

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NJ 08330
AUGUST 15, 2011

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

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice on the bulletin board in the municipal building and by e-mailing a copy of the notice along with the agenda of this meeting to the Atlantic City Press, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place at 6:30 PM on Monday, August 15, 2011 in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed.

Mayor Gatto read and presented a Proclamation to Jim Frasier, owner, congratulating the Mays Landing Country Club on its 50th Anniversary.

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

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

- (1) Collective Bargaining re: Teamsters & PBA/SOA.
- (2) Potential Litigation (Conifer).

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

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

The governing body reconvened in public session at approximately 7:20 PM.

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

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

8.A Insert names of businesses

- (1) Monay Exp - cleaning services (based in EHT)
- (2) Halloween City - retail Halloween merchandise sales in

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

August 15, 2011

Executive Session confirmations:

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Township Administrator be and is hereby authorized to utilize the appropriate steps contained in the collective bargaining process to bring closure to the negotiations with all Township Collective Bargaining Units.

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

There were no requests to make early public comment on agenda items not listed for public hearing.

Agreement with Atlantic County for purchase and transfer to the Township of ADA compliant products for Township Polling Places:

Mr. Jacobs explained all polling places have to be ADA compliant and when the County applied for a grant they included the Township.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Mayor and Township Clerk are hereby authorized to execute an Agreement with the County of Atlantic for purchase by the County and subsequent transfer to the Township of products totaling \$8,218.20 as set forth on Exhibit A of the Agreement (County Law File #K.11.1221) necessary to make the Township polling places ADA Compliant.

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

Public hearing/adoption - Ordinance #1696-2011

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

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

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

WHEREAS, Ordinance #1696-2011 was introduced and passed first reading on August 1, 2011 and was duly advertised in the August 3, 2011 issue of the Atlantic County Record for a public hearing to be held on August 15, 2011; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1696-2011 be and is hereby adopted.

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

August 15, 2011

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NJ

ORDINANCE NO. 1696-2011

AN ORDINANCE AMENDING CHAPTER 301 ARTICLE XV §301-43 OF
THE TOWNSHIP OF HAMILTON CODE ENTITLED VEHICLES AND
TRAFFIC VIOLATIONS AND PENALTIES PROHIBITED TURNS

WHEREAS, there is a discrepancy in the Violations and penalties as established in Chapter 301 Article XV §301-43 of the Township of Hamilton Code and Ordinance No. 1621-2008; and

WHEREAS, the Township Committee deems appropriate to correct the discrepancy by amending Chapter 301 Article XV §301-43 of the Township of Hamilton Code,

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

SECTION 1. Chapter 301 Article XV §301-43 is hereby amended to read as follows:

§301-43. Violations and penalties.
Unless another penalty is provided by New Jersey Statutes, every person convicted of a violation of provisions of this article or any supplement thereto shall be liable to a penalty of not less than Two Hundred (\$200.00) Dollars, or imprisonment for a term not exceeding fifteen (15) days, or both.

SECTION 2. Repealer.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. Effective Date.

This Ordinance shall take effect immediately upon its final passage and publication as required by 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 L. GATTO, MAYOR

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

ORDINANCE NO. 1696-2011 INTRODUCED AND PASSED FIRST READING AUGUST 1, 2011.
ORDINANCE NO. 1696-2011 ADOPTED AUGUST 15, 2011.

August 15, 2011

Public hearing/adoption - Ordinance #1697-2011

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

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

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

WHEREAS, Ordinance #1697-2011 was introduced and passed first reading on August 1, 2011 and was duly advertised in the August 3, 2011 issue of the Atlantic County Record for a public hearing to be held on August 15, 2011; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1697-2011 be and is hereby adopted.

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

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY

ORDINANCE NO. 1697-2011

AN ORDINANCE REQUIRING DUMPSTERS AND OTHER REFUSE CONTAINERS THAT ARE OUTDOORS OR EXPOSED TO STORMWATER TO BE COVERED AT ALL TIMES AND PROHIBITING THE SPILLING, DUMPING, LEAKING, OR OTHERWISE DISCHARGING OF LIQUIDS, SEMI-LIQUIDS OR SOLIDS FROM THE CONTAINERS INTO THE STORM SEWER SYSTEM(S) OPERATED BY THE TOWNSHIP OF HAMILTON AND/OR THE WATERS OF THE STATE SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE AND TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY.

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

SECTION I. Purpose:

An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Township of Hamilton and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Hamilton or other public body, and is designed and used for collecting and conveying stormwater
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

- c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater – means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Township of Hamilton.

SECTION IV. Exceptions to Prohibition:

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

SECTION V. Enforcement:

This ordinance shall be enforced by the Public Works Department of the Township of Hamilton.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$500 for each day that the condition is allowed to exist.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ATTEST:

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

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

AMY L. GATTO, MAYOR

August 15, 2011

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

ORDINANCE NO. 1697-2011 INTRODUCED & PASSED FIRST READING AUGUST 1, 2011.
ORDINANCE NO. 1697-2011 ADOPTED AUGUST 15, 2011.

Public hearing/adoption - Ordinance #1698-2011

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

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

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

WHEREAS, Ordinance #1698-2011 was introduced and passed first reading on August 1, 2011 and was duly advertised in the August 3, 2011 issue of the Atlantic County Record for a public hearing to be held on August 15, 2011; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1698-2011 be and is hereby adopted.

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

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY
ORDINANCE NO. 1698-2011

AN ORDINANCE REQUIRING THE RETROFITTING OF EXISTING STORM DRAIN INLETS WHICH ARE IN DIRECT CONTACT WITH REPAVING, REPAIRING, RECONSTRUCTION, OR RESURFACING OR ALTERATIONS OF FACILITIES ON PRIVATE PROPERTY SO AS THE PUBLIC HEALTH, SAFETY AND WELFARE AND TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY.

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

SECTION I. Purpose:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Hamilton so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- f. Municipal separate storm sewer system (MS4)—a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Township of Hamilton or other public body, and is designed and used for collecting and conveying stormwater.
- g. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- h. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- i. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- 1. Already meets the design standard below to control passage of solid and floatable materials; or
- 2. Is retrofitted or replaced to meet the standard in Section V below prior to the completion of the project.

SECTION IV. Design Standard:

Storm drain inlets identified in Section IV above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

- 1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

- 2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

3. This standard does not apply:

- a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
- b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.
- c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
- d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

SECTION V. Enforcement:

This ordinance shall be enforced by the Public Works Department of the Township of Hamilton.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$500 for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ATTEST:

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

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

AMY L. GATTO, MAYOR

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

ORDINANCE NO. 1698-2011 INTRODUCED & PASSED FIRST READING AUGUST 1, 2011.
ORDINANCE NO. 1698-2011 ADOPTED AUGUST 15, 2011.

Introduction of Ordinance #1699-2011:

Mr. Jacobs explained this is for the shared services agreement with the County for public parking at their Second Street lot. He said the Planning Board recommended approval with three possible amendments that they wanted the Committee to consider.

Mr. Cain said there was a tremendous amount of discussion on it at the Planning Board; that the Board feels it is very well thought out; and that they are looking forward to working with it. He explained the recommendations are (1) to have it encompass the entire identified Village Commercial District (2) a requirement that the businesses owner taking part in the relief would require their employees and owners to park in the nearest lot to their business; and (3) to make the annual \$100.00 per space fee for those businesses that need to take advantage of it a contribution towards maintenance of the parking lot closest to their business location. Mr. Cain commented on not knowing if the third recommendation could be done based on discussions he had with the Administrator. Mr. Jacobs said it could be put in as a caveat for if or when and Township has any additional lots. Mr. Cain said it wasn't a sticking point with the Board to have the Ordinance move forward. He said he thought the first 2 recommended amendments should be made before the Ordinance is introduced.

Mr. Jacobs clarified that there is more than one VC District and this Ordinance only pertains to the one that borders Main Street.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1699-2011 be and is hereby introduced and passed on first reading with recommended amendments (1) to encompass all of the designated Village Commercial District and (2) the requirement to park in the lot closest to business paying the fee for that parking spot that and that the Township Clerk is authorized to advertise same in the August 17, 2011 issue of the Atlantic County Record for a public hearing to be held on Tuesday, September 6, 2011 at 6:30 PM in the municipal building, Mays Landing, NJ.

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

ORDINANCE NO. 1699-2011

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 203, DEVELOPMENTAL ORDINANCE, OF THE CODE OF THE TOWNSHIP OF HAMILTON, ATLANTIC COUNTY, STATE OF NEW JERSEY, AND AMEND THE TOWNSHIP ZONING MAP

WHEREAS, the Mayor and Township Committee of the Township of Hamilton have determined that it is in the best interests of the residents of the Township to amend and supplement the Hamilton Township Developmental Ordinance in order to advance the recommendations of the 2006 Master Plan Reexamination Report and to encourage development of non-residential projects in the Township; and,

WHEREAS, the Township Committee has entered a shared services agreement with Atlantic County to operate and maintain the existing County owned parking lot located at Second Street and Farragut Avenue; and,

WHEREAS, the Township Administration has developed a suggested that would permit new and/or expanding businesses in the Village Commercial (VC) zoning district to utilize spaces in the afore mentioned Second Street parking lot; and,

WHEREAS, Township Committee has solicited the input of the Planning Board regarding amendments to the non-residential parking provisions of the Village Commercial (VC) Zoning District.

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

1. Amend Chapter 203 of the Code of the Township of Hamilton (aka the Developmental Ordinance), Section 203-74.D. (Village Commercial District – Parking Requirements) by deleting the existing text in subsection (1), Minimum number of spaces, and inserting the following new text:

D. Parking requirements. Parking requirements for the Village Commercial District shall be as follows:

(1) Minimum number of spaces.

(a) Non-residential uses in the VC District shall comply with the parking requirements of § 203-60. The required parking shall be either provided on site, in the Township maintained public parking lot pursuant to §D(1)(b) (below), or through a common or shared parking arrangement pursuant to §D(2)(c).

(b) Use of the public parking lot. If a change of use results in an increased parking requirement, the property owner shall not be required to construct the additional parking on site, or seek a parking variance, provided that they comply with the following:

i. All existing parking spaces on site, if any, are maintained.

ii. All areas on site that can reasonably be used for parking, pursuant to the setback requirements of § D.(2), and the stormwater management standards of this ordinance, are developed for parking.

iii. There is no increase in the area of the building used for non-residential uses.

iv. The owner shall install signs on site, as directed by the board professional, informing patrons of the availability and location of public parking.

v. The owner and tenant shall execute an agreement with the Township requiring the owner, tenant and all employees to park in the nearest public parking lot at all times. Violation of this agreement shall be considered a violation pursuant to §203-218 and subject to the penalties set forth in that section.

vi. The owner/tenant shall pay to the Township an annual fee of \$100/space, to be used towards the upkeep and maintenance of the public parking lot.

2. Repealer. 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.

3. Severability. If the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance, or other ordinance enacted together with this Ordinance shall be judged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of same and, to this end, the provisions of each section, subsection, paragraph, subdivision or clause of this Ordinance, and of the ordinances reenacted together with this Ordinance, are hereby declared to be severable.

4. This Ordinance shall take effect upon final passage, adoption and publication in manner prescribed by law.

ATTEST:

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

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

AMY GATTO, MAYOR

ORDINANCE #1699-2011 INTRODUCED & PASSED FIRST READING AUGUST 15, 2011.

Introduction of Ordinances #1700-2011:

Mr. Jacobs explained that with Mr. Mead leaving the position of Tax Assessor is open and there is a recommendation for a promotion listed later on the agenda. He said it is also being recommended that the Department be reorganized to have a Tax Assessor and a Tax Assessing Appraiser instead of a Tax Assessor and Deputy Tax Assessor. Mr. Jacobs explained the Appraiser would be a lower paid position than the existing Deputy Tax Assessor position. He said he spoke to Mr. Johnson who is being promoted and this was actually his idea. Mr. Jacobs explained the Ordinance just creates the position and job description. He explained the number of persons isn't being reduced but the salaries are and said their numbers were already reduced because they were combined with another office so that there are more people to respond to the counter.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1700-2011 be and is hereby introduced and passed on first reading and that the Township Clerk is authorized to advertise same in the August 17, 2011 issue of the Atlantic County Record for a public hearing to be held on Tuesday, September 6, 2011 at 6:30 PM in the municipal building, Mays Landing, NJ.

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

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY
ORDINANCE #1700-2011

AN ORDINANCE AMENDING CHAPTER 60 OF THE TOWNSHIP CODE AND
CREATING THE POSITION OF TAX ASSESSING APPRAISER.

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

SECTION 1. The non-union position of Tax Assessing Appraiser is hereby created and established.

SECTION 2. Qualifications, Duties and Responsibilities. The qualifications for the position of Tax Assessing Appraiser shall be established by the Township Committee of the Township of Hamilton. The nature and extent of services performed by said Tax Assessing Appraiser shall be defined in a job description approved by the Township Committee and on file with Human Resources and open to public inspection in the Human Resources Office forthwith upon introduction of this Ordinance.

SECTION 3. Compensation.

A. The salary ranges for the position of Tax Assessing Appraiser shall be established by the Township Committee and set forth in the Ordinance #1630-2008 Fixing and Establishing the Salaries and Wages of Municipal Officials of Municipal Officials and Employees of the Township of Hamilton, County of Atlantic, State of New Jersey.

B. The annual Salary of the Tax Assessing Appraiser shall be established and as set forth in Section 2 of the Non-Union Salary Ordinance No. 1630-2008 adopted by the Township Committee of the Township of Hamilton on June 18, 2008.

SECTION 4. Repealer. All Ordinances or parts of ordinances or any resolutions of the Township of Hamilton inconsistent herewith are repealed in full.

August 15, 2011

Section 5. Severability. If any part or parts of this Ordinance are for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. Effective date. This Ordinance shall take effect immediately after final passage and publication as provided by law.

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

ATTEST:

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

AMY L. GATTO, MAYOR

ORDINANCE #1700-2011 INTRODUCED & PASSED FIRST READING AUGUST 15, 2011.

Introduction of Ordinance #1701-2011:

Mr. Jacobs explained this is to amend the Salary Ordinance to establish the salary range for the position and that the reason for such a broad salary range is that they aren't sure now if it will attract someone who already has the Assessor license. Mr. Jacobs said the minimum that will be accepted is someone that will obtain the license within 2 years to keep the job and they will start at the lower end if not already certified.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1701-2011 be and is hereby introduced and passed on first reading and that the Township Clerk is authorized to advertise same in the August 17, 2011 issue of the Atlantic County Record for a public hearing to be held on Tuesday, September 6, 2011 at 6:30 PM in the municipal building, Mays Landing, NJ.

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

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY

ORDINANCE #1701-2011

AN ORDINANCE AMENDING ORDINANCE #1630-2008 EXHIBIT A TO ESTABLISH THE SALARY RANGE FOR THE POSITION OF TAX ASSESSING APPRAISER.

WHEREAS Ordinance #1700-2011 created the position of Tax Assessing Appraiser and provides that the salary range for said position shall be established by the Township Committee and set forth in Ordinance #1630-2008; and

WHEREAS the salary ranges were set forth on Exhibit A attached to and made part of Ordinance #1630-2008,

NOW, THEREFORE BE IT ORDAINED that

SECTION 1. Exhibit A attached to Ordinance #1630-2008 be and is hereby amended to add the following salary range to the **Remainder of Non-Union Employees** list:

	<u>Range</u>
Tax Assessing Appraiser	\$30,000-\$55,000

SECTION 2. Repealer. All Ordinances or parts of ordinances or any resolutions of the Township of Hamilton inconsistent herewith are repealed in full.

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

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

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

ATTEST:

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

AMY L. GATTO, MAYOR

ORDINANCE #1701-2011 INTRODUCED & PASSED FIRST READING AUGUST 15, 2011.

Introduction of Ordinance #1702-2011:

Mr. Sandman explained the Township was initially told this was not a condition precedent to making application to the D.O.T. but because there are so many similar types of applications throughout the state and the location has not yet been approved, the contractor wanted the ordinance in place so they would get higher up on the priority list. Mr. Sandman said he felt there was no harm putting it on now and said it is one of many mechanisms that the contractor is going through to get approved. Dr. Kesselman said when the Committee discussed this and it was clearly 2 to 2 he went with the concept of red light cameras under one condition; that there were two specific intersections he would be for based upon data provided concerning accidents and that they were on Wrangleboro Road and not various intersections. Dr. Kesselman said the two intersections were discussed for some time and nothing beyond that. Mr. Sandman said the contract and application are very specific and this is just a mechanism. Dr. Kesselman said it is an ordinance that could later be read to mean they have approval to go beyond this and he thinks it has to be revisited if it is going to go beyond those two. He said there was an agreement even on the non-split votes that the Committee was not going to do this all over the Township. He commented on not knowing what the thinking of the next Township Committee may be and said it was important to be very specific in the Ordinance even if it has to be amended later. Dr. Kesselman said he would move the introduction of the Ordinance with an amendment to be very specific that the Committee is talking about the two intersections discussed. Mayor Gatto said anywhere in the Ordinance that read "various intersections" would be changed to read "the two intersections described in the contract". Mr. Cain thanked Dr. Kesselman for his comments and said that is exactly as it was discussed.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1702-2011 be and is hereby introduced and passed on first reading as amended to change the term "various intersections" to "the two intersections described in the contract" throughout the Ordinance and that the Township Clerk is authorized to advertise same in the August 17, 2011 issue of the Atlantic County Record for a public hearing to be held on Tuesday, September 6, 2011 at 6:30 PM in the municipal building, Mays Landing, NJ.

RESOLUTION ADOPTED WITH MEMBERS CAIN, KESSELMAN, PALMENTIERI AND GATTO VOTING "AYE", MEMBER SILVA VOTING "NAY", NO MEMBER ABSTAINING.

Mr. Silva said he hasn't changed his mind on red light cameras and is against them.

August 15, 2011

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY
ORDINANCE #1702-2011

AN ORDINANCE ESTABLISHING A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM

WHEREAS, by P.L. 2007, Chapter 348 [the Act], the Legislature of the State of New Jersey has determined that the installation of a traffic control signal monitoring system by municipalities complementing local law enforcement could serve as an effective tool in encouraging drivers to observe and obey traffic control devices at intersections, thereby increasing traffic flow and pedestrian safety; and

WHEREAS, by THE TOWNSHIP is desirous of installing traffic control signal monitoring systems at the two (2) intersections described in the contract document within the Township of Hamilton; and;

WHEREAS, THE TOWNSHIP has determined that adoption of the Ordinance is in the best interest of the health, safety and welfare of the Township and its residents.

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

Section 1. Installation.

- (a) THE TOWNSHIP hereby determines to install and utilize a traffic control signal monitoring system [System] at the two (2) intersections described in the contract document within THE TOWNSHIP as approved by the Commissioner of Transportation pursuant to the Act.
- (b) The System to be installed shall be approved by the Governing Body by resolution.
- (c) THE TOWNSHIP shall have the authority to enter into a contract, following a lawful procurement process, for the installation of the System. Any contract that shall contain provisions contrary to the Act shall not be deemed invalid but rather reformed to conform to the Act.
- (d) The signs notifying drivers that a System is being utilized shall be approved by the Municipal Engineer, and shall be placed on each street converging into the affected intersection as required by the Act.
- (e) The Municipal Engineer shall inspect and certify the System at least once every six (6) months from the date of its installation.

Section 2. Issuance of the Summons.

The Police Department of THE TOWNSHIP shall review the recorded images produced by the System, to determine whether sufficient evidence exists demonstrating that a traffic control signal violation has occurred and shall issue a Summons when appropriate in accordance with the rules of the Court.

Section 3. Use of Recorded Images.

- (a) Except as otherwise provided in this section, the recorded images produced by the System shall be available for the exclusive use of the Police Department for the purpose of discharging his or her duties under P.L. 2007, Ch. 348.
- (b) Any recorded image or information produced in connection with the System shall not be deemed a public record in N.J.S.A 47:1A-1 et, seq., or common law. The recorded images shall not be: (i) discoverable as a public record by any person, entity, or governmental agency, except upon a subpoena issued by a grand jury or a court order in a criminal matter, or (ii) offered as evidence in any civil or administrative proceeding not directly related to a traffic control signal violation.

(c) Any recorded image or information collected in connection with a traffic control signal violation shall not be retained after sixty (60) following the collection of any fine or penalty.

(d) If a summons is not issued within forty (40) business days following the traffic control signal violation, all recorded images and any information collected with respect to the traffic control signal violation shall be removed by the Police Department within two (2) business days.

(e) THE TOWNSHIP shall certify compliance of this Section by filing a report to with the Commissioner of Transportation in accordance with the Act.

Section 4. Owner's Liability.

The liability of the Owner and Operator of a motor vehicle for a traffic control signal violation summons pursuant to the System shall be joint subject to provisions of the Act.

Section 5. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

Section 6. Severability.

If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance, and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 7. Effective Dates.

This Ordinance shall take effect immediately upon passage and publication according to law.

ATTEST:

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

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

AMY L. GATTO, MAYOR

ORDINANCE #1702-2011 INTRODUCED & PASSED FIRST READING AUGUST 15, 2011.

Mayor Gatto requested Consent Agenda Item K, approval of a transient vendor license for the equipment auction to be held at the Atlantic City Race Course be voted on separately.

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

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

- (1) Monay Exp - cleaning services (based in EHT).
- (2) Halloween City - retail Halloween merchandise sales in Hamilton Mall.

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

August 15, 2011

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the 2005 Dodge Durango Vehicle #11-024 on the original list of vehicles and equipment authorized to be offered for sale on GovDeals be removed from the list and transferred/reassigned to the Laureldale Volunteer Fire Department subject to the following conditions as recommended by the Township Administrator:

- 1) Funds spent on repurposing the vehicle will come from funds raised for that specific purpose;
- 2) If the vehicle fails, repairs will be donated or special funds will be raised; and
- 3) This vehicle will not be added to the Capital replacement list except as part of an update to the Fire Department Study.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the 1998 Polar Boat 75 HP Mercury motor, 2000 Sea Lion Trailer VIN #45LBS1918620565630 and Fiberglass Boat that were authorized to be removed from the original list of vehicles and equipment on August 1, 2011, be transferred/reassigned to the Mays Landing Volunteer Fire Department (Reliance Hose Company #1) subject to the following conditions as recommended by the Township Administrator:

- 1) Funds spent on repurposing the boat will come from funds raised for that specific purpose;
- 2) If this equipment fails, repairs will be donated or special funds will be raised;
- 3) This equipment will at all times be available for use to the Township, the Township Police Department and the Township of Hamilton Rescue Squad; and
- 4) This equipment will not be added to the Capital replacement list except as part of an update to the Fire Department Study.

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

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

RESOLUTION OF THE TOWNSHIP OF HAMILTON
COUNTY OF ATLANTIC, STATE OF NEW JERSEY,
AUTHORIZING THE CANCELLATION OF 2011 TAXES

WHEREAS, taxes for 2011 were assessed on Block 996 Lot 26 Qualifier B01; and

WHEREAS, taxes for 2011 must be cancelled on the above Block and Lot as taxes were assessed on the wrong lot due to a Tax Assessor error; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the Tax Collector be authorized to cancel 2011 taxes on Block 996 Lot 26 Qualifier B01 in the amount of \$198.49.

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

August 15, 2011

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

RESOLUTION OF THE TOWNSHIP OF HAMILTON,
COUNTY OF ATLANTIC, STATE OF NEW JERSEY,
AUTHORIZING THE CANCELLATION OF 2011 TAXES

WHEREAS, the following list of block and lots have been granted a Totally Disabled Veteran exemption by the Tax Assessor; and

WHEREAS, taxes for 2011 were assessed against the properties which now must be cancelled due to the 100% exemption; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the Tax Collector be authorized to cancel 2011 taxes per the following list of block and lots.

BLOCK/LOT	OWNER'S NAME	AMOUNT
840/1	Smith, Gary R.	\$2,630.71
996.01/42	Jackson, Daniel W., Sr.	3,890.06

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

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

RESOLUTION OF THE TOWNSHIP OF HAMILTON, COUNTY OF
ATLANTIC, STATE OF NEW JERSEY, TO AUTHORIZE THE TAX
COLLECTOR TO CANCEL TAXES ON EXEMPT PROPERTY

WHEREAS, it has been brought to the attention of the Township of Hamilton that there are taxes assessed for the 2011 tax year which should be cancelled for the reasons set forth herein; and

WHEREAS, it is the desire of the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey that the records in the Tax Collector's Office be adjusted in accordance therewith, which is the purpose of this resolution,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, to authorize the Tax Collector to cancel taxes on the following block and lots due to the fact said properties are exempt.

BLOCK/LOT	OWNER	YEAR	AMOUNT
666/5	State of New Jersey DEP	2011	\$ 115.79
864/3	State of New Jersey DEP	2011	87.50
970/1	State of New Jersey DEP	2011	20.80
971/1	State of New Jersey DEP	2011	20.80
1132.28/22	Hamilton Township MUA	2011	241.03

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following item of revenue with offsetting appropriations be inserted into the 2011 municipal budget:

Revenue Title: Hazardous Discharge Site Remediation	
Municipal Grant Program	\$426,003.00
Appropriation Title: Hazardous Discharge Site Remediation	
Municipal Grant Program	\$426,003.00

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

August 15, 2011

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

SECTION 125 PLAN RESOLUTION
A RESOLUTION TO AUTHORIZE A CHANGE IN THE ELECTION PROCESS
FOR THE SECTION 125 PLAN ADMINISTERED BY BOWMAN & COMPANY, LLP

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

1. The Township of Hamilton in the County of Atlantic, participating in a Section 125 Plan administered by Bowman & Company, LLP, hereby designates, as a way to simplify administration of the program, automatic employee enrollment in the "Premium Option Plan" commencing September 1, 2011. (Pursuant to Chapter 78, P.L. 2011)
2. Employees who do not wish to participate in the "Premium Option Plan" shall be given the opportunity to opt-out.
3. This resolution shall take effect immediately.

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

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton hereby acknowledges notification of the following change in the stockholdings of Maglio Spirits, Inc., trading as Canal's Discount Liquor Mart, PRC Licenses #0112-32-029-011, effective August 1, 2011:

- The John L. Maglio Family Trust, Eleanor B. Maglio, Trustee: 11%
- Michael J. Maglio: 45%
- Joseph Dinardo: 33%
- Martin Maglio: 11%

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

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton hereby acknowledges notification of the following change of corporate structure for Sehda Enterprises Inc., trading as Victor's Liquors, PRD License #0112-44-041-006, resulting in Ravinder Sehda acquiring 100% stockholder ownership effective August 3, 2011.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the sum of \$35.00 is hereby authorized to be paid to Remington, Vernick & Walberg Engineers, Inc. for professional inspection services rendered during the period June 1, 2011 through June 30, 2011 in Misty Pines Estates Phases 3 & 4; and

BE IT FURTHER RESOLVED that the aforesaid sum of \$35.00 is authorized to be paid from the Special Accounts established pursuant to an Escrow Agreement between Dayco Holding Corp., the Township of Hamilton and Susquehanna Bank (formerly Minotola Bank) dated November 23, 2005.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the sum of \$490.00 is hereby authorized to be paid to Zlotnick & Feinberg, PA, for professional legal services rendered during the period July 7, 2011 through July 28, 2011 associated with completion of improvements at Misty Pines Estates Phases 3 & 4; and

BE IT FURTHER RESOLVED that the aforesaid sum of \$490.00 is authorized to be paid from the Special Accounts established pursuant to an Escrow Agreement between Dayco Holding Corp., the Township of Hamilton and Susquehanna Bank (formerly Minotola Bank) dated November 23, 2005.

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

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

BE IT RESOLVED that the transient vendor license be approved for Jack Lyon equipment auction to be held at the Atlantic City Race Course on September 24 & 25, 2011.

RESOLUTION ADOPTED WITH MEMBERS CAIN, KESSELMAN, AND PALMENTIERI AND SILVA VOTING "AYE", NO "NAY", MEMBER GATTO ABSTAINED DUE TO HER FATHER'S EMPLOYMENT BY ATLANTIC CITY RACE COURSE.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the minutes of the August 1, 2011 regular meeting and 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 Mr. Palmentieri, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that all properly executed and approved payrolls and bills are hereby ordered paid, the bill list totaling \$1,437,559.01 as of August 11, 2011.

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

Tax Assessor appointment:

Mr. Jacobs said the Personnel Committee reviewed this and recommended the appointment. He said the Deputy is being promoted. Mr. Sandman said Mr. Johnson has testified and is accepted as an expert witness by the County Board of Taxation. He said that in his experience with Mr. Johnson in years past and during the past 18 months, he is an excellent candidate for Tax Assessor.

Mr. Jacobs said the \$75,000.00 salary is less than what the prior Assessor was paid and is with the understanding it will be a 40-hour work week once the Committee changes the Ordinance for all the Department Heads. He said Department Heads work 35 hours right now and he thinks all Department Heads should work 40 hours. He said you have to be careful with licensed positions because under the laws when you increase hours you have to increase wages so this appointment will already be done with that understanding. Mr. Jacobs said there won't be any employment agreement; Mr. Johnson will get whatever benefits are provided in the Ordinance and has agreed to all of that.

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

TOWNSHIP OF HAMILTON
RESOLUTION APPOINTING WILLIAM M. JOHNSON
MUNICIPAL TAX ASSESSOR

WHEREAS, pursuant to N.J.S.A. 40A:9-146 the municipal governing body shall provide for the appointment of a Municipal Tax Assessor; and

WHEREAS, there is presently a vacancy in the office of Tax Assessor; and

WHEREAS, William M. Johnson has indicated a willingness to serve in such a position,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that William M. Johnson shall be and is hereby appointed to the office of the Municipal Tax Assessor of the Township of Hamilton commencing immediately at \$75,000.00 per year; and

BE IT FURTHER RESOLVED that William M. Johnson be and is hereby appointed for a full 4-year term as Municipal Tax Assessor commencing July 1, 2012 through June 30, 2016 pursuant to N.J.S.A. 40A:9-148.

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

RESOLUTION ADOPTED.

Appointment of Acting Cove Day Manager:

Mr. Jacobs explained the present Cove Manager has to leave to put their stuff in the dorm and then come back. He said everything was lined up with someone to take the position but they resigned. He explained the Cove Manager doesn't have to be a lifeguard and the person being appointed now is not a lifeguard but does have the required CPR training. Mr. Jacobs asked that the appointment wording be amended to allow this person to be used at this rate as needed for the rest of the season and effective immediately.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Donna Giardina be and is hereby appointed the Acting Cove Day Manager at \$13.00 per hour effective immediately and as needed through the end of the 2011 Cove Season.

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

Reports:

Mr. Jacobs reported seeing the demolition backhoe being loaded at the Wheaton site today and said it looked like there is still a partial building there. He said he isn't sure they have taken down as much as the township expected but there has been a lot of progress and the site is much improved.

Mr. Jacobs reported the large rainfall has created issues in communities further up-river; that there was a breach in one of their dams; and all indications are that a lot of water is headed the Township's way. He said the Chief is monitoring it and that Ingrid, Brett and Public Works are working with the contractor and County to open up the dam as much as possible to let the water through. He said Mr. Mattle and all of the Fire Chiefs were also notified.

Mr. Jacobs reported receiving a call from the Department of Transportation about installing sidewalk on 322 from McKee Avenue to Hamilton Commons that will require moving a fence and maybe a couple of dwelling units. He said it needs to be discussed because they also want a multi-jurisdictional agreement where the Township will be responsible to maintain the sidewalk once it is in. He commented on D.O.T. indicating it was something the Township requested years ago that they are just getting to. Mr. Silva said the dwelling units are in the Inland Mobile Estates and it must be on the Wawa side. Mr. Smith said there is no sidewalk on the Hamilton Commons side. Mr. Cain said he remembered discussion on the sidewalk and where it would be placed at Gravelly Run Square from the Planning perspective. He said he wants to be sure the Township isn't putting in a sidewalk to nowhere. Mr. Percy said there was supposed to be sidewalk behind Wawa but nothing on 322 in front of Inland Estates. Mr. Blankenship said there will be light at the new commercial development to get people across the street to Hamilton Commons and he believes the fence and housing units at Inland Estates encroach on the right-of-way for the road. He said D.O.T. probably wants to put sidewalk in front of Inland Estates so when they get to Wawa it would continue for people to be able to cross the street to Hamilton Commons. Mr. Percy said it was not a requirement of the Gravelly Run approval. Mr. Cain and Mr. Silva will be the subcommittee to look into it. Mr. Jacobs said he wants to set up a meeting to get the full details of the request.

Mr. Jacobs requested authorization to submit the landscaping and sign plan for Gaskill Point to the HPC their review and comments when the Township's Landscape Architect gets the first plans done. Mayor Gatto said the HPC is an entity of the Planning Board and asked if the Committee wanted to send it to them that way. Mr. Cain said he thought they were looking for HPC approval of the design standards that are being looked at. He said he would like to attend that meeting with the Administrator. Mr. Jacobs commented on local and State HPC and State D.O.T. approvals being needed and said the State HPC would like comments from the local HPC first and that he would like them also. There being no objections, Mayor Gatto said it would be turned over to the HPC and Mr. Cain will attend the meeting.

Mr. Jacobs reported that with the COVE closing for a few days because of the weather the revenue is a little bit down and it is too close to call right now. Mr. Cain said the public should know the excellent job done by the Administrator and those under him involved in running the COVE this year. He said that even though revenues are down it is still in a profit situation and hopefully that can be maintained during the remainder of the season.

Mr. Smith reported significant progress has made on the Timber Glen basin; it is basically completely excavated at this time; and they were going to do an as-built survey because there were some concerns about the berm they constructed along Lombard Street. He said the connector pipe between the permanent pond and the infiltration basin has been installed and as long as the infiltration area works it will prevent overflows into Hamilton Walk that were experienced previously. He said they are proposing to sod the lower area to get grass established and eventually topsoil and seed the upper areas. Mr. Smith said they may have to remove part of their irrigation system in order to cut down the berm. He reported he met with the Planning Board Engineer and the developer's engineer on-site on Friday; they understand this potentially could be only a first step; and they are aware they have to take additional steps to make sure the Township doesn't have those problems in the future that if it doesn't work.

Mr. Smith reported he met with the developer and their new engineer regarding the Wrangleboro and Hamilton Commons drainage issues. He said he had hoped to get a copy of the aerial photo of all their basins with comments and directives as to what they were going to do with them that they had at the meeting but it wasn't finalized. Mr. Smith said they seem to be taking an aggressive approach to doing what needs to be done to remediate them now and institute a maintenance procedure so they can continue to function as originally

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designed and approved. Mayor Gatto asked if they were actual tasks that need to be completed to fix the problems and implement processes for the future. Mr. Smith said they had prepared an aerial of all the basins, numbered them and had an action list of all the items they were going to perform to get them to start working and keep working. The Mayor asked what the start date and the end date on the action list was. Mr. Smith said anticipates that information being available for the next meeting.

Mr. Cain said he was very happy to see Timber Glen is doing so much and that it appears some of it is working. He asked at what significant event it is permissible for them to dump water into the spillway that goes into Hamilton Walk. Mr. Smith said it is his understanding that there should be no outflow from the basin until the 10-year event. Mr. Cain said the Committee is confident that Mr. Smith will insure them that is the only time it will be allowed to spill over. Mr. Smith said they will make sure it is operating as designed before making any recommendation for any kind performance guarantee release taking into consideration that they are still under performance guarantees for Phases 3 and 4. Mr. Palmentieri asked how much rain is a 10-year event. Mr. Smith explained there is a rainfall chart but he couldn't remember the exact amount and said he will have the information at the next meeting. Mr. Silva questioned the time period. Mr. Smith said it is over a 24-hour period.

Mayor Gatto asked if there was any Brewster Drive report. Mr. Sandman reported he sent a letter to the bonding company by certified mail with a return receipt and by regular mail on August 3rd notifying them of the Township Committee's August 1st decision that they are in default; there is a 30-day proviso in it; he hasn't gotten any response as of today; and he will report back within the 30 days.

Dr. Kesselman reported Mr. Strigh and his committee are working diligently on their financial report. He thanked Mr. Jacobs and the fiscal people for getting them all the data they need to finalize their presentation. He said Jennie Ayers worked with them also.

Mr. Palmentieri said the D.O.T. response to the letter Mr. Jacobs sent regarding timing at the traffic lights at Wrangleboro and the Pike was less than acceptable. Mr. Smith explained D.O.T. needed a letter from the municipality requesting them to look at it and said that if it was a matter of a minor change in timing they would do it but if it requires a full investigation it will go back to the end of the list and take longer because they only have a couple of investigators to take care of the whole state. Mr. Palmentieri said the timing seems to be inconsistent or seems to have changed in the past couple of weeks. Mr. Smith said he easily cleared the jughandle this morning and that he didn't know if a small change in timing was implemented or the timing is inconsistent. Mr. Palmentieri asked if Mr. Jacobs letter was in response to the advice to Mr. Smith that the Township had to send some kind of request. Mr. Smith said the letter Mr. Palmentieri had was a result of his conversation with the state. Chief Tappeiner commented on a letter being sent to D.O.T. over a year ago about this and it allegedly was being put on a list for review.

Mr. Smith reported D.O.T. was forwarding his request for them to look at the landscaping at Old Egg Harbor Road and Route 40 to the appropriate maintenance division. He expressed hope the arborvitaes would be cut down to improve the sight distance.

Mr. Silva reported the Lenape Dam Committee met with the contractor and design engineer for the coffer dam on August 5th without any attorneys present to try to get to the root cause of what happened and about the public safety concern in the event another incident like that were to occur. He said they agreed to hire another engineering firm to do soil borings in the area of the dam to make sure the ground can support whatever the contractor is going to drive into it when they resume work in November. Mr. Silva said the contractor assured the Dam Committee they were willing to complete the job and they understood the soil borings were important because they

didn't take any themselves. He said it was also agreed that contractor and their engineer could be present when the soil borings are taken and that the results would be discussed at the meeting after that. Mr. Silva said the soil borings will either support the contractor's position that the soil gave out a little at the bottom because of the force of the water or that they have a problem and have to go back to the drawing board, relook at what the design was, and at what the correction would be for supporting that design. He expressed hope that they will have answers by the end of the month. Mr. Silva said the president of Agate Construction, their Vice President in charge of Engineering and the design engineer from Duffield were present at the meeting; they are very amenable to it; and that he thinks it was a fruitful meeting. He said the Dam Committee decided to delay any action to stop them from continuing and bringing in another firm to rework what was planned. Mr. Silva said he thinks the soil borings will bear out everything they are looking to have substantiated. Mr. Sandman explained that Agate was requested to bring counsel but they didn't so he and the two county counsels left the room because they would potentially have been made witnesses if they stayed.

Mr. Cain reported a Laureldale resident gave him copies Egg Harbor Township, Galloway Township and Egg Harbor City ordinances regarding pets being chained to trees in yards. He said in Egg Harbor Township an animal can be chained to a tree for up to 9 hours and that seemed an inordinate amount of time to him. Mr. Cain asked Mr. Jacobs look into whether this Township currently has something on the books that may mirror it and to report if it is something the Committee might want to consider. Mr. Silva suggested contacting the Animal Control Officer to see if he has had complaints, what his thoughts on it are, and what his experience has been in other communities with it. Mr. Cain said the resident provided information on several incidents and he would provide the members with copies.

Mayor Gatto commended the Mays Landing Fire Department on their blood drive and said they had so many donors they actually had to turn some away. She thanked everyone that donated. The Mayor congratulated the 4-H Fair on having a phenomenal year. She said she thought they took tremendous steps from a safety perspective to make sure traffic flow was calm and pedestrians were protected. Mayor Gatto commented on Christian Clopp turning 9 years old today and said he is fighting a good fight, staying strong and staying happy. She extended an official Mayoral and Township Committee happy birthday to him.

Public Comment:

John Kurtz said he doesn't think he has ever experienced a Committee that works as well together on behalf of the community and residents as this one does whatever the issue is. Mr. Kurtz commented on noticing the quality of life for certain people in town has diminished. He commented on businesses that considered relocating outside of the township because of quality of life issues coming before the Merchants' Association. Mr. Kurtz commented on moving into the apartment above his business and no longer being able to sit on their porch on Pennington Avenue and on constantly having to have the police on their street. He commented on the Committee tackling other issues in a professional way and said this has to be attacked in the same way. Mr. Kurtz explained quality of life to him is being able to enjoy quietness on your street, a certain amount of peacefulness, and good neighbors and said that is breaking down in a few communities in the township. He said he thinks an occupancy code is one issue that nobody wants to attack; that it is a tough issue politically because who wants to be a Committee Member who has the responsibility of an ordinance or changing things that would put somebody out on the street; and it is a tough issue that has to be dealt with. Mr. Kurtz commented on 9 people living in a 1 bedroom apartment on his street and said it has been brought to light many times over the years and seemed to be "don't touch it; "it's not the place to go". Mr. Kurtz said residents of his street met with and presented the problems they have in their community to the Police Chief and Captain; the police immediately increased their presence; it helps alleviate the problem for the short term but doesn't address the core issues that are there.

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He commented on talking about who addresses the occupancy code, how it is addressed, and how it is enforceable for 10 years and never getting an answer from anybody. Mayor Gatto apologized for not being able to attend the residents' meeting. She said that prior to the start of the meeting she and Mr. Cain were talking about code enforcement in general, the housing rental ordinance the Smart Growth committee presented, occupancy enforcement, property maintenance enforcement, abandoned vehicle enforcement, about starting to kick off the housing ordinance the Smart Growth Committee presented, and some funding source for code enforcement which the township doesn't have right now. Mr. Cain reported he hoped to discuss a couple of ordinances that Mr. Jacobs located with him this week and that he hopes to bring something to the next Township meeting to get the process started. Mr. Kurtz said he felt it necessary to bring it out under things that have been happening in some parts of the township and right in the middle of Mays Landing. Dr. Kesselman asked Mr. Jacobs if he had dealt with occupancy codes and if they had an officer, if it was privatized, or both. Mr. Jacobs explained he got his start in that kind of enforcement and said it is extremely difficult to get a court to approve because proving whether someone is living there or visiting is extremely difficult. Dr. Kesselman suggested it is doable though. Mr. Jacobs said he wasn't sure he would add that yet but it doesn't undermine the need for code enforcement. Dr. Kesselman commented on this being brought this up over and over again by said Mr. Bongiovanni and others. He said the Township actually got proposals and it is something this Committee won't duck.

Harry Rogers commented on rental ordinances being successfully implemented in many municipalities in this county and in the state and said the courts have gone along with it. He commented on having personal experience in Brigantine where it turned a bad situation with over the top occupancy in some units into a controllable situation that enhanced the quality of life and public safety. Mr. Rogers said the Committee has to stop dawdling on it because there have been some bizarre objections put in the way of it in the past. He said he isn't in favor of more government at any level but this is an area where he feels government has a responsibility to protect property owners from other less responsible property owners. Mr. Rogers urged the Committee to look at Brigantine as the most successful implementation. Mr. Rogers said it will cost him a few dollars but he sees it as a giant benefit for the township as a whole.

Debbie Kraus asked if the township was doing any land sales and if anything was off the table for cell towers. Mr. Jacobs said there were a number of meetings on this and quite a list is being generated. He explained that the most difficult thing is trying to find out if anyone is interested is it because each property has its own unique conditions; it is either wet or has no street frontage and some can only be used for density transfer purposes. Mr. Jacobs commented on trying to come up with a way to communicate that to the residents to see if anyone knows of township-owned property adjacent to theirs that they would be interested in. He said it is very easy to take it through the process once it is known that someone is interested. Mayor Gatto suggested Mrs. Kraus call Mr. Jacobs if there is a property she is interested in. Mrs. Kraus said properties she is interested in for density transfer are in the 70 acre zone and that Mr. Mead told her the Township was asking \$500.00 per acre. She said people will not pay \$30,000.00 for a worthless piece of property to put with another piece. The Mayor asked if Mrs. Kraus knew whether that was pre or post reassessment. Mrs. Krause said she didn't know but she did know that the township used to sell density transfer property for about \$500.00 an acre. She commented on asking Mr. Mead before he left if the township would go lower on the price and if they were going to negotiate better prices since it needs money and said he suggested she get the paperwork from Mrs. Anderson and fill it out. She said density transfer property is worthless property that is put together that will always remain vacant and can't be built on. Mrs. Kraus said the township acquired most of the property through foreclosure and (selling) it would gain money and get the property back on the tax roll.

Mrs. Kraus commented on finding out the Planning Board was moving in with Construction last week and that Zoning is staying where they were. She said Planning and Zoning go together. Mrs. Kraus said she deals with Planning, Zoning and Construction the most and she doesn't think the Construction counter is big enough. She said she thinks putting Planning in Construction was a very big mistake because if things start to pick up they will have to be moved out of there. She commented on standing behind people at the Construction Counter and people not being able to get in the door because there is no way to get through. Mrs. Kraus commented on them being the two biggest offices and said she doesn't see putting them together working. Mayor Gatto said she thought part of the move was to help with the counter situation and asked Mr. Jacobs to talk about the rationale for it. Mr. Jacobs said the intent wasn't that people going to the Planning Office would go to the counter; they would go to the door. Mrs. Kraus said then people will be walking in where they were never allowed to walk before. Mr. Jacobs said a lot of things changed this year including losing a lot of employees so the Assessor is being combined with Zoning so they can share some Clerk help; somebody to answer the phone and somebody to work the counter. Mrs. Kraus asked if it was true that the Township was moving the MUA in and questioned what would be done with the MUA building. Mayor Gatto said "not right now". She said it is being discussed but no decisions have been made and the only thing the Township is taking advantage of right now is Mr. Blankenship as Director of Public Works part of the time. The Mayor said continuing dialog is going on with the MUA with regard to shared services opportunities; a lot is coming to the surface with Mr. Blankenship integrating with Public Works with Ingrid as the Deputy Director; a lot of good give and take is being seen there; the Committee is exploring those opportunities first and always looking for the best value for the residents as taxpayers and as rate-payers.

Mrs. Kraus said Hammonton charged a \$45.00 fee that went to pay for the rental property inspector. She said they checked to see if toilets were dripping, that vents were working, that the doorbell worked, and that the smoke and carbon monoxide detectors were working. She said the owner had to put down who was living in the unit and they allowed 2 people per bedroom. Mrs. Kraus said she thought the rental ordinance was a good idea.

Elmer Ripley said he was here to complain about speeding on Old Egg Harbor Road again. He said he lost another fence and is tired of replacing them.

Mr. Ripley said he has to call the police every Friday night because of the noise, drinking and fighting in the parking lot, and door banging at the Good Guys Bar. He said now he just asks the 2700 operator to call the bar and ask them to close their front door when he calls.

Mr. Ripley commented on the signs for sale of homes in Woods Landing being stuck in the ground in the center of the Historic District every weekend and similar signs all over town. He said there should be some kind of law whereby those signs are limited. Mayor Gatto said the signs were discussed but she didn't know if the ordinance was finished or is still in progress. Mr. Jacobs said he is sure those signs are not permitted but they come out every weekend and even if the township took them down they don't have someone in code enforcement to send letters out. Mr. Cain said there is contact information on the signs and asked if a letter could be sent explaining they are not permissible if any resident pulled a sign out and brought it to the Zoning Office on a Monday. Mr. Jacobs explained a letter could be sent to put them on notice but the township couldn't do any enforcement. Mr. Cain commented on receiving a letter within 24 hours after he put signs up in another township saying to remove them immediately or be subject to a fine. He said he believed you were only allowed to have them on your own property in that township. Mayor Gatto asked if a letter could be sent if any Township employee brought them to the Zoning Officer and reported the location where they found it. Mr. Jacobs said he didn't see why not.

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Cheryl Fetty said she wanted to "ditto" everything Mr. Kurtz said. She said the Occupancy Code is copied word for word from the National Occupancy Code; it is a legal document; the Township adopted it in 2005; it is enforceable; and she is sure it has been challenged. Mrs. Fetty said she didn't see a problem except that the Township has to have somebody who can do it. She said the Property Maintenance Ordinance was adopted in 2006 and there has been no enforcement on any of it except that Ingrid did do some enforcement when called but there were certain things she couldn't do. She said over-occupancy all over the township is a burden on the schools, the taxes, the trash, the police and costs the taxpayers money. Mrs. Fetty commented on being told this week that she was wasting taxpayers' money by calling Ingrid. She said she hoped the Committee would find a way to do it. Mayor Gatto asked Mr. Jacobs if he was aware of whether the landlord maintained the commitment they made at their meeting. Mrs. Fetty said the trash cans have been moved to the side of the house but the barbecues are still in the front yard. She said she didn't think the other landlord was even notified. Mrs. Fetty said the landlord who came seemed to be agreeable to try to do something but he also said he couldn't do anything about the occupancy; that he can't get them out; that he feels his hands are tied; and that it is too hard to get tenants out. Mr. Silva asked if he had a lease that listed the occupants. Mrs. Fetty said she would think so but they have been in there since 2002. John Percy said the way to fund it is through the CO process. He said this is one of the few municipalities that doesn't have a CO process except for the Fire Code. He said when rental properties transfer the inspector should be out there making sure everything is up to code and the landlord is charged a fee. He said there should be a CO process for resale properties whether commercial or residential. Mr. Percy said the Township doesn't have that and possibly there are a lot of properties that aren't up to code.

Mr. Percy commented asking what was going on when he saw things being moved and said he was told they were just moving furniture around. He said he came to the conclusion everyone in the building from the Assessor Office down, with the exception of the Administrator's facilities, was moving west. Mr. Percy questioned what was going into the Assessor's Office. Mr. Jacobs said there is an issue with the floor and hopefully it will be fixed while the office is empty. Mayor Gatto said the township has less people so not all the offices may be filled. Mr. Percy questioned the moves and said you can't fit 10 pounds of rice in a 5 pound bag so you wouldn't want to move everything into Construction Code. Mr. Jacobs said he thought there are some misunderstandings. He said the number of people in Construction was reduced by the same amount of people being put in there so there are no more people in there now than there was at the first of the year. Mr. Percy said moving all the furniture in there is taking up the place of the people. Mr. Jacobs said some storage was being moved in there because there was no Clerk help for the Community Development Director and Assessor. Mr. Percy questioned what was being saved by cramping people and furniture together. Mr. Jacobs said they have people to answer phones and work the counter. He said he was talking about the Tax Assessor and the Community Development Director, not the Construction Office, Mr. Percy said he heard the township was moving another agency into the building. Mayor Gatto said they aren't. Mr. Percy said no other agency in the municipality was designed to move into the building and occupy the facility since the township built and moved into it. He said every office was a stand alone office and they were to grow into it, not have another office move into and occupy it. Mr. Jacobs said the number of employees has gone from 177 down to 118 in the last 5 years and there are empty offices now. Mr. Percy commented on everybody downsizing in the current economy and said that doesn't mean it's going to stay that way. He said it doesn't make sense and asked if everybody was going to be moved back again when the township starts to regroup. Mayor Gatto said the Committee's goal right now is to service the residents as fast and as well as possible. She said it is the Administrator's opinion and Committee agrees that with less hands there you put people together to help each other out and that they are making the best use of the resources they have right now. She said everything is ever evolving in the climate we

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are in and that she doesn't know that the staff will be expanding to 177 anytime soon. Mr. Jacobs said there is an Assessor and a Deputy Assessor and when one goes on vacation the office closes when other one goes to lunch; when one calls out sick, the office is closed all day; and by combining the offices with the Economic Development Director there will be secretarial and clerk help all of the time and the windows won't be closed. He said it isn't like the township is selling the space; it is there if the township ever grows back.

Mr. Percy suggested thought be given to the condition of the meeting room in next year's capital. Mr. Jacobs said the Committee already approved some money in this year's capital to start renovations to the room.

Mr. Percy commented on questions raised last year when sidewalks were put in from McDonalds to the bridge without Pinelands approval. He said it is a good sidewalk and people are using it. He suggested trying to get the state to continue it over the bridge.

Mr. Percy said former Mayor Robert Morris passed away and his funeral is on Wednesday.

Mary Lisitski said she didn't know Mrs. Kraus and Mr. Percy were going to bring up the Planning Office move to the Construction Office. She commented on the layout and said she won't be at her desk because she will be in the back corner filing etc. Mrs. Lisitski said she thinks it is a foolish move. She said she should have spoken up about it 6 months ago. She commented on being with the Township 20 years, given it her best and never spoken up before. Mrs. Lisitski said she thinks it is a wrong move and will not be efficient for the people.

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

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

Mr. Palmentieri moved, seconded by Mr. Cain, 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