

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
SEPTEMBER 3, 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 Edward Dennis substituting for 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 copy of the notice of this meeting on the bulletin board in the municipal building and 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 in the municipal building, Mays Landing, New Jersey at 6:30 PM on Tuesday, September 3, 2013.

A moment of silence for private reflection was observed.

Mayor Gatto and Mr. Silva presented the Hamilton Township Honors and Remembers Its Veterans Award to Felix J. Vacca. Mr. Silva read a list of Mr. Vacca's military service and awards. Michael Francis, on behalf of Congressman LoBiondo, presented Mr. Vacca a letter and certificate thanking him for his service. Douglas Hand congratulated and thanked Mr. Vacca for his service on behalf of the Hamilton Township Veterans' Advisory Board.

Mayor Gatto explained Mark Ruddy is working on his Eagle Scout Badge and will be helping with work being done on turning the old tennis courts at Underhill Park into a handicapped accessible park. Mark Ruddy thanked the Mayor, Mr. Jacobs, Lisa Marcolongo; Sue Giberson and Brett Noll for their help and suggestions. He showed the Committee a model of his proposed memorial garden honoring the youth of Hamilton Township. Mr. Jacobs showed a slide of the Underhill Park layout and explained the Township's plan for the playground, where the parking lot is and what has to be done to make the playground accessible from it. Mr. Silva asked what Mark planned on planting. Mark explained he talked to Atlantic Nursery and got some ideas for plants that only need to be cut once a year and don't need much water. Mrs. Link asked what kind of flowers will be planted. Mark said he is still researching it. Mrs. Dix said she thought juniper was a good idea because it is low-growing, will have the least amount of maintenance and probably last longer. Mr. Silva asked if there was a time frame. Mayor Gatto explained no date has been set.

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 endorse Mark Ruddy's Eagle Scout Project concept of building a Memorial Garden in the Handicapped Accessible Playground being constructed at Underhill Park.

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

Mayor Gatto thanked Mark Ruddy for his hard work. She commented on other Scouts having approached the Township about projects and asked if any Member had an objection to continuing with Boy Scout projects. There were none. The Mayor asked the Members to give Mr. Jacobs any suggestions they had for projects.

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Improvements in Parks presentation:

Mr. Jacobs showed a color coded slide of the Liepe recreation site and explained where the new light poles will be; what areas the lights will cover; work planned for construction of fields; and the need for anti-bird perching devices on top of the lights. Mr. Smith said the contractor submitted a product they propose to put on the poles; they have the concurrence of Pinelands; and construction of the fields was already approved by Pinelands. Mr. Jacobs explained they have to wait until the bid for cutting out soil from the drainage basin is put out and that there will be soil to sell. Mr. Silva commented on the Township starting to extend the use of the Liepe Tract; people utilizing the facility; and a lot of work having been done out there to date. He said the Township had a grand plan when they first bought the property but losing 20 acres to the grasshopper sparrows wrecked the whole thing. Mr. Guishard commented on the cooperation received from the (sports) teams; being amazed at the amount of thought that goes into the fields; it being a great asset to the community; and that he thinks the Township is doing it right. Mrs. Dix commented on the issues Pinelands had causing several years of delays. She said she is glad to be getting past that and to hear the comment about having soil to sell. Mr. Jacobs explained it is "spoils" from the (drainage) basin and that it will be in the bid specs for either a cost to remove it or a credit if it has value because that is the only way the Township can legally get rid of it. Mrs. Link said the HYAA is thrilled to have a practice field. She commented on it taking a couple of years for a field to mature; on the Administrator working with the in-house staff; on Mr. Smith, Mr. Jacobs, and Mr. Guishard meeting with the Pinelands; and on all the things the Township asked for being granted. Mrs. Link said she thinks that the Pinelands was ready to move on it and the Township was too.

Mr. Guishard moved, seconded by Mrs. Dix that the Township Committee continue in accordance with the plan for Liepe Tract as presented by the Administrator.

MOTION CARRIED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

There was no executive session and no executive session confirmation.

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

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

7.A Insert names of Businesses being approved:

- (1) The Fear Factory - family entertainment at Hamilton Mall.

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

There were no early public comments on agenda items not listed for public hearing.

Shared Services Agreement with Police Activities League for use of Frank Grieco Center:

Mr. Jacobs explained services are provided by P.A.L. and the Township under the Agreement; P.A.L. allows other community groups to schedule use of the building; P.A.L. maintains the inside of the building and the Township maintains the outside. Carole Wright explained P.A.L. needs to be sure the agreement will be renewed before they distribute flyers about their upcoming programs through the schools. Mayor Gatto read the list of their programs and items they

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need. Mrs. Dix asked if P.A.L. had any concerns with any of the language in the agreement. Mrs. Wright said it is okay as it is. Mrs. Link commented on no activities in the building being shown on the list. Mrs. Wright explained the dance classes will be in the building but there are 250 participants and registration has to be held at Davies School because of fire code occupancy limits in the building. She commented on reinstating the Chess/Game Nights on weekends, probably after winter break. Mrs. Link asked what the fee is for other non-profit organizations to use the building. Mrs. Wright explained it is a small hourly amount and they have to show they are non-profit and what they are using it for; a P.A.L. representative must be present except for election day; and to date she has only had 2 inquiries that didn't comply with the non-profit status requirement. Mrs. Dix asked if their \$500 clean-up deposit was still being held by the Township. Mrs. Wright said it is and that P.A.L. is okay with it. Mrs. Dix suggested the Committee look at not having people who have an A+ work history or track record pay that fee. Mayor Gatto said the Committee has to be sure they are fair with that and that they aren't setting a bad precedent that defeats the purpose for the fee. Mr. Guishard said to keep in mind that there is a cost associated with administering differentiating between groups. Mayor Gatto said the money would be refunded if a group terminated their agreement. Mrs. Wright said P.A.L. is okay with it sitting there after each lease ends.

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

WHEREAS, the current Shared Services Agreement (the Agreement) between the Hamilton Township Police Activities League (P.A.L.) and the Township of Hamilton for use of the Frank Grieco, Sr., Center will expire on December 31, 2013; and

WHEREAS, the P.A.L. is in the process of planning their activities and programs for the 2014 program year and needs confirmation that the Agreement will be renewed before advertising said activities and programs,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the current Shared Services Agreement between the Hamilton Township Police Activities League (P.A.L.) and the Township of Hamilton shall be renewed for the period January 1, 2014 through December 31, 2014.

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

Public Hearing/Adoption - Ordinance #1753-2013:

Mayor Gatto explained the Township is going from part-time people to a full-time person for the Residential Housing Ordinance because of the constant turnover.

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

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

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

WHEREAS, Ordinance #1753-2013 was introduced and passed first reading on August 19, 2013 and was duly advertised in the August 21, 2013 issue of the Atlantic County Record for a public hearing to be held in the municipal building, Mays Landing, New Jersey at 6:30 PM on Tuesday, September 3, 2013; and

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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 #1753-2013 is hereby adopted.

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

**TOWNSHIP OF HAMILTON  
ORDINANCE NO. 1753-2013**

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

WHEREAS, the Township Committee has previously decided to staff the new Rental Housing Licensing and Inspection Department with part-time employees and portions of full-time employees time; and

WHEREAS, experience has now demonstrated that the turnover rate of part-time employees in this new department has had a detrimental effect on achieving the goals and objectives of this new department; and

WHEREAS, this is a self-funding department not relying on the general operating budget,

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

**SECTION 1. Add New Position**

Amend Exhibit "A" Section #1, entitled FULL-TIME NON-UNION EMPLOYEES, by adding the following position:

	Salary Maximum
Fire/Code/Housing Inspector .....	\$50,000

**SECTION 2. Delete Position**

Amend Exhibit "A" Section #1, entitled PART-TIME REGULAR HOURLY RATE POSITION, by deleting the following position:

Clerk .....\$15.00

**SECTION 3. Add New Union Position to "CHART OF ORGANIZATION"**

Amend "CHART OF ORGANIZATION" by adding the following full-time position:

Clerk .....As per Teamster collective bargaining agreement

**SECTION 4. Severability and Effectiveness Clause.**

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

**SECTION 5. Effective Date.**

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

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

**ATTEST:**

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**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 #1753 - 2013 INTRODUCED AND PASSED FIRST READING AUGUST 19, 2013.  
ORDINANCE #1753-2013 ADOPTED SEPTEMBER 3, 2013.**

Public Hearing/Adoption - Ordinance #1754-2013:

Mayor Gatto explained the Ordinance is for the Administrative Assistant that the Committee had approved.

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

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

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

WHEREAS, Ordinance #1754-2013 was introduced and passed first reading on August 19, 2013 and was duly advertised in the August 21, 2013 issue of the Atlantic County Record for a public hearing to be held in the municipal building, Mays Landing, New Jersey at 6:30 PM on Tuesday, September 3, 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 #1754-2013 is hereby adopted.

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

**TOWNSHIP OF HAMILTON  
ORDINANCE NO.: 1754-2013  
AN ORDINANCE AMENDING EXHIBIT A, SECTION 1  
ARTICLE II OF CHAPTER 66 OF THE CODE OF THE  
TOWNSHIP OF HAMILTON, PROVIDING FOR THE  
MAXIMUM NUMBER OF EMPLOYEES**

WHEREAS, an employee in the Clerk's Office has recently resigned, thereby providing an opportunity to change the job title from the job description of (union position) "Clerk" to a job description of (non-union position) "Administrative Assistant" which is more consistent with the job duties of the position; and

WHEREAS, this change will not increase the personnel cost of this department,

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

**SECTION 1. Delete Position**

Amend Exhibit "A" Section #1, entitled PART-TIME REGULAR DUAL POSITION, by deleting the following position:

Grant/Records Deputy Manager Archivist .....\$1,500.00

**SECTION 2. Delete Union Position from "CHART OF ORGANIZATION"**

Amend "CHART OF ORGANIZATION" by deleting the following full-time position:

Clerk (Clerks Office) As per Teamster collective bargaining agreement.

**SECTION 3. Add New Position**

Amend Exhibit "A" Section #1, entitled FULL-TIME NON-UNION EMPLOYEES, by adding the following position:

Administrative Assistant (Location Clerks Office) .....\$45,000  
Salary Maximum

**SECTION 4. Severability and Effectiveness Clause.**

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

**SECTION 5. Effective Date.**

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

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

ATTEST:

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

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

ROLL CALL: DIX "NO"  
 GUSHARD "YES"  
 LINK "YES"  
 SILVA "YES"  
 GATTO "YES"

ORDINANCE #1754-2013 INTRODUCED AND PASSED FIRST READING AUGUST 19, 2013.  
ORDINANCE #1754-2013 ADOPTED SEPTEMBER 3, 2013.

Consent Agenda Item H, endorsement of the Clean Communities and the Recycling Trust spending plans was considered and acted on as a separate item at the request of Mrs. Dix.

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

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

(1) The Fear Factory - family entertainment at Hamilton Mall.

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

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

RESOLUTION AUTHORIZING A PERSON TO PERSON TRANSFER OF  
PLENARY RETAIL CONSUMPTION LICENSE #0112-33-020-004

WHEREAS, an application has been filed for a Person-to-Person transfer of inactive Plenary Retail Consumption License #0112-33-20-004, heretofore issued to PJ'S Pub & Grille, LLC, to Laureldale Route 50, LLC trading as Laureldale Pub & Grille, for premises located at 2301 Route 50, Mays Landing, NJ 08330; and

WHEREAS, the application form submitted is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated hereunder, as well as pertinent local Ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the authorized municipal authority has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton, County of Atlantic, does hereby approve the person to person transfer of aforesaid Plenary Retail Consumption License #0112-33-020-004 to Laureldale Route 50, LLC, and the Township Clerk is hereby directed to endorse the license certificate to the new ownership as follows: ***"This license, subject to all of its terms and conditions, is hereby transferred to Laureldale Route 50, LLC for premises located at 2301 Route 50, Mays Landing, NJ 08330 effective September 4, 2013."***

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

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton has no objection to NJDOT and/or Atlantic County approving and/or issuing a permit to Police Unity Tour-Team SSCF for a coin drop to be held at the intersection of Route 322 and Weymouth Road on October 5, 2013.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Mayor is hereby authorized to sign an amendment to Teamsters Local 331 Collective Bargaining Agreement Article XVII (C) Entitled "Sick Leave".

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

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

WHEREAS, the Property Maintenance Code Enforcement Official has notified the governing body that there was improper notification made on one of the properties listed in the resolution adopted on August 5, 2013 entitled "**RESOLUTION CONSTITUTING A LIEN ON CERTAIN PROPERTIES FOR PROPERTY MAINTENANCE ABATEMENT CHARGES PURSUANT TO CHAPTER 238, PROPERTY MAINTENANCE CODE OF THE TOWNSHIP OF HAMILTON**" was adopted on August 5, 2013,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Property Maintenance Lien established by aforesaid resolution against Block 710, Lot 9, in the amount of \$482.00 is hereby cancelled.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be filed with the Tax Collector.

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

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

**TOWNSHIP OF HAMILTON  
RESOLUTION**

**WHEREAS**, the Atlantic County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Financial Assistance Program to provide Grant funds in connection with municipal acquisition and development of lands for open space, recreation, conservation and historic preservation purposes; and

**WHEREAS**, the Governing Body of the Township of Hamilton has previously been awarded County Open Space Trust Funds in the amount of \$400,000.00 for the following project(s):

Underhill Park- Block 809 Lot 32  
Hickory St. Soccer Park- Block 948 Lot 8  
Knight Ave. Park- Block 693 Lot 1

**WHEREAS**, the Township of Hamilton has been unable to complete this project within the time frame specified in the grant agreement; and,

**WHEREAS**, the Township of Hamilton desires to extend the term of the grant agreement for a period of one year, to October 28, 2014.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Hamilton that:

1. The Township of Hamilton is authorized to submit a request to extend the term of the Financial Assistance Agreement to October 28, 2014; and

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2. The Township of Hamilton is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-County funds as required; and
3. The municipality is willing to use the approved County Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state and local government rules regulations and statutes thereto; and
4. Mayor Amy Gatto is hereby authorized to execute an Amended Financial Assistance Agreement with the County of Atlantic to extend the term to October 28, 2014; and
5. This Resolution shall take effect immediately.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following licenses are hereby approved for St. Vincent dePaul Regional School raffles to be held on November 9, 2013:

- 1) #18-2013 off-premise raffle.
- 2) #19-2013 on-premise Penny Auction.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following item of revenue with off-setting appropriations be inserted into the 2013 Municipal Budget pursuant to N.J.S.A. 40A:4-87:

Revenue Title: 2013 Drive Sober or Get Pulled Over Statewide Crackdown	\$4,400.00
Appropriation title: Drive Sober or Get Pulled Over Statewide Crackdown	\$4,400.00

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

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

WHEREAS, conflicting State Statutes regarding the disposition of abandoned/unclaimed vehicles have created extreme hardship on the municipality and private towing companies; and

WHEREAS, on April 15, 2013 the governing body of the Township of Hamilton, Atlantic County, NJ adopted a resolution entitled **"RESOLUTION OF SUPPORT OF AN ACT CONCERNING THE DISPOSITION OF VEHICLES, ASSEMBLY NO. 303"** and forwarded certified copies of said Resolution to the Speaker of the Assembly, its Assembly Representatives John F. Amodeo and Christopher A. Brown and to its Senator Jim Whelan,

NOW, THEREFORE, BE IT RESOLVED that a certified copy of the April 15, 2013 Resolution be sent to the New Jersey League of Municipalities with a request for the League's support for said resolution and Assembly Bill No. A303 commonly referred to as the "Towing Bill".

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

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Endorsement of Clean Communities and Recycling Trust Spending Plans:

Mrs. Dix commented on trying to effect a change from brown paper bags back to plastic for yard waste that will involve a \$5,500 expense and said this proposed budget has \$82,000 for trash cans for recreation fields and Main Street. She said she thinks that is over the top at a time the Committee is trying to give some little things back to the taxpayers and that it is wrong. Mayor Gatto explained the trash cans for Main Street was a request from the business owners after picking up on Mill Street was changed to Main Street and this is Clean Communities grant money, not money the Township could save the taxpayers. Mr. Jacobs explained the trash cans and recycling cans are for all the bus stops and not just for Main Street. Mrs. Dix read the Clean Communities list: 15 bus stop trash cans at \$600 each, 15 Main Street trash cans at \$800 each, 50 trash cans at recreation areas at \$400 each and said the Recycling list is the same except that they are recycling cans. She said her issue is the labor to dump the cans when the Township is looking at amending the Waste Management Contract to dump the trash cans on Main Street but doesn't want to amend the ACUA Contract for yard waste to help the citizens. Mr. Jacobs said no one has opposed amending the ACUA Contract and that there was a memo about why information on that wasn't available for this meeting. He questioned why anyone would suggest that he didn't want to support going to paper bags and said the truth of the matter is they are two different issues (1) spending the grant money (2) whether or not the Committee wants to pay or take advantage of a proposal from the ACUA when they are able to give it to the Township. Mayor Gatto asked Mrs. Dix to explain how using the grant money differently would help subtract from an unknown cost of the yard waste situation. Mrs. Dix said the yard waste proposal was \$5,500. Mr. Jacobs said the Township doesn't have a proposal and explained ACUA gave a proposal to allow shifting to plastic bags and the Committee wanted to go back to them with the idea of putting open bags in cans. Mrs. Dix said Mr. Guishard's idea is that the bags would be left at the home, possibly in a trash can, so the homeowner could reuse or dispose of them. Mayor Gatto said it cost the Township money when ACUA took plastic bags whether or not they put them in the truck. Mr. Jacobs said ACUA wants to charge \$5,500+ and cancel the current long term contract to go back to (plastic bags). Mayor Gatto explained the Committee is waiting to hear from ACUA whether or not they would do what Mr. Guishard suggested under the current contract. Mr. Jacobs said it is also to find out if the monthly pick-ups could be shifted to weekly or some compromise on that. Mr. Guishard said it isn't just the \$5,500, it is cancelling the long term contract and over the years that could be more. He commented on the brown bags being expensive and said it would be beneficial to the homeowner to be able to keep them. Mr. Jacobs explained the \$82,000 in the proposed budget would be for all the recycling and trash cans added together. Mr. Guishard said having the cans is the first step to cleaning up. Mrs. Dix commented on the can by the Sandpiper bus stop overflowing and the labor cost to empty them. Mr. Silva said it can't all be done by the entity or Township, the people have to pitch in; that education obviously isn't working; and it is going to cost money either way. Mr. Silva commented on the work done by Public Works to keep up with all their projects with a minimum number of people and said he thought what the Township would spend here would be saved in other areas. Mrs. Link asked if the cans are elaborate and will have a pop-up lid or be open. Ingrid Perez explained the average cost for cans of a size to accommodate 60-90 gallons is about \$400 and that a little more money was put into the ones for Main Street to get something that would blend in with the streetscape. She explained they want something with a hood or cover but haven't gotten that far yet but it won't be something that trash will blow out of. The Mayor said this is just a budget. Mrs. Link said the Township won't be buying them every year. Mr. Jacobs explained the money has to be used for one-time things.

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton does hereby endorse the Clean Communities and the Recycling Trust spending plans as submitted by Ingrid Perez.

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

Following the vote, Mr. Guishard said he thought Mrs. Dix brought up some good points about recycling and that the staff is very helpful. Mayor Gatto said that part of the decision when the Township went to automated trash collection was that the method had proven to increase recycling percentages and the Township wanted to get its numbers up so it would receive additional trust fund money.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the minutes of the August 19, 2013 regular meeting are hereby approved and adopted as published.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that all properly executed and approved payrolls and bills are hereby ordered to be paid, the bill list total being \$7,907,123.09.

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 authorization is hereby given for in-house advertising for a full-time Fire/Housing Code Inspector for the Community Development Department.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that authorization is hereby given for in-house advertising for a full-time Clerk for the Community Development Department.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that authorization is hereby given to advertise for an Administrative Assistant for the Municipal Clerk's Office.

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

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Hiring a Part-time temporary Clerk:

Mr. Jacobs explained a full time employee is out and will probably be out a while and this is to help out in covering that office.

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 authorization is hereby given to hire a Temporary Part-time Clerk from an existing pool of Clerical Applicants.

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

Industrial Commission appointment:

Mr. Guishard commented on not knowing if there was an opportunity to consider other possible candidates. Mayor Gatto explained the position has been open for a while and the Committee got (Mr. Rhodes) application weeks ago. Mrs. Dix said that as she understood the law the Commission membership is supposed to be split along political lines and based on job types; this is the union member seat; it was held by a Republican; with 4 Democrats on the Commission it needs to stay on the Republican side; that she would like to have had it filled last month because of important work being done with respect to the landfill closure plan and that the Commission Members will be involved in a report that is expected at the end of summer.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that James P. Rhodes is hereby appointed to the Hamilton Township Industrial Commission to fill the unexpired term of Arthur Schenker ending December 31, 2017.

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

Reports:

Mr. Jacobs reported the company hired by the County found voids in the earthen berm of Lake Lenape Dam; they reported it to the state; the State Dam Safety Board and Lake Lenape Dam Committee have directed the Township to keep the water level as close to the top of the spillway as possible. He explained it is difficult to control the level of the lake because the gates don't work so whenever rain is forecast Brett and his staff do their best to open them. He asked that people be patient until the extent of the voids is known. Mayor Gatto urged residents, especially those along the lake, to sign up for Nixel e-mail or text alert notifications when something is happening.

Mr. Jacobs reported he met with the tow operator representatives; the Township did what it had to do and shared that information with them; they have to talk to the others who were not there; they understand; and may come back with possible solutions.

Mr. Jacobs referred to comments made at the last meeting that employees received 2% raises the last couple of years and said he wanted to read on the record what actually happened for accuracy because many times the employees helped the Township with its financial situations: in 2011 non-union employees received -0- increase and also voluntarily offered and gave back the 2% matching contribution to their deferred compensation to avoid additional layoffs so they actually had a 2% reduction; in 2012 non-union employees received -0- increase; non-union employees received a flat \$1,375.00 maximum increase in 2013 with those making more getting less

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and those making less getting more and the total cost was 1.6%. Mr. Jacobs explained the non-union employees are also contributing approximately 3% of their salary for their health benefits and said their salary didn't grow by 2% and it is actually down by 1/2%. He explained the PBA and SOA police union employees received -0- increase in 2011 and 2012 and received a 2% increase in 2013 effective March 1<sup>st</sup> which equals a 1.6% increase and they also contribute a percentage of their salary for health benefits. Mr. Jacobs explained Teamsters employees received a 3.75% increase in 2011 which was already in their contract; they received -0- in 2012 and 2013 and will receive -0- in 2014. He said he thinks it is important to remember what went into resolving the Township's (financial) issues. Mrs. Dix said she disagreed with what Mr. Jacobs said that she didn't understand what it was all about. She said that what she said was that the Township employees got 2% raises and that it referred to 2013, not 2011 or 2012. The Mayor said that regardless, it was a nice look back at the work the Township and the employees did.

Mr. Smith said he had nothing to add to his written report. Mrs. Dix asked about the demolition bids. Mr. Smith said the ad is going the paper on Friday and bids will be received on the 18<sup>th</sup>. Mrs. Dix asked if the Township would have to award the contract because it is going through the ACIA. Mr. Smith explained the cost is reimbursable by the ACIA but the Township has to award the contract. Mrs. Link asked about the work being done on Thirteenth Street and Tanglewood Drive. Mr. Smith explained the work being done is a result of a long-experienced drainage issue at the intersection of Park Road and Tunney Avenue; it is a low point with no relief; Pinelands approval was received to create a bubble type system that captures the water at the intersection, pipes it to the swale along Tanglewood Drive and lets it bubble out and flow into the woods near the creek area. Mrs. Dix asked if all the piping was going in the paving and not behind the curb. Mr. Smith said that was correct. Mrs. Link commented on a lot of people being upset about not being notified and asked what the procedure for that is. Mr. Smith explained the contractor is responsible to deliver written notices to all homeowners affected by the construction; it was an oversight because the subcontractor thought the general contractor submitted the notices and the general contractor thought the subcontractor did it; he met with them on Thursday and the contractor actually distributed notices to all the homeowners. Mayor Gatto asked if the notice included an apology and said that if it didn't, she would like them to do that because people will blame the Township. Mr. Smith said he thought the contractor went to each residence but he didn't know exactly what transpired. Mrs. Link questioned the equipment being parked in the County parking lot. Mr. Smith explained the contractor said he spoke to one of the Rangers and he believed it was approved. Mayor Gatto said anytime a member gets a constituent complaint they should get it to Mr. Jacobs and Mr. Jacobs will get it to Mr. Smith. Mr. Guishard said the Township is ultimately responsible. Mrs. Link commented on finally having a resolution to the 15-year problem; knowing that Mr. Smith worked diligently on it; and that the Pinelands held him up. Mrs. Dix said she blames the Engineer for the Planning Board when the subdivision was approved for not doing a site inspection as part of the review. At the request of Mayor Gatto, Mrs. Dix explained the storm water used to come down Tunney Avenue and onto Park Road; there was an opening in the curb and the storm water would drain into that tract of land and into the woods. Mrs. Link said she doesn't totally blame the Planning Board for the sidewalk because someone from the outside insisted they be put in. She said she believes Tanglewood has produced quite a bit of water and there are many areas where the water is coming from.

Mr. Guishard questioned the status of the Malaga Road project. Mr. Smith explained Section 2 is almost complete; they were working on the shoulder on Friday; bids for Section 3 were received on Thursday; and he hopes to have that constructed before winter.

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Mr. Guishard commented Township Committee Members having met the Lt. Governor on her recent visit to the Township and said Mayor Gatto had put together a list of Township items of concern and giving it to her. He said he thought it was a very good meeting and it was good experience.

Mr. Guishard asked for prayers for Mr. Palmentieri over the loss of his daughter. Mrs. Dix added condolences for the Guishard family on the recent loss of Mrs. Guishard's mother.

Mrs. Dix reported attending a County Office of Emergency Management (OEM) meeting that Capt. Petuskey and Mike Brandenberger also attended. She said they are looking for volunteers; training classes will be held on Saturdays for about 8 weeks starting on the 21<sup>st</sup>. Mr. Silva asked what the volunteers were for. Mrs. Dix said they were for OEM. She commented on FEMA designating Oakcrest, VoTech and the Special Services Building as shelters and said the Special Services Building will be only for their students and care givers; it looked like Oakcrest would be the one shelter open to the general public. Mayor Gatto stopped Mrs. Dix and said the Committee would wait and have Captain Petuskey, the Township OEM Director, make a thorough presentation on this because Mrs. Dix was stating misinformation. The Mayor said ACIT (the VoTech) is for senior homes and developments that have special needs; it is already prearranged; it all goes through the County OEM; and she believes the training is strictly for appointed OEM Volunteers who would potentially be manning shelters-of-last resort if and when they should ever open.

Mrs. Dix reported the closing date for the Historical Society brick sale is September 20<sup>th</sup>; it is their fund raiser and she has purchase forms that she will e-mail to anyone who needs it.

Mr. Guishard said he assumed the (OEM) training was open to the public. Mayor Gatto said her understanding was that it isn't. Mrs. Dix said she understood they were seeking volunteers; that is why she said it and indicated there was a deadline for signing up; that the CERT Training they were talking about is not OEM; and word has to get out. Mayor Gatto if it is open to the public and word needs to get out, the Township will send a Nixel message out on it. She asked Chief Tappeiner to have Captain Petuskey contact her tomorrow morning.

Mr. Silva commented on the basins at Wexford Lane not being drained; the pumps and lines being there but not being used and the Township having been patient with them. Mr. Smith explained he spoke to Ron Allenbach after the last meeting; Mr. Allenbach indicated they are looking to a remedy whereby they install a storm/sewer/pumping station; they indicated the basin for Phase 1 and 2 was overdesigned and should have included Phases 3 and 4; they are looking to potentially pump the one in the front and Mr. Allenbach said they are working on plans. Mr. Smith explained he told him it would require at a minimum Administrative Approval by the (Planning) Board professionals and more than likely a Planning Board application and Pinelands approval; Mr. Allenbach said they are willing to take the steps to get Planning Board and Pinelands approvals. He said they still intend to do some work on the infiltration area. Mr. Silva asked if they would be comfortable sending (the Committee) a letter. Mr. Sandman suggested the Committee invite the appropriate representative to their next meeting, ask their questions directly to the representative. Mr. Jacobs and Mr. Smith will take care of that. Mr. Smith commented on meeting with someone from the developer who is a former DEP Commissioner; he was very helpful and informative but may not have fully understood how disappointed the Township Committee.

Mr. Silva reported the 9/11 memorial monument in War Memorial Park will be dedicated on September 11<sup>th</sup>. He thanked the Public Works Department for preparing the foundation.

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Mr. Silva reported the Township's 200<sup>th</sup> Anniversary is still being celebrated and said the Oakcrest media department prepared a 50 minute DVD Celebrating Our Bicentennial Heritage and suggested holding a meeting in December just to show the DVD.

Mayor Gatto asked Mr. Jacobs to put his presentation on park improvements on the website. She reported the Rotary ask that the Township send a letter requesting donations similar to the one done for Hometown Celebration. Mayor Gatto commended Oakcrest Estates on their Back to School Blowout event and explained they did it because they didn't know what to do for National Night Out. She said she appreciated the Police Department's cooperation with the new manager and thanked everyone that helped out.

Mayor Gatto commented on how proud she was to have the Lt. Governor visit and said it was a tremendous event for the Township. She thanked all the Committee Members and employees who came out for the event, especially Lisa Marcolongo for coordinating the business owners and the round table discussion. The Mayor commented on where they went and the concerns the Township has on Main Street that they pointed out to the Lt. Governor. She said the Lt. Governor's Business Center Action Advocate wrote down all of the issues and concerns. The Mayor commented on the list of concerns she presented to the Lt. Governor; issues and concerns discussed with her; and asking her to acknowledge what the Township did with regard to its budget. She said she thinks the event renewed a spirit in some of the strategies discussed in the Strategic Planning Groups and suggested it may be the right time to revisit things that couldn't be done before. The Mayor thanked the reporters for the coverage the event was given. Mr. Silva said she gave everyone her cell phone number and said to call if there was any way she could help them. Mrs. Link commented on the Lt. Governor having some very good leads when it came to the Industrial Park. Mr. Guishard commented on it being on the TV 40 news.

Mayor Gatto referred to Mr. Smith's comments about the contractor forgetting to do something and said she wants to make the message very, very clear to the Township employees and contractors that anybody out there that is associated with the Township is representing the Township, taxpayers, taxpayer dollars, and the face of the governing body and they expect nothing less than 100% customer service to their constituents. She said there will be action if she hears one more complaint about the way contractors or employees are treating residents.

Public Comment:

Joann McClay gave Committee Members a letter with 16 pages of signatures captioned "Petition to Permit Farmers Market in Memorial Park" attached. She explained she is looking to put the responsibility on the Township to host a Farmers Market in War Memorial Park; she learned other municipalities do their own farm markets; and she is trying to get everything together for the Township to be able to host it. Mayor Gatto asked if that is what the petition represented. Mrs. McClay said it is and she read her letter into the record. The Mayor asked if Mr. Jacobs had any discussions since Ms. McClay first brought this up or if he had any ideas on how to do it either privately or through the Township. Mr. Jacobs explained he had a couple of meetings; there are some hurdles to using Memorial Park for for-profit ventures; and that they talked today about the possibility of using the road behind the park instead of the park itself. He explained he spoke to the Collingswood Administrator and how they run theirs. Mr. Jacobs said that if that is the direction the Committee wants to go, it would be very difficult to get it up and running this season. Ms. McClay said she knows how beneficial it would be; the Park is visual and big enough for everybody to help the businesses on Main Street; that she wants to have an event every Saturday morning for the community and children; and people are really excited about it. Mr. Jacobs said he thought one of the biggest hurdles would be how the

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local farmers who have produce stands would feel about it. Ms. McClay said she spoke to Mr. Liepe and Gene's and they are very excited about it; she would talk to DeFeo's for pies and cider; and she didn't know if they could get together with the winery. Mr. Guishard questioned the Township being involved with essentially for-profit, private enterprises and the implications from a legal perspective of it if others come in and want to have a similar arrangement with the Township. Mr. Sandman explained there are issues as to whether RFPs or bids have to be put out; and the biggest issue is zoning of permitted uses. Mr. Guishard commented the Park being used for similar activities in the past. Mayor Gatto explained they are considered special events when another entity uses the facilities. Mr. Guishard asked if that meant it couldn't be called a special event if it was held on a regular basis. The Mayor explained it isn't a Township special event, it is a use of facilities; the entity holds the special event and they handle the vendors. She explained it wouldn't be considered a special event if the Township did it and they would be the Township's vendors. She suggested a subcommittee made up of one of the Quality of Life Liaisons, one of the Smart Growth Liaisons, Mrs. McClay and someone from the Staff be formed to look at what the Committee's options are; if there is any commercial zoning on Main Street that could be looked at; if the Township has the manpower and budget to do it this year; maybe doing one or two to see how it goes rather than every week; and to see if it is possible. Mr. Silva asked if it has to be on Main Street. Ms. McClay said she wants to help businesses on Main Street and anywhere else wouldn't help them. Mr. Guishard commented on the benefit to the local merchants being a plus and said the idea has value even without that and he wouldn't want to throw it all out because of obstacles that may occur with that location. Mrs. Dix questioned why the Park is zoned residential when is nothing residential in the entire block. Mr. Sandman said there are houses on Parsons Row; that is how it was zoned to start with; and Mrs. Dix's question should be asked at the Planning Board. Mayor Gatto said it is a question for the Planning Board and the Community Planning Officer, Phil Sartorio and is another topic. She said for Mrs. Dix to feel free if she wants to take it to the Planning Board as an agenda item topic for discussion and consideration from a Master Plan perspective. The Mayor thanked Mr. Guishard and Mrs. Dix for volunteering to be on the sub-committee to work on this and said Mr. Jacobs will designate somebody from Town Hall to assist them. She suggested reaching out to John Kurtz to see if anybody from the Merchants' Association wants to be involved. Mrs. McClay said she did reach out to them and felt like she was kind of scolded.

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

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

There being no further matters to be considered for action to be taken thereon tonight, Mr. Silva moved, seconded by Guishard, that this meeting be adjourned.

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

ATTEST:

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