainage system along the portion of CR559 starting at the intersection of Main Street and Lenape Avenue and ending at the intersection of Main Street and Route 50. All other maintenance responsibility currently performed by the County on Main Street shall remain with the County such as street sweeping, striping, snow removal, sign maintenance, oversight of road openings, road restorations, and other construction projects that from time to time affect the roadway.

Atlantic County will retain responsibility for maintenance and improvements within the paved roadway of CR559, as well as retain ownership and responsibility for improvements associated with Phases 2 and 3 (Drainage System and Roadway Improvements) of CR616. It is recognized that Atlantic County will endeavor to provide these improvements as needed.

Each party may cancel the balances of any funding balances remaining under this agreement and reallocate them as each party determines is in their best interest.

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

Mayor Gatto commented on not knowing what options there are, if there is any planned development for that area, if there are any businesses that are vacant that the Township could partner with, or if there is anything the Township wants to look at from the road maintenance perspective, and asked the Smart Growth Committee look at Mill Street and put it as a discussion item.

The Mayor asked Mr. Jacobs to get an update on both the SJTA and County projects on Cologne Avenue.

PR Racing application for 3-day event July 12, 13 & 14, 2013 - Lake Lenape Triathlon:

Mayor Gatto said this was on the agenda because it is not typical of their normal application and is outside of the standard Event Application process. Mr. Jacobs explained this has been a one-day event annually; it impacts operation of the COVE somewhat; and last week Mrs. Giberson brought to his attention that she received a request for it to be extended to a three-day event. He explained his concern that neighborhood is going to pretty much be shut down for two days for the Hometown Celebration and this event would shut it down for three days two weeks later. Mr. Jacobs commented on there not being a lot of time between now and when the event is going to happen. Mr. Sandman asked what is happening this year that is different from every other year. Sean Clancy said he has been involved in the race for 24 years and they decided to do a three-day event to try to stimulate additional people coming in, additional money and additional revenue generation for a separate organization. He said he thinks the Triathlon generated \$40,000-\$50,000 or more over the life of the race; Mays Landing Athletic Association is the first beneficiary of the race this year; Oakcrest Crew is the beneficiary of the second day 5K race. Mr. Clancy explained Saturday is the normal event and they are out of there by 10 or 11 in the morning; the second triathlon will be a little longer and they will probably be out of there by noon. The Mayor asked what the route is for 5K race from on the first day. Mr. Clancy said it will be the same as the triathlon and already be marked; it is by the skating rink, Tunney Avenue, 13th Street and roads in that area; they will run laps; the neighborhood is always open to traffic; local people are free to go as long as they

move slowly; it isn't the safest thing to do but it isn't a complete shut down; and they would like to limit the through traffic to minimize liability and the potential car versus bike situation. Mayor Gatto asked if one lane is typically open. Mr. Clancy said they can share the road. Mrs. Link said Friday is one of the skating rink's biggest nights and children are being dropped off between 7 and 7:30 or 7 and 8. Mr. Clancy said 5K races don't generate a lot of attendance, especially first year events; they only have 8 people registered now and the maximum might be 50; they will be in and out in a half hour; and it shouldn't prohibit or interfere with traffic dropping off at the skating rink. Mr. Sandman asked what the third day was. Mr. Clancy said it is a longer triathlon on the same course. Mayor Gatto said check-in at the COVE starts at 5 PM on Friday, 6 AM on Saturday and Sunday, and asked what time the COVE opens and closes. Mrs. Dix said it closes at 6 PM on Friday and opens at 11 AM on Saturday and Sunday. The Mayor asked if there were volunteer staffing and safety plans. Chief Tappeiner said the Triathlon has been going on ever since he has been here; there will be police coverage; and Mr. Clancy usually has his own people there to assist. He commented on allowing traffic to get through to minimize the impact and said he is comfortable with that aspect of it from the police perspective. Mayor Gatto asked if the Township was bearing the expense for all of the police coverage. The Chief said they absolutely are not. Mr. Clancy said there is no expense to the Township; he pays for public works, lifeguards, and anyone involved. Mayor Gatto commented on not seeing any insurance in the application. Mr. Clancy said he typically waits for approvals before getting it because it isn't logical to pay \$1,000 now and then have the Township deny it. Mr. Guishard asked how Mr. Clancy arrived at the Mays Landing Athletic Association and Crew associations to benefit from the events. Mr. Clancy explained the relationship started through the Recreation Department but the Township decided not to be involved or benefit from it at some point in time; he wanted a local association to be the beneficiary; he isn't sure how it happened but Mays Landing Athletic Association happened to be in the right place at the right time; one of their people had an association with the Oakcrest Crew Team and that is how he got onto them. Mr. Guishard asked for the estimated number of participants in the Triathlon. Mr. Clancy said the maximum they had was just under 400 and estimated 300 for the sprint and maybe 100 for the second race because that is a first year event. Mr. Silva asked how long Weymouth Road was expected to be closed. Mr. Clancy it would be from when the race starts at 8 AM to 10 AM the first day because everyone finishes in 2 hours and the second day will probably to 11 AM. Mayor Gatto commented on the application not being submitted within the 45 days and asked what has been done about that in the past. Mr. Jacobs commented on it being a big event to not have any information on or knowledge of it until just now; that Sue Giberson called Mr. Clancy repeatedly to try to plan in advance and never got a call back; and he didn't know why there was a communications problem. Mr. Clancy said he didn't think that was accurate and that he submitted the paperwork the on almost the same date as last year. Mr. Jacobs said that was a one-day event. Mrs. Link referred to Mr. Jacob's comment about traffic with the Hometown Celebration and said the area residents will be upset if there is another thing in a week. She said she felt this is a great idea but suggested it be put off until next year. Mrs. Dix suggested it could be in September after the summer traffic and the Cove is closed. She commented on everyone going in and coming out of the Lake in waves; running to the Cove parking lot for their bicycles and heading out for Weymouth Road; runners going out when bikers start to come back in; and cars on Park Road having to stop for bikes turning left into the parking lot. She said the volunteers for the Adopt-a-Road Program and public works staff that the Township is paying for are picking up some of the Triathlon trash because the Triathlon is ending when the beach is opening and she never saw charges for public works that were paid for by PR Racing. Mrs. Dix said she would go with Saturday but couldn't go with Friday night, Saturday and Sunday. She it would have been fine if there had been enough time to let the people know about it and let Mr. Clancy hear them. Mrs. Dix said that she doesn't believe people coming to the Triathlon are spending money to benefit businesses in town except to get coffee at Wawa. Mr. Clancy said that he knows for a fact they are

June 17, 2013

spending money. Mr. Guishard asked if the trash problem could be rectified. Mr. Clancy said he personally picked up the black trash bags he had provided and put them in the dumpsters; they have always taken out their own trash; public works didn't do it; and he has invoices to show he paid for police, lifeguards and public works. Mayor Gatto asked if the Committee typically approved an application for the event with pending insurance. Mr. Clancy said it has for the past number of years and he never did the race without insurance. Mr. Jacobs said escrow is now required up front for the all the estimated costs. Mr. Silva asked if the rescue squad was there. Mr. Clancy said they are. Mrs. Link asked how many local participants there are. Mr. Clancy said 35-50 and they have a special category for Mays Landing residents. Mayor Silva asked Mr. Clancy if the change in the Triathlon was an impromptu thing. Mr. Clancy said it wasn't; it was in the works for a year; that he had conversations about it with Public Works; this is the first time in 24 years that he had to appear before the Council; he was working on past practices; and assumed he had submitted all the paperwork, having had conversations about it over the past year. Mr. Guishard asked if the paperwork was submitted 45 days ahead. Mayor Gatto said it was May 31st. Mrs. Dix said the Committee didn't get it until June 11th. Mr. Jacobs read the e-mail he received from Sue Giberson that stated PR Racing mentioned to her at the conclusion of the 2012 race that they were interested in expanding the event to a 2-day event in 2013; she indicated to them at that time that we would need sufficient notice of request and would have to have a meeting to discuss it; she called Mr. Clancy numerous times over the last few months and left messages but didn't received a call back until June 6th in the afternoon in which Mr. Clancy stated he dropped off a packet at Public Works in the municipal office and went on to explain he was expanding the race to 3 days; she told him she would review the packet; and that she. I was out sick Friday". Mr. Jacobs said Sue didn't get the packet until June 10th at which time she told him and Captain Petuskey about it. Mr. Clancy said that was about accurate. Mayor Gatto asked Chief Tappeiner if he or any his staff had conversations prior to the past week or so. The Chief explained Captain Petuskey would have received and reviewed the packet. Mr. Guishard asked if there was any indication of the impact the previous events on the community and if they found it burdensome. Mr. Sandman said he is part of that community and doesn't find it burdensome but he isn't as close as Mrs. Dix is. The Mayor asked Mrs. Link for her comments on it. Mr. Link said people involved in the race often park in the skating rink parking lot and take up every parking space; the rink has classes from 10 to 11 and birthday parties starting at quarter of 11; there have been complaints about not being let through; her staff wasn't let through and had to another route and were late for work. She said one day of that is enough. Mrs. Dix commented on the route runners have to take from the Cove to the Town Hall parking lot exit and turn around in order to get the 3.2 miles in causing runners to be going both directions on Tanglewood Drive into 13th Street as well as bikes and runners on Park Road. Mr. Clancy said he agreed with that but it has pretty much thinned out at that point in the race; it is single file on each side; it is passable; there are no police at the end of 13th Street prohibiting vehicular traffic; it is a fire truck and they might have told someone they couldn't go down the road but he has never asked for those roads to be closed. He commented on people in that community bring water to the participants; hosing them down; helping them with parking; and said that in his experience it is well received. Mayor Gatto commented on the brochure not indicating where to park. Mr. Clancy said parking at the rink only happened once in 24 years and the confirmation letter he sends out specifically tells them to park at Town Hall and not to park at the skating rink. Mr. Guishard asked if there is sufficient parking at town hall. Mr. Clancy explained it is and on the streets; he hasn't heard of any issues otherwise; and that is where the participants are instructed to park every year. Mayor Gatto asked if Mr. Clancy spoke to the County about parking at Lenape Park to bypass the Skating Rink. Mr. Clancy explained the leaders get done and don't want to wait for the awards ceremony; they want to park close to the finish line and he doesn't want them getting into cars and driving back on the race course; but it is an option. The Mayor commented on the brochure saying the roads are closed. Mr. Clancy said it is for the bikes. Mr.

Blankenship suggested the County Parking lot in the middle of town could be an alternative because that is where people shopping downtown park and it isn't that much farther than the Cove parking lot. Mayor Gatto commented on having gotten a lot of input; the application coming in just shy of the 45-day minimum requirement and pending insurance; the decision can't be delayed until the July 8th meeting because event is about a month away; the agenda was advertised so residents could have commented if they wanted to. Mr. Sandman said he would review the form of indemnification agreement and approval would be contingent upon him accepting it. Mr. Clancy explained the sprint race winners take 50 minutes; the last place finisher takes 2 hours; he is asking for 3 hours maximum on Saturday and a half-hour on Friday; the race is done everyone is across the finish line by 10 AM; they hold the awards ceremonies and get everything out of the way probably by 11 so the Beach Badge Checkers can get in. Mr. Silva asked if the brochures were out yet and if any there were any early applicants. Mr. Clancy said it only went to one group; there are 11 people registered for the longer race on Sunday; about 100 for the sprint day; and 6-8 for the 5K race. Mr. Guishard questioned the possibility of using a one-lane off and on for the bikers. Mr. Clancy said that was dangerous from his perspective. The Mayor and Mrs. Dix said they didn't think it was practical. Mrs. Dix questioned the note on the back that said the \$500.00 deposit from last was not returned. Mr. Clancy said that was correct. Mrs. Link questioned the total outlay out for police to redirect traffic. The Mayor explained they will not be redirecting traffic, they are there for safety. Mrs. Dix said it was about \$1,000 according to the OPRA she filed; he reimburses the Township for 2-2½ hours for lifeguards; and she hasn't seen any payment for public works in her OPRA's. Mrs. Link questioned the difference in police for this and the Halloween parade. The Mayor explained they redirect traffic for the parade because roads are closed but only Weymouth Road is closed for the bike leg of the triathlon. Mayor Gatto asked if the deposit from last was not returned because there were issues. Mrs. Dix said it was forgotten. Mr. Silva asked if Mr. Clancy asked for it to be returned. Mr. Clancy said he didn't; it was always returned in the past; and he just received the invoice (requisition) for it at the end of May. Mr. Sandman explained that was a non-issue because there has to be escrow now.

Mr. Guishard moved that the PR Racing Lake Lenape Triathlon application to hold a three-day event on July 12, 13 and 14, 2013 be approved as requested and to approve a resolution of support for closure of Weymouth Road (CR559) from Old Harding Highway to Avenue G for the bicycle leg of the Triathlon on July 13 and 14, 2013.

MOTION DIED DUE TO LACK OF A SECOND.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the PR Racing application for the Lake Lenape Triathlon event is hereby approved for July 13, 2013 only contingent upon receipt and review by the Solicitor of pending items including but not limited to appropriate indemnification and insurance and payment of the required escrow; and

BE IT FURTHER RESOLVED that the Township Committee of Hamilton has no objection to the County of Atlantic approving the PR Racing Association application for closure of Weymouth Road (CR559) from Old Harding Highway (CR 616) to Avenue G in Mays Landing on July 13, 2013 for the bicycle leg of the PR Racing Triathlon subject to PR Racing Association providing all insurances and indemnification required by the County of Atlantic.

DISCUSSION ON THE MOTION: Mr. Guishard said this event involves hundreds of people from town and outside of town; it is a positive event that promotes physical activity; it is helpful for business; it hasn't negatively affected him and some others enjoyed it; and he recognizes that some people would be inconvenienced and unfortunately with any event like this there will be both sides; the indemnification

June 17, 2013

matter can be solved; he thinks the parking situation can be improved upon; and as far as he can tell there haven't been serious community complaints in the past but that could be because members of the community aren't here to talk about it. He suggested there would be opportunity to examine what happened if it were to go on and the Committee could base their decision next year this year's experience but there may not be that opportunity again if the Committee doesn't do it. Mr. Silva asked why it was in July. Mr. Clancy explained the race calendars are pretty much set; races are already established and dates locked in; moving it would upset the tradition of the race and people who set their calendars. Mayor Gatto said she tended to agree with Mr. Guishard; she thinks it could have been better communicated

There being no further discussion, The Mayor called for the vote.

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

MEMBERS COMMENTS WHEN CASTING THEIR VOTES: Mrs. Dix voted "yes" for one-day because if they started earlier and had a group meeting with neighbors to get input a few months ago they may or may not have minded it but the Committee doesn't have their feed back because they didn't get it until Friday in their agenda packet. Mr. Guishard voted "yes" because the choice was to vote on something or kill it. Mrs. Link voted "yes" because Mr. Clancy did a lot of work on it and the Committee may be able to accommodate it in future years; maybe things that affect her business will be alleviated because sometimes when her customers are turned away, they never come back.

Mayor Gatto asked if any member wanted to consider the Friday night event. Mr. Guishard said he would in favor of it. There was no motion to do so. Mrs. Dix suggested if there is going to be any expansion in the future they start in March so the affected people can be surveyed and the County because if they don't go for closing Weymouth Road Saturday and Sunday, everything stops.

Mr. Guishard moved that the PR Racing application to hold a 5K Race from 7-8 PM on Friday, July 12, 2013 be approved. Mrs. Link explained she would never approve it because she already expressed her concern about people coming to her facility on Friday night and that Friday night is a very vital part of their business. **MR. GUSHARD WITHDREW THE MOTION.**

Remington Vernick proposal for services re: 2014 Road Program:

Mrs. Dix suggested that action on this had to be held the source of funding is Bond Ordinance #1748-2013 because the Committee has to adopt that Ordinance and wait through the estoppel period before they can vote to spend any of that money. Mr. Jacobs said he was fairly certain the funds were coming from another Bond if the CFO certified the funds. Mrs. Dix asked how a contract could be spent against the wrong Bond Ordinance. Mr. Jacobs explained he wasn't sure that mattered because the roads in the Bond Ordinance aren't specifically identified and he doubted any money would be spent in the next 30 days. Mrs. Dix said this could be done at the July 8 meeting if the 20 days starts tonight and that she didn't see any harm in that. Mrs. Anderson explained the 20 days starts when final adoption of the Ordinance is published on Wednesday. Mrs. Dix said she didn't think awarding the contract was the right thing to do. Mayor Gatto asked Mrs. Dix if that was because she doesn't feel the funding certification is from the accurate Bond Ordinance. Mrs. Dix said it was and that through OPRA requests she had shown that a contract was awarded in February 2006 and the Bond wasn't approved until June. Mr. Jacob said he understood Mrs. Dix's point in principal but he is sure that if the CFO certified the funds he believes they are spendable from the prior Bond and that it is legal. He said he didn't know that waiting 30 days hurts the project but he didn't want anyone to take from what is being said that the certification of funds isn't valid and that he believes there is nothing wrong with certifying against the other Ordinance and changing it when this one is done. The Mayor questioned why Mr. Jacobs said 30 days and Mrs. Dix said 20 days. Mr.

Jacobs explained it wouldn't make the next meeting with 20 days so it would be held up until August. Mr. Silva asked if Mr. Jacobs is always satisfied when the CFO certifies the funds. Mr. Jacobs said if Mrs. Dix had called him today he could have confirmed it but he doesn't think Mr. Tuthill would certify the funds if he wasn't confident they were spendable. The Mayor asked if this could be approved pending validation that the certification of funds is accurate and not moving forward if they aren't. Mr. Jacobs said it wouldn't move forward anyway if they weren't accurate; that he understood Mrs. Dix's concern but he didn't think it is a legal issue, it is a principal issue; and he wants to keep the project moving because the roads are in bad shape. Mrs. Dix said the shape of the roads won't change whether the Township waits 30 days or 60 days because there are a lot of projects going on; a lot of work is getting done; and it can't all be done at the same time. She said she didn't want to issue any more contracts until there is some closure on existing contracts. Mayor Gatto asked if the work would start before July 8. Mr. Smith explained he would probably put the survey request in before he goes on vacation; he doesn't know what the workload of the survey crew is; and it probably would not begin before July 8. The Mayor commented on it being pushed further back on the survey list if this is postponed until July 8. Mr. Silva said he has always been satisfied that the money is there when the CFO certifies something and he would make the motion that the proposal be accepted. Mrs. Link said she agreed with Mr. Silva about Mr. Tuthill and would second the motion because the sooner the Township gets to the road projects the better.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Remington & Vernick Engineers proposal dated May 28, 2013 to provide Engineering, Inspection and Contract Administration Services for the 2014 Road Program for a fixed fee not to exceed \$119,000.00 is hereby accepted and the contract for same awarded to them.

RESOLUTION ADOPTED WITH MEMBER DIX VOTING "NO", MEMBERS GUSHARD, LINK, SILVA AND GATTO VOTING "YES", AND NO "ABSTAIN" ON ROLL CALL VOTE.

Request for NJDOT traffic study of a portion of Route 40:

Mr. Silva commented on NJDOT being requested to look at State roadways over the years to see if they could come up with some traffic calming devices. He reported he received a number of phone calls over the last 45 days about problems making left turns onto Route 40 coming out of Babcock Road, Dennis Foreman Drive, the church, the cemetery, Tavistock, Meadowbrook shopping center, and Old Egg Harbor Road. Mr. Silva asked for a resolution to be sent to the Department of Transportation for a traffic study to be done of Route 40 from Babcock Road to the Sugar Hill intersection. He commented on Hamilton Township being the crossroads of the County; increased traffic; and traffic backups that lead to frustration, possible aggressive driving and accidents. Mrs. Dix said there was supposed to be a traffic light at the Tavistock intersection but it was deleted during their approval process.

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

**RESOLUTION REQUESTING THAT THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION CONDUCT A TRAFFIC STUDY ON ROUTE 40 FROM
BABCOCK ROAD TO THE SUGAR HILL INTERSECTION.**

WHEREAS, the Township Committee of the Township of Hamilton believes this section of Route 40 would benefit by the installation of traffic calming improvements; and

June 17, 2013

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that "in the interest of Public Safety", this Resolution along with a copy Crash Data prepared by the Township of Hamilton Police Department be sent to the New Jersey Department of Transportation and the Governor's Office, with the request for immediate consideration, along with the appropriate studies and traffic calming measures being implemented.

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

Sirens Media request to film in Mays Landing:

Mayor Gatto explained Sirens Media wanted to know what kind of permitting is required for them to film in the Mays Landing area on June 26, 27 and 28 for the Investigation Discover Channel program called "Deadly Affairs"; it will only be beauty shots; there will be no pyrotechnics, no stunts of any kind, and no audio. Mr. Jacobs explained the Township doesn't have an Ordinance on this but it is important that the Committee approve these requests if they are going to use the Township signs and logos because you never know the context in which it is being used. Lisa Marcolongo explained "Deadly Affairs" is about crimes and murders that occur in relation to affairs; it is a sordid kind of show; and the Committee might want to consider that it isn't to advertise or promote Hamilton Township. Mrs. Dix said they could just come with cameras and nobody would know what they were doing.

Mr. Silva moved, seconded by Mr. Guishard, that Sirens Media request for permission to film "beauty shots" in the Mays Landing area on June 26, 27 and 28, 2013 for the Investigation Discovery Channel called "Deadly Affairs" is hereby approved.

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

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

WHEREAS the following sealed bid proposals for the Reconstruction of Malaga Road, Section 2, were received on April 30, 2013:

Asphalt Paving Systems, Inc.	Base Bid:	NO BID
P. O. Box 530	Alternate Bid:	\$204,700.00
Hammonton, NJ 08037		

Arawak Paving Co., Inc.	Base Bid:	\$253,000.00
7503 Weymouth Road	Alternate Bid:	NO BID
Hammonton, NJ 08037		

and

WHEREAS the bids have been reviewed by the Township Engineer and Deputy CFO/Purchasing agent and they have determined Asphalt Paving Systems, Inc., P. O. Box 530, Hammonton, NJ to be the lowest responsible bidder and recommended the contract be awarded to them for the Alternate Bid of \$204,700.00,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the bid of Asphalt Paving Systems, Inc. be accepted and the contract for Reconstruction of Malaga Road, Section 2 is hereby awarded to them in the amount of \$204,700.00.

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

Public Hearing/Adoption - Ordinance #1748-2013:

Mr. Jacobs explained the Bond is for the 2014 road paving, some communication equipment in Dispatch, and drainage work and improvements at Liepe Park. Mayor Gatto said \$1 million is for Road Programs. Mrs. Link said now is the time to do this because interest rates are low.

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

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

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

WHEREAS, Ordinance #1748-2013 was introduced and passed first reading on June 3, 2013 and was duly advertised in the June 5, 2013 issue of the Atlantic County Record for a public hearing to be held on June 17, 2013; 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 #1748-2013 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 1748-2013**

BOND ORDINANCE APPROPRIATING ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000) AND AUTHORIZING THE ISSUANCE OF ONE MILLION ONE HUNDRED FORTY THOUSAND DOLLARS (\$1,140,000) IN BONDS OR NOTES OF THE TOWNSHIP OF HAMILTON FOR CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY

BE IT ORDAINED BY THE COMMITTEE OF THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be made or acquired by the Township of Hamilton, in the County of Atlantic, New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the apportionment made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000), including the aggregate sum of SIXTY THOUSAND DOLLARS (\$60,000) as the down payment for said improvements or purposes as required pursuant to N.J.S.A. 40A:2-11 and more particularly described in Section 3 and now available by virtue of provision in a previously adopted budget or budgets of the Township for down payment for capital improvement purposes, and including also monies received or expected to be received from the United States of America, the State of New Jersey or the County of Atlantic, or agencies thereof, as grants in aid of financing said improvements or purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000) in appropriations not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of ONE MILLION ONE HUNDRED FORTY THOUSAND DOLLARS (\$1,140,000) pursuant to the Local Bond Law of New Jersey (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding ONE MILLION ONE HUNDRED FORTY THOUSAND DOLLARS (\$1,140,000) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the appropriations made for and estimated cost of such purposes, and the estimated maximum amount of bonds or notes to be issued for such purposes, are respectively as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
(a) Various Municipal Roadway Improvements, including milling and overlay, paving and curbs, such new roadway pavement to be at least equal in useful life or durability to a road of Class B construction, as referred to in Section 40A:2-22 of the Local Bond Law, together with the construction or reconstruction of drainage facilities, pavement preparation, pavement construction or reconstruction, asphalt concrete resurfacing, driveway, curb, sidewalk and shoulder restoration, handicapped accessible curb ramps, striping, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with plans and specifications heretofore or hereafter filed in the office of the Township Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$1,000,000	\$950,000
(b) Construction of various improvements to the Township's recreation fields and parks, including the costs of surveying, construction planning, architectural, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$120,000	\$114,000
(c) Purchase of various public safety communications equipment.	\$80,000	\$76,000
TOTALS	\$1,200,000	\$1,140,000

The excess of the appropriations made for the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payments for said purposes.

Section 4. In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the Township in a principal amount equal to the said principal of bonds not exceeding ONE MILLION ONE HUNDRED FORTY THOUSAND DOLLARS (\$1,140,000) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as he may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Committee of the Township at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law.

The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The signature of the Chief Financial Officer upon said note(s) shall be conclusive evidence of such determination.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Township may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is **10.30 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk and an executed copy has been electronically signed and filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by ONE MILLION ONE HUNDRED FORTY THOUSAND DOLLARS (\$1,140,000), and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding TWO HUNDRED FORTY THOUSAND DOLLARS (\$240,000) in the aggregate for interest on said obligations, costs of issuing said obligations, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the Township in connection with the construction or acquisition of the improvements and properties as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvements and are included in the foregoing estimate thereof.

June 17, 2013

Section 6. The Township hereby certifies that it has adopted a capital budget. The applicable capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and available for public inspection.

Section 7. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The Township reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this Bond Ordinance and paid prior to the issuance of any bonds or notes authorized by this Bond Ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "control group" as the Township, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication of a summary thereof after final adoption, as provided by the Local Bond Law.

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

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

AMY GATTO, MAYOR

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

ORDINANCE #1748-2013 INTRODUCED AND PASSED FIRST READING JUNE 3, 2013.
ORDINANCE #1748-2013 ADOPTED JUNE 17, 2013.

Public Hearing/Adoption - Ordinance #1749-2013:

Mr. Jacobs explained this is property in Sunshine Park that the Township owns; it has a dangerous building on it; it is being sold with the understanding the purchaser has to remove it within 60 days. Mayor Gatto asked if the bee issue was resolved. Mr. Jacobs said they were not honey bees.

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

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

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

WHEREAS, Ordinance #1749-2013 was introduced and passed first reading on June 3, 2013 and was duly advertised in the June 5, 2013 issue of the Atlantic County Record for a public hearing to be held on June 17, 2013; 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 #1749-2013 be and is hereby adopted.

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

TOWNSHIP OF HAMILTON
ORDINANCE NO. 1749-2013

AN ORDINANCE AUTHORIZING THE SALE OF LOT 2 in BLOCK 1118, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HAMILTON, AND GRANTING TO THE OWNER OR OWNERS OF SAID REAL PROPERTY CONTIGUOUS TO SAME THE RIGHT TO PRIOR REFUSAL TO PURCHASE SUCH LAND 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 following described lots and block numbers on the Hamilton Township Tax Map are hereby determined to be less than the minimum size required for development in said Township under the existing Developmental Ordinance and are without any capital improvements thereon.

SECTION 2. Upon final adoption of this Ordinance, owners of real property contiguous to the subject lot may thereafter submit an offer to the Township Clerk, as designee of this Governing Body, in writing and on forms prepared by the Township for a period of twenty (20) days following advertisement of the finally adopted Ordinance pursuant to N.J.S.A. 40A:12-13. All offers shall be made in a sealed envelope. No offer less than the minimum value established herein below for said lot shall be considered by the Township Committee.

SECTION 3. In the event of bids being submitted by more than one (1) contiguous property owner with respect to said lots, the sale shall be made, if at all, to the highest bidder. The Township Committee reserves the right to reject any and all bids and to thereafter advertise the subject property for public sale pursuant to N.J.S.A. 40A:12-13(a).

SECTION 4. The following conditions of sale shall apply:

- (a) The successful bidder shall submit a certified check made payable to the "Township of Hamilton" in the amount of twenty (20%) percent of the purchase price, which check shall be submitted in the sealed envelope at the time of submission of the bid. Persons bidding on behalf of a contiguous property owner shall be required to submit in writing satisfactory evidence of their authority. The balance of the purchase price plus FOUR HUNDRED, TWENTY-FIVE (\$425.00) DOLLARS to off set administrative costs including but not limited to advertising, legal and recording fees shall be paid in cash or certified check within ten (10) days after acceptance of the bid by the Township Committee and authorizing the sale to the high bidder.

- (b) The Deed prepared by the Township Committee shall not be tendered until the full purchase price is paid.
- (c) Title shall be conveyed by and through a Quitclaim Deed and shall convey only the right, title and interest of the Township of Hamilton to the land, as described herein. No warranties and covenants are or shall be made by the Township of Hamilton and in no event shall there be any liability on the part of the Township by reason thereof. The right, title and interest of the successful bidder, as purchaser, shall be subject to the following conditions, covenants, restrictions, easements and exceptions which shall run with the land and shall also become part of the Deed granted to the purchaser for the recording:
 - (1) Easement of utility companies and of governmental agencies or bodies.
 - (2) Any encroachments, prescriptions, easements or other state of facts pertaining to said lands which may be ascertained upon a visual examination and inspection of the land and the lands surrounding said land and any restrictions and covenants of record.
 - (3) All existing federal, state, county and municipal laws, statutes, ordinances, rules and regulations including, by of description and not by limitation, existing zoning, health and planning board rules and regulations.
 - (4) No representation of any kind is made that the land in question, surface as well as subterranean portions, is suitable or adaptable for any particular use whatsoever.
 - (5) No representation of any kind is made concerning gas or electric service to the land.
- (d) In the event that the Township cannot convey good and marketable title, subject to the above, the purchaser will be entitled to the return of the deposit, without interest, and the Township will not be responsible or liable in any other manner and for any other amount.
- (e) In the event that the purchaser defaults in making payment to the Township, as set forth above, or if the purchaser cannot make settlement in accordance with the terms thereof, the deposit made by the successful bidder on account of the purchase will be retained by the Township as and for its liquidated damages and the land may be resold. This remedy shall be in addition to the Township's right to compel specific performance of the purchaser's obligation hereunder. Time is of the essence.

SECTION 5. The Township owned lots and minimum bid established therefore are as follows:

<u>Block/Lot(s)</u>	<u>Lot Size</u>	<u>Location</u>	<u>Zoning</u>	<u>Minimum Bid</u>
1118 / 2	25' X 95' irregular	Memory Lane	GAL	\$100.00

SECTION 6. SPECIAL CONDITIONS: (1) No structure on property offered for sale herein may be used or occupied for any purpose. (2) The Successful Bidder shall, at their own expense, demolish all structures on the property offered for sale herein, remove all debris and clean the property to the satisfaction of the Township within sixty (60) days of conveyance of title to them. (3) The requirement to demolish all structures and remove all debris shall survive closing. If the Successful Bidder fails to comply with said requirements, the Township shall take any and all actions reasonably necessary to compel compliance and said Bidder shall be responsible for all costs incurred, including without limitation, the Township's attorney's fees, costs of suit and all other costs or damages incurred by the Township and said costs, damages, and attorney's fees shall be and do hereby constitute a lien on the real estate being conveyed and, in addition, the Successful Bidder shall be individually liable.

SECTION 7. All Ordinances and parts of Ordinances of Hamilton Township heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 9. This Ordinance shall take effect immediately upon its publication after final passage as required by law.

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: DIX "YES"
 GUISHARD "YES"
 LINK "YES"
 SILVA "YES"
 GATTO "YES"

ORDINANCE #1749-2013 INTRODUCED AND PASSED FIRST READING ON JUNE 3, 2013.
ORDINANCE #1749-2013 ADOPTED JUNE 17, 2013.

Public Hearing/Adoption - Ordinance #1750-2013:

Mayor Gatto explained this Ordinance is for similar property in Sunshine Park as in Ordinance #1749-2103.

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

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

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

WHEREAS, Ordinance #1750-2013 was introduced and passed first reading on June 3, 2013 and was duly advertised in the June 5, 2013 issue of the Atlantic County Record for a public hearing to be held on June 17, 2013; 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 #1750-2013 be and is hereby adopted.

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

TOWNSHIP OF HAMILTON
ORDINANCE NO. 1750-2013

AN ORDINANCE AUTHORIZING THE SALE OF LOT 5 in BLOCK 1117, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HAMILTON, AND GRANTING TO THE OWNER OR OWNERS OF SAID REAL PROPERTY CONTIGUOUS TO SAME THE RIGHT TO PRIOR REFUSAL TO PURCHASE SUCH LAND 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 following described lots and block numbers on the Hamilton Township Tax Map are hereby determined to be less than the minimum size required for development in said Township under the existing Developmental Ordinance and are without any capital improvements thereon.

SECTION 2. Upon final adoption of this Ordinance, owners of real property contiguous to the subject lot may thereafter submit an offer to the Township Clerk, as designee of this Governing Body, in writing and on forms prepared by the Township for a period of twenty (20) days following advertisement of the finally adopted Ordinance pursuant to N.J.S.A. 40A:12-13. All offers shall be made in a sealed envelope. No offer less than the minimum value established herein below for said lot shall be considered by the Township Committee.

SECTION 3. In the event of bids being submitted by more than one (1) contiguous property owner with respect to said lots, the sale shall be made, if at all, to the highest bidder. The Township Committee reserves the right to reject any and all bids and to thereafter advertise the subject property for public sale pursuant to N.J.S.A. 40A:12-13(a).

SECTION 4. The following conditions of sale shall apply:

- (a) The successful bidder shall submit a certified check made payable to the "Township of Hamilton" in the amount of twenty (20%) percent of the purchase price, which check shall be submitted in the sealed envelope at the time of submission of the bid. Persons bidding on behalf of a contiguous property owner shall be required to submit in writing satisfactory evidence of their authority. The balance of the purchase price plus FOUR HUNDRED, TWENTY-FIVE (\$425.00) DOLLARS to off set administrative costs including but not limited to advertising, legal and recording fees shall be paid in cash or certified check within ten (10) days after acceptance of the bid by the Township Committee and authorizing the sale to the high bidder.
- (b) The Deed prepared by the Township Committee shall not be tendered until the full purchase price is paid.
- (c) Title shall be conveyed by and through a Quitclaim Deed and shall Convey only the right, title and interest of the Township of Hamilton to the land, as described herein. No warranties and covenants are or shall be made by the Township of Hamilton and in no event shall there be any liability on the part of the Township by reason thereof. The right, title and interest of the successful bidder, as purchaser, shall be subject to the following conditions, covenants, restrictions, easements and exceptions which shall run with the land and shall also become part of the Deed granted to the purchaser for the recording:
 - (1) Easement of utility companies and of governmental agencies or bodies.
 - (2) Any encroachments, prescriptions, easements or other state of facts pertaining to said lands which may be ascertained upon a visual examination and inspection of the land and the lands surrounding said land and any restrictions and covenants of record.
 - (3) All existing federal, state, county and municipal laws, statutes, ordinances, rules and regulations including, by of description and not by limitation, existing zoning, health and planning board rules and regulations.
 - (4) No representation of any kind is made that the land in question, surface as well as subterranean portions, is suitable or adaptable for any particular use whatsoever.
 - (5) No representation of any kind is made concerning gas or electric service to the land.
- (d) In the event that the Township cannot convey good and marketable title, subject to the above, the purchaser will be entitled to the return of the deposit, without interest, and the Township will not be responsible or liable in any other manner and for any other amount.
- (e) In the event that the purchaser defaults in making payment to the Township, as set forth above, or if the purchaser cannot make settlement in accordance with the terms thereof, the deposit made by the successful bidder on account of the purchase will be retained by the Township as and for its liquidated damages and the land may be resold. This remedy shall be in addition to the Township's right to compel specific performance of the purchaser's obligation hereunder. Time is of the essence.

SECTION 5. The Township owned lots and minimum bid established therefore are as follows:

<u>Block/Lot(s)</u>	<u>Lot Size</u>	<u>Location</u>	<u>Zoning</u>	<u>Minimum Bid</u>
1117 / 5	0.11 acre	Memory Lane	GAL	\$100.00

SECTION 6. SPECIAL CONDITIONS: (1) No structure on property offered for sale herein may be used or occupied for any purpose. (2) The Successful Bidder shall, at their own expense, demolish all structures on the property offered for sale herein, remove all debris and clean the property to the

satisfaction of the Township within sixty (60) days of conveyance of title to them. (3) The requirement to demolish all structures and remove all debris shall survive closing. If the Successful Bidder fails to comply with said requirements, the Township shall take any and all actions reasonably necessary to compel compliance and said Bidder shall be responsible for all costs incurred, including without limitation, the Township's Attorney's fees, costs of suit and all other costs or damages incurred by the Township and said costs, damages, and attorney's fees shall be and do hereby constitute a lien on the real estate being conveyed and, in addition, the Successful Bidder shall be individually liable.

SECTION 7. All Ordinances and parts of Ordinances of Hamilton Township heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 9. This Ordinance shall take effect immediately upon its publication after final passage as required by law.

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: DIX "YES"
 GUISHARD "YES"
 LINK "YES"
 SILVA "YES"
 GATTO "YES"

ORDINANCE #1750-2013 INTRODUCED AND PASSED FIRST READING ON JUNE 3, 2013.
ORDINANCE #1750-2013 ADOPTED JUNE 17, 2013.

Public Hearing/Adoption - Ordinance #1751-2013:

Mayor Gatto explained this Ordinance is for similar property in Sunshine Park as in Ordinance #1749-2103.

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

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

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

WHEREAS, Ordinance #1751-2013 was introduced and passed first reading on June 3, 2013 and was duly advertised in the June 5, 2013 issue of the Atlantic County Record for a public hearing to be held on June 17, 2013; 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 #1751-2013 be and is hereby adopted.

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

June 17, 2013

TOWNSHIP OF HAMILTON
ORDINANCE NO. 1751-2013

AN ORDINANCE AUTHORIZING THE SALE OF LOTS 1 THRU 3 AND 8 THRU 21 IN BLOCK 1117, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HAMILTON, AND GRANTING TO THE OWNER OR OWNERS OF SAID REAL PROPERTY CONTIGUOUS TO SAME THE RIGHT TO PRIOR REFUSAL TO PURCHASE SUCH LAND 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 following described lots and block numbers on the Hamilton Township Tax Map are hereby determined to be less than the minimum size required for development in said Township under the existing Developmental Ordinance and are without any capital improvements thereon.

SECTION 2. Upon final adoption of this Ordinance, owners of real property contiguous to the subject lot may thereafter submit an offer to the Township Clerk, as designee of this Governing Body, in writing and on forms prepared by the Township for a period of twenty (20) days following advertisement of the finally adopted Ordinance pursuant to N.J.S.A. 40A:12-13. All offers shall be made in a sealed envelope. No offer less than the minimum value established herein below for said lot shall be considered by the Township Committee.

SECTION 3. In the event of bids being submitted by more than one (1) contiguous property owner with respect to said lots, the sale shall be made, if at all, to the highest bidder. The Township Committee reserves the right to reject any and all bids and to thereafter advertise the subject property for public sale pursuant to N.J.S.A. 40A:12-13(a).

SECTION 4. The following conditions of sale shall apply:

- (a) The successful bidder shall submit a certified check made payable to the "Township of Hamilton" in the amount of twenty (20%) percent of the purchase price, which check shall be submitted in the sealed envelope at the time of submission of the bid. Persons bidding on behalf of a contiguous property owner shall be required to submit in writing satisfactory evidence of their authority. The balance of the purchase price plus FOUR HUNDRED, TWENTY-FIVE (\$425.00) DOLLARS to off set administrative costs including but not limited to advertising, legal and recording fees shall be paid in cash or certified check within ten (10) days after acceptance of the bid by the Township Committee and authorizing the sale to the high bidder.
- (b) The Deed prepared by the Township Committee shall not be tendered until the full purchase price is paid.
- (c) Title shall be conveyed by and through a Quitclaim Deed and shall Convey only the right, title and interest of the Township of Hamilton to the land, as described herein. No warranties and covenants are or shall be made by the Township of Hamilton and in no event shall there be any liability on the part of the Township by reason thereof. The right, title and interest of the successful bidder, as purchaser, shall be subject to the following conditions, covenants, restrictions, easements and exceptions which shall run with the land and shall also become part of the Deed granted to the purchaser for the recording:
 - (1) Easement of utility companies and of governmental agencies or bodies.
 - (2) Any encroachments, prescriptions, easements or other state of facts pertaining to said lands which may be ascertained upon a visual examination and inspection of the land and the lands surrounding said land and any restrictions and covenants of record.
 - (3) All existing federal, state, county and municipal laws, statutes, ordinances, rules and regulations including, by of description and not by limitation, existing zoning, health and planning board rules and regulations.
 - (4) No representation of any kind is made that the land in question, surface as well as subterranean portions, is suitable or adaptable for any particular use whatsoever.
 - (5) No representation of any kind is made concerning gas or electric service to the land.

- (d) In the event that the Township cannot convey good and marketable title, subject to the above, the purchaser will be entitled to the return of the deposit, without interest, and the Township will not be responsible or liable in any other manner and for any other amount.
- (e) In the event that the purchaser defaults in making payment to the Township, as set forth above, or if the purchaser cannot make settlement in accordance with the terms thereof, the deposit made by the successful bidder on account of the purchase will be retained by the Township as and for its liquidated damages and the land may be resold. This remedy shall be in addition to the Township's right to compel specific performance of the purchaser's obligation hereunder. Time is of the essence.

SECTION 5. The Township owned lots and minimum bid established therefore are as follows:

<u>Block/Lot(s)</u>	<u>Lot Size</u>	<u>Location</u>	<u>Zoning</u>	<u>Minimum Bid</u>
1117/1-3 & 8-21	0.93 acre	Memory Lane	GAL	\$100.00

SECTION 6. SPECIAL CONDITIONS: (1) No structure on property offered for sale herein may be used or occupied for any purpose. (2) The Successful Bidder shall, at their own expense, demolish all structures on the property offered for sale herein, remove all debris and clean the property to the satisfaction of the Township within sixty (60) days of conveyance of title to them. (3) The requirement to demolish all structures and remove all debris shall survive closing. If the Successful Bidder fails to comply with said requirements, the Township shall take any and all actions reasonably necessary to compel compliance and said Bidder shall be responsible for all costs incurred, including without limitation, the Township's attorney's fees, costs of suit and all other costs or damages incurred by the Township and said costs, damages, and attorney's fees shall be and do hereby constitute a lien on the real estate being conveyed and, in addition, the Successful Bidder shall be individually liable.

SECTION 7. All Ordinances and parts of Ordinances of Hamilton Township heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 9. This Ordinance shall take effect immediately upon its publication after final passage as required by law.

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

ORDINANCE #1751-2013 INTRODUCED AND PASSED FIRST READING ON JUNE 3, 2013.
 ORDINANCE #1751-2013 ADOPTED JUNE 17, 2013.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Hennes & Mauritz, LP Business Registration License for the H & M apparel & accessories retail store at the Hamilton Mall be and is hereby approved.

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

June 17, 2013

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Susquehanna Bank letter of credit #10012201975 in the amount of \$526,368.64 is hereby accepted as 90% of the total performance guarantee required for 6408 Harding Highway LLC site work on Lot 4 in Block 670 and the Bank of Elmer cashiers check in the amount of \$58,486.00 is hereby accepted to be held in escrow as the remaining 10% of the performance guarantee for 6408 Harding Highway LLC site work Lot 4 in Block 670.

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

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton does hereby exercise its Option under Bid #2012-07 and authorizes extension of the Contract with Marlee Contractors, LLC for the twelve (12) month period September 1, 2013 to August 31, 2014, in the amount of \$34,103.62, an hourly rate of \$94.25 for additional work as directed, and extra material charges (as directed) of +30% from the wholesale price.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that purchase of the following vehicles and equipment for the Hamilton Township Police Department Inc. from Winner Ford and Carman Dodge under State Contracts is hereby authorized for a total sum of \$170,775.19:

- (1) Two (2) Dodge Chargers under contract #A82927 @ \$25,390.69 each.
- (2) Three (3) Ford Interceptor Utility vehicles with 4-wheel drive under contract #A82925 @ \$28,126.00 each.
- (3) Five (5) Emergency Light/Equipment Packages under contract #81165 @ \$7,123.12 each.

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

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

RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL DISTRIBUTION, PLENARY RETAIL DISTRIBUTION AND/OR CLUB LICENSES FOR THE 2013-2014 LICENSE YEAR

WHEREAS, the following individuals, partners and/or corporations have filed the required applications for renewal of their respective Plenary Retail Distribution, Plenary Retail Consumption and/or Club Licenses for the 2012-2013 License Year, all in accordance with the provisions of the New Jersey Alcoholic Beverage Control Laws; and

WHEREAS, all State and Municipal license fees have been paid by said applicants,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, that the Alcoholic Beverage Licenses for the period July 1, 2013 through June 30, 2014, both dates inclusive, be and are hereby approved and issued as follows:

PLENARY RETAIL DISTRIBUTION LICENSES

RAYT MANGAL SINGH
0112-44-038-004

130 SPRUCE TRAIL
WOOLWICH, NJ 08085

June 17, 2013

SEHDAL ENTERPRISES INC. 0112-44-041-007	VICTOR'S LIQUORS	78 MILL STREET MAYS LANDING, NJ 08330
C. RICHARD TUNNEY INC. 0112-44-046-001		6044 HARDING HIGHWAY MAYS LANDING, NJ 08330
<u>CLUB LICENSES</u>		
GUINTA & MARUCCI POST #220 V.F.W. 0112-31-044-001		1209 ROUTE 50, P.O. BOX 689 MAYS LANDING, NJ 08330
<u>PLENARY RETAIL CONSUMPTION LICENSES</u>		
AVOCADOS & ZEBRAS, INC. 0112-33-001-003	YE OLDE MILL STREET PUB	6033 MAIN STREET MAYS LANDING, NJ 08330
LINDA JIM LLC 0112-33-005-005	MAPLEWOOD II	6126 BLACK HORSE PIKE MAYS LANDING, NJ 08330
RED ROBIN INTERNATIONAL INC. 0112-33-006-010	RED ROBIN AMERICA'S GOURMET BURGERS AND SPIRITS	4259 BLACK HORSE PIKE MAYS LANDING, NJ 08330
MAYS LANDING COUNTRY CLUB, INC. 0112-33-008-002	MAYS LANDING GOLF CLUB	1855 CATES ROAD MAYS LANDING, NJ 08330
ITALCORP 0112-33-009-008	CAVALLINO NERO	4760 BLACK HORSE PIKE MAYS LANDING, NJ 08330
DON DECKERT, INC. 0112-33-010-001	MAYS LANDING INN	58 MILL STREET MAYS LANDING, NJ 08330
HAMILTON HOSPITALITY INC. 0112-33-011-008	HAMILTON TRAILS GOLF CLUB	620 HARBOR ROAD MAYS LANDING, NJ 08330
RESTAURANT PROJECTS INC. 0112-33-012-004	THE INN AT SUGAR HILL	5704 MAYS LANDING - SOMERS POINT ROAD MAYS LANDING, NJ 08330
FINNERTYS INC. 0112-33-013-002	FINNERTYS HUT	7134 BLACK HORSE PIKE MAYS LANDING, NJ 08330
WATERING HOLE CAFÉ LLC 0112-33-014-016	WATERING HOLE CAFÉ	6494 WEYMOUTH ROAD MAYS LANDING, NJ 08330
TARANDIEHL ENTERPRISES INC. 0112-33-016-004	THE HOTT SPOT	6032 BLACK HORSE PIKE MAYS LANDING, NJ 08330
GMRI 0112-33-017-011	THE OLIVE GARDEN ITALIAN RESTAURANT	4403 BLACK HORSE PIKE MAYS LANDING, NJ 08330
GMRI INC. 0112-33-018-008	RED LOBSTER #575	4411 BLACK HORSE PIKE MAYS LANDING, NJ 08330
STONEHENGE INC. 0112-33-019-007	GOOD GUYS PUB	5698 MAYS LANDING - SOMERS POINT ROAD Mays Landing, NJ 08330
DEBTOR ESTATE OF PJ's PUB & GRILLE LLC 0112-33-020-004	PJ's PUB & GRILLE	2301 ROUTE 50 MAYS LANDING, NJ 08330
TOKYO SUSHI BUFFET & HIBACHI, INC. 0112-33-021-008	TOKYO SUSHI BUFET & HIBACHI	2300 Wrangleboro Rd., UNIT 45 MAYS LANDING, NJ 08330
MEL-TOM INC. 0112-33-022-003	JONESEY'S BAR	6928 ROUTE 40 P.O. BOX 445 MIZPAH, NJ 08342
RARE HOSPITALITY INTERNATIONAL, INC. 0112-33-023-008	LONGHORNE STEAKHOUSE #5484	4417 BLACKHORSE PIKE MAYS LANDING, NJ 08330
COUSIN MARIO SONS LLC 0112-33-024-014	COUSIN MARIO'S	5401 HARDING HIGHWAY MAYS LANDING, NJ 08330
PALACE RESTAURANT & OUTFITTERS LLC 0112-33-025-007	PALACE RESTAURANT & OUTFITTERS	6924 BLACK HORSE PIKE MAYS LANDING, NJ 08330

June 17, 2013

KOI FISH CAFÉ LLC 0112-33-026-006		C/O THOMAS LOCAVARRA P. O. Box 485 LINWOOD, NJ 08221 (mailing purposes only)
GRAYLING CORP. 0112-33-027-006	CHILI'S GRILL & BAR	4305 BLACK HORSE PIKE MAYS LANDING, NJ 08330
MAYS LANDING SAKURA LLC 0112-33-028-010	SAKURA JAPANESE STEAK, SEAFOOD & SUSHI BAR	4215 BLACK HORSE PIKE MAYS LANDING, NJ 08330
MAGAZINERS DISCOUNT LIQUORS, LLC 0112-32-029-016	CANAL'S DISCOUNT LIQUOR MART	4212 BLACK HORSE PIKE MAYS LANDING, NJ 08330
RUBY TUESDAY INC. 0112-33-031-005	RUBY TUESDAY	4403 BLACK HORSE PIKE MAYS LANDING, NJ 08330
HOWARD ROBINSON 0112-33-032-007	ROBINSON'S RIVERSIDE INN	5397 MAYS LANDING - SOMERS POINT ROAD MAYS LANDING, NJ 08330
BWW JERSEY WINGS, INC. 0112-33-033-016	BUFFALO WILD WINGS GRILL & BAR	4311 BLACK HORSE PIKE MAYS LANDING, NJ 08330
GREENWOOD ACRA INC. 0112-33-034-006	ATLANTIC CITY RACE COURSE	4501 BLACK HORSE PIKE MAYS LANDING, NJ 08330
FAMOUS DAVE'S RIBS INC. 0112-33-035-009	FAMOUS DAVE'S BBQ	4215 BLACK HORSE PIKE MAYS LANDING, NJ 08330
PLATINUM SHOWCASE LLC 0112-33-036-008	PLATINUM PLAYGROUND	7685 BLACK HORSE PIKE HAMMONTON, NJ 08037
APPLE NEW JERSEY LLC 0112-33-039-010	APPLEBEE'S NEIGHBORHOOD GRILL & BAR	700 CONSUMER SQUARE WRANGLEBORO ROAD MAYS LANDING, NJ 08330
BRICK HOUSE PUB & GRILLE LLC 0112-33-040-009	BRICK HOUSE PUB & GRILLE	4450 BLACK HORSE PIKE #3944-3946 MAYS LANDING, NJ 08330

and

BE IT FURTHER RESOLVED that the license certificate for Plenary Retail Consumption License #0112-33-013-002, 0112-33-020-004 and #0112-33-026-006 and Plenary Retail Distribution License #0112-44-038-005 and #-112-44-046-01 shall be retained in the office of the Township Clerk until said license is reactivated at its present location or transferred to and activated at a location approved by the Township Committee.

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

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

**RESOLUTION ACCEPTING PLENARY RETAIL CONSUMPTION LICENSE RENEWAL
APPLICATIONS WITH NO ACTION FOR APPROVAL OR DENIAL PENDING
RECEIPT OF 12.39 SPECIAL RULINGS**

WHEREAS, the following individuals and/or corporations hold inactive liquor licenses that require a 12.39 Special Ruling of the Division of Alcoholic Beverage Control before they can be renewed for the License Year July 1, 2013 through June 30, 2014; and

WHEREAS, the said individuals and/or corporations have filed the required applications and fees for renewal of their respective Plenary Retail Consumption Licenses for the year July 1, 2013 to June 30, 2014, both dates inclusive, as prescribed by law,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, that the aforesaid renewal applications and fees paid are hereby accepted and ordered filed with the Division of Alcoholic Beverage Control:

<u>LICENSEE/LICENSE NO.</u>	<u>TRADE NAME</u>	<u>ADDRESS FOR MAILING PURPOSES ONLY</u>
THE CLUB HOUSE AT HAMILTON, LLC 0112-33-007-003	THE CLUB HOUSE	c/o Sarah C. Bready P. O. Box 419 Ocean City, NJ 08226

BE IT FURTHER RESOLVED that no approval or denial of renewal of the aforesaid licenses shall be made until a 12.39 Special Ruling from the Division of Alcoholic Beverage Control is received by the Township Clerk.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the bid of Ethel Chen Wu in the amount of One Thousand Two Hundred Dollars (\$1,200.00) for purchase of Lot 6 in Block 443 pursuant to terms and provisions of Ordinance #1745-2013 be and is hereby accepted.

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

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

BE IT RESOLVED that License #RA 16-2013 is hereby approved for the Bryan D. Ross Foundation off-premise draw raffle to be held on November 8, 2013.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Change Order #3 to the G4S Integrated Fleet Services LLC contract for Fleet Management and Maintenance is hereby approved:

TOWNSHIP OF HAMILTON CHANGE ORDER

Project: Fleet Maintenance & Management Services
Owner: HAMILTON TOWNSHIP
6101 Thirteenth Street
Mays Landing, NJ 08330

Date of Prepared: June 12, 2013
Contractor: G4S Integrated Fleet Services, LLC
4800 Overton Plaza, Suite 380
Fort Worth, TX 76109

Contract for: CO #3 Fire & Rescue Apparatus T &M

Original \$1,042,567.49

Contract Resolution: 6/3/2013

Date: 6/3/2013

You are directed to make the following changes in the Contract Documents:

Description:

Insert Attached Fleet Listing as Inventory under out of target as directed specialty equipment work for the Fire and Rescue Apparatus and equipment. To be billed at a labor rate of \$37.19 per hour and \$44.12 approved overtime rate. Parts shall be provided at G4S cost.*

*This Change Order Results in only out of target cost as allowable in the existing contract. All fixed contract costs remain unchanged.

June 17, 2013

CHANGE IN CONTRACT PRICE (\$):
Original Contract Price: \$1,042,567.49

Amount of previous Change
Orders: \$17,562.69
Contract Price prior to this
Change Order: \$1,060,130.18
Net increase (decrease) of
this Change Order: -\$19,698.14
% of Change -1.86%
Contract Price with all
approved change orders : \$1,040,432.04

CHANGE IN CONTRACT TIME (days):
Original Contract Time: XXX Calendar Days
Notice-To-Proceed:
Net change from previous
Change Orders: n/a
Contract Time prior to this
Change Order: XXX Calendar Days
Net increase (decrease) of this
Change Order: XX Calendar Days

Contract Completion Date:

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

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

JIF-2014(1)
RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Township of Hamilton is a member of the Atlantic County Joint Insurance Fund (hereinafter the "FUND"); and

WHEREAS, said membership terminates as of January 1, 2014 unless earlier renewed by agreement between the municipality and the FUND; and

WHEREAS, the Township of Hamilton desires to renew said membership;
NOW THEREFORE, be it resolved as follows:

1. The Township of Hamilton agrees to renew its membership in the FUND and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the FUND.
2. Ingrid Perez, Fund Commissioner, shall be and hereby is authorized to execute the "Agreement to Renew Membership" annexed hereto and made a part hereof and to deliver same to the FUND evidencing the Township's intention to renew its membership.

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

Agreement To Renew Membership To The
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Atlantic County Municipal Joint Insurance Fund (hereinafter the "FUND") is a duly chartered Municipal Joint Insurance Fund as authorized by NJSA 40A:10-36 et seq., and;
WHEREAS, the Township of Hamilton is currently a member of said FUND, and;

WHEREAS, effective January 1, 2014, said membership will expire unless earlier renewed, and;

WHEREAS, the Governing Body of the Township of Hamilton has resolved to renew said membership;

NOW, THEREFORE, it is agreed as follows:

1. The Township of Hamilton hereby renews its membership in the FUND for a three (3) year period, beginning January 1, 2014 and ending January 1, 2017.
2. The Township of Hamilton hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operating documents of the FUND as from time to time amended and altered by the Department of Banking and Insurance in accordance with the applicable statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Township of Hamilton agrees to be a participating member of the FUND for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.

4. In consideration of the continuing membership of the Township of Hamilton in the FUND, the FUND agrees, subject to the continuing approval of the Commissioner of Banking and Insurance to accept the renewal application of the Township of Hamilton.
5. Executed this 17th day of June, 2013 as the lawful and binding act and deed of the Township of Hamilton which execution has been duly authorized by public vote of the governing body.

Agreement with County OEM for a generator:

Mr. Jacobs said Captain Petuskey confirmed in an e-mail that the Township will receive the generator, can keep it as long as they want, can return it when they don't want it any more, and there is no obligation or ties to it. Mr. Silva explained this is part of the Homeland Security generators they were giving out and he knows he got generators delivered to municipalities to use for traffic signals when there were massive outages in past years. Mrs. Dix said the agenda item didn't make that clear. Mayor Gatto read the resolution the Members got with the late list and commented on not having the attachment referred to in the resolution. Mrs. Dix said it is okay if everybody is comfortable that is what it is but in the future the Members should get the agreement if it is supposed to be attached to the resolution so they can review it because what is in her package triggers her questions, not what is on the agenda.

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

A RESOLUTION OF THE TOWNSHIP OF HAMILTON AUTHORIZING THEIR EMERGENCY COORDINATOR TO EXECUTE AN AGREEMENT WITH THE ATLANTIC COUNTY OFFICE OF EMERGENCY PREPAREDNESS FOR USE OF HOMELAND SECURITY EQUIPMENT

THIS AGREEMENT is the first phase of equipment for the intersection Generator Project for County intersections in the Township of Hamilton, who is slated to receive one or more generator, cables, chains, locks, etc; and

WHEREAS, the County Traffic Unit is in the process of installing the transfer switches to the control boxes; and

WHEREAS, this resolution authorizes the Township of Hamilton Emergency Management Coordinator to executive the attached agreement with the Atlantic County Office of Emergency Preparedness for use of Homeland Security; and

Certified to be a true copy of Resolution adopted by the Municipal Council for the Township of Hamilton, County of Atlantic and State of New Jersey, on 17th day of June, 2013.

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

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

BE IT RESOLVED by the Township Committee of the Township Hamilton that minutes of the April 8, 2013 Special Meeting Executive Session 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 Mrs. Dix, 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 to be paid, the bill list totaling \$665,443.42.

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

June 17, 2013

Mrs. Dix moved, seconded by Mr. Silva, that the resignation of Art Schenker from the Hamilton Township Industrial Commission effective June 3, 2013 be accepted.

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

Appointment of Police Officers:

Mayor Gatto explained the effective date for Larry Murray is earlier because his background check was already done. She explained there are two vacant positions open; 8 or 9 full time officers are out on leave for various reasons; 2 of the three appointees are residents; and Cory Silvio is a certified Class II Officer in Vineland who will only need minimal items to finish the academy. Mayor Gatto explained sending three to the academy was recommended because of the number of folks that are out on leave and the number of anticipated retirements. Mrs. Dix asked how long the academy was. Chief Tappeiner said it is 5-6 months. The Mayor asked the Chief to explain the hiring process. Chief Tappeiner explained the process includes the New Jersey Chiefs' written test and a physical test; all candidates get scores and are ranked; 165 showed up for the test; the top 31 were invited back for an interview; those interviews were scored and then 12 final interviews were held. He explained the list that was created will be maintained as long as the Committee chooses to maintain it and another test would be run when they don't want to use it any more. Mrs. Dix asked if they get extra points for being a resident and where the Township stood on hiring veterans. Chief Tappeiner said points are assessed for being a resident, being a veteran and for college credits. The Mayor explained Larry Murray is an honorably discharged former Marine but by New Jersey Law he isn't recognized as a veteran because he didn't serve in an active war zone. Chief Tappeiner commented on talking about veteran versus military service and said Larry got points based on his military service and can buy that time back (for pension purposes) if he chooses to do so. The Mayor commented on quite a few being certified Class II officers and said they will be considered for the Class II openings the Township has. Mrs. Dix commented a Class II officer having resigned and asked the Chief about getting the metal detector up and running. The Chief explained he has to look at the candidates first. Mr. Guishard referred to the Chief's comment on 8 of 47 active officers being out for various reasons; on that being almost 20% of the force; and asked the Chief if that was typical for a force of that size. Chief Tappeiner explained 1 of those officers was deployed for 8 months; some are very serious injuries; most of them will be back; and he anticipates 2 officers retiring in the next 5 to 6 months. He explained a recruit isn't on their own for almost a year from when they are hired because they are in the academy for 6 months and then have about another 5 months of field training. Mayor Gatto commented on wanting the Committee to know that by bringing on these 3 they are going to 50 officers; there are funds to carry the extra person on an interim basis but not long term. Mr. Silva asked if the Chief was comfortable that he could pull from that list if more vacancies occurred. The Chief said he is. Mr. Guishard asked if the two anticipated retirees were part the 8 incapacitated at this time. The Chief explained they are actively at work; they can retire now; they are considering retirement and looking for other work at this time; and one or possibly two of the injured officers may have to retire based on the seriousness of their injuries. He commented on having to wait six months if there isn't an academy when you go to fill a billet and said one is starting in July and August and the next one should start in January.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Servando Jet Pahang, Larry Murray and Cory Silvia be and are hereby appointed full time Police Officers in the Township of Hamilton Police Department; and

BE IT FURTHER RESOLVED that the appointments of Servando Jet Pahang and Cory Silvio shall be effective July 22, 2013 contingent upon successful background investigation; and

June 17, 2013

BE IT FURTHER RESOLVED that the appointment of Larry Murray shall be effective July 15, 2013.

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

Reports:

Mr. Jacobs reported the Township's public, PEG Channel is now available on Verizon FIOS Channel 30 and a notice of that will be put on the electronic sign.

Mr. Sandman said he had nothing to report. Mr. Silva congratulated Mr. Sandman and his family on his son Patrick receiving his Master's Degree at Oxford (England). Mr. Sandman said it was the proudest moment of his life.

Mrs. Dix said West Bay Partners and D'Anastasio Corp. were the developers the Tavistock project but the principal on the performance bond posted was William Bauman Associates Inc. which went bankrupt and asked if the a policy, ordinance or resolution needed be made that would require the developer to be the one posting the bonds, not a hired contractor because the hired contractor isn't an owner and success of the project isn't as important to them as it is to the developer/builder. She suggested it might be to the Committee's advantage to make that a policy going forward to protect the people. Mr. Sandman commented on forwarding the Committee Members a copy of a letter from their Counsel that will probably be the subject of an executive session sometime in the future. He said the suggested requirement may be in the (Land Use) Ordinance as it is written and explained that the problem isn't with issuing of the initial bond, it is what happens when there is a change in ownership of the development. Mr. Sandman said it doesn't matter who the principal is; what matters is who the payer and surety is. Mayor Gatto asked if any member objected to Mr. Sandman doing some initial research on it. No objections were heard.

Mr. Smith said he had nothing to add to his written report.

Mrs. Dix reported the homestead rebate information is now available on the Tax Collector's website and explained people can access it by clicking on the on-line look ups or on-line payments, entering their name and address or the block and lot number.

Mr. Guishard said he will report on a couple of things he is working at a future meeting.

Mrs. Link reported the Hometown Celebration Pooch Parade will start at 1 o'clock on Saturday instead of 12 and registration for it will start at 11 o'clock. She reported the decorated bike parade on Sunday will start at 1 o'clock; registration for it will start at 11 o'clock; the age groups are 8 and under, 9 to 17, and 18 and up; and the theme has to be patriotic. Mrs. Link commented on her son-in-law being ordained on Saturday in the Episcopal Church at 38th and Market Street in Philadelphia and appointment in New Haven, Connecticut.

Mr. Silva commented on new businesses opening in the Township and reported he attended the opening of the new H & M Store at Hamilton Mall and stopped at the new John John Exchange Depot on Main Street. Mr. Silva thanked Brett Noll, Captain Petuskey and the Emergency Management staff for keeping a watchful eye on the pending storm last week. Mr. Silva reported that he and Mr. Smith met and walked the property at Tavistock with the developer and bonding company last Thursday; they understand the Township can demand that they pave the roads now because the development is more than 90% complete; they looked at the drainage situation between the homes; and they may have to give a lot of thought to the basins because some of them may always be wet based on he amount of the clay at the base of them. Mr. Silva said he thinks they realize their obligations and it looks like a good faith effort to start coming up with a plan to finish it. He commented on talking to them about cleaning up the vacant lots before Code Enforcement is sent out. Mr.

June 17, 2013

Silva reported the Committee Members witnessed the Mayor issuing proclamations at Horizons at Woods Landing to several of their past presidents and commented on it feeling good to see things starting to turn around having been part of the (Township Committee) that voted to hold that developer in default in 2008. He said they have sold 8 more homes and it looks like a lot more positive things are happening. Mr. Silva reported attending the mandatory course called Active Shooter last week and said Sgt. Guerrier gave a great explanation of what could happen at Township Committee meetings or the tax window; that it was a good program and he hopes Sergeant Guerrier continues it. He said he thinks the more programs the Township can have like that, the better off we all will be. Mr. Silva said Mrs. Dix brought the program up a while ago and it was very beneficial. Mrs. Dix said the program was well received and other drills like earthquake drills are needed.

Mayor Gatto explained she wasn't able to make her comments to the 2013 Oakcrest High School graduates on Friday because of the rain and wasn't unable to attend the graduation tonight. She said she will post her congratulations and remarks she intended to make to the graduates on FACEBOOK. The Mayor thanked the parents involved in Project Graduation for doing an excellent job and said it is a labor of love that happens every year. She asked the community to support the project and the businesses that support it. Mayor Gatto reported she participated in the welcome home event for Christopher Tees who had 2 tours-of-duty in Afghanistan and his brother Jonathan who was home on leave from Korea. She mentioned groups that participated in the parade from the Longhorn Steakhouse to Christopher's mother-in-laws house and explained he is staying there because his wife is also in the service and deployed. Mayor Gatto reported receiving a letter from Amelia Guida thanking employees of the Tax Office for helping her expedite her tax exemption. Mayor Gatto reported the Township received \$2,000.00 from the ARC of Atlantic County, a tax exempt organization in town, as a donation in lieu of taxes. She commended them for doing it voluntarily every year and asked Mr. Jacobs to send them a letter of thanks. Mrs. Dix commented on a letter being received from someone at the Electric Company thanking the off duty police officers for actually being out of their cars on the highway while at the work sites. Mayor Gatto said the writer noted this one of very few communities whose officers get out of the cars. Mayor Gatto reported a mailing is going to go out to the Lake-front owners to let them know to sign up for NIXIL to get notification of when the Lake is going to be lowered. She explained the public can sign up for NIXIL on the website to get police e-mail and text notifications and said it is also available on FACEBOOK. Mrs. Dix said she has started to collect e-mail addresses because everybody doesn't do things with NIXIL, cell phones and texting; it contradicts an effort she started and put forward but didn't have an opportunity to have a meeting on to discuss the direction she is going in; that she doesn't agree with it; and she is collecting the addresses. Mayor Gatto explained NIXIL sends e-mails and that you can choose to get notification by cell phone, e-mail, FACEBOOK or both. Mrs. Dix asked if Brett (Noll) would have to go to the Police Department to get the NIXIL notification sent if he had to lower the Lake tomorrow as opposed to having Public Works send it out. Mayor Gatto explained the Administrator has been instructed to use every means of communication possible; Ingrid Perez will post it on the Public Works FACEBOOK; NIXIL and the (electronic message) board will be used; and a mailing list the Township has will be used.

Mrs. Link said the (Tees brothers) were involved in the in-line racing at her rink; both of them and the wife Shannon have been national competitors for several years; and Jonathan made the World Team.

Public comment:

Pete Clements asked when WORK ON Malaga Road would start again. Mr. Smith explained the contract for the next Phase was awarded tonight; hopefully it will get started on it within the next 3 weeks; it is already in the design phase for the third phase; each phase is just over a half mile in length; Buena Vista just finished the first course on their section; he believes the field survey work for the third section is complete; they will proceed with the design, get all the permits, and hopefully be under construction with phase in a couple of months.

June 17, 2013

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

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

There being no further matters to be considered for action tonight, Mr. Silva moved, seconded by Mrs. Dix, 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