

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
OCTOBER 1, 2012

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey, was held on the above date with Mayor Roger Silva presiding. Members present were Charles Cain Jr., Aline Dix, and Amy Gatto. Dr. Harvey Kesselman was absent due to being out of state. 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 salute to the flag followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice of this meeting on the bulletin board in the municipal building and by e-mailing a copy of the notice along with the agenda for this meeting to the Press of Atlantic City, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place at 6:30 PM on October 1, 2012 in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed.

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

BE IT RESOLVED that the following item be added to the agenda for this meeting.

-Presentation of possible grants by the Township Engineer (immediately after Administrator's presentation of JIF Mid-year report).

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

JIF Mid-year report presentation by Administrator:

Mr. Jacobs explained the Township average for lost time accident frequency, the number of employees out more than 7 days, is 1.40 and the JIF average is 1.70. He explained the Township loss ratio over 6 years is 106.2% and the JIF ratio is 97.4 and said that is why the some cost saving measures to reduce liability were implemented. Mr. Jacobs explained the Township will be coming off the Retrospective Rating Program and said that is good. Mrs. Dix referred to the report showing 2 officials attended the Elected Officials Training Seminar and said that she attended it in December 2011 after she won election to Township Committee and should have gotten credit for her Township position and her MUA position. Mr. Jacobs said he will look into it.

Possible grants presentation by Township Engineer:

Mr. Smith introduced Robert Perry the Grant Coordinator for Remington & Vernick. Mr. Perry distributed folders containing information on grants available and explained he is doing these presentations before all of their accounts. He explained a list of new grants is in the folder; there is some planning money through Pinelands, some through the Department of Forestry, and some through DEP. Mr. Perry commented on working with Amy Gatto a few years ago on the Recreation/Open Space inventory under a grant; having worked with Phil Sartorio; and knowing the Township applied for some grants in the past but didn't qualify. He said it is getting very difficult to qualify; there is no 100% funding any more; he feels the Township would be lucky to get a 50% matching fund grant; and there are some environmental grants through the ANJEC that allow the municipality to use in-kind labor. He commented on sometimes getting information on grants that have to be acted on quickly and said grant information will go directly to Mr. Smith who will make sure Mr. Jacobs is aware of it and to Mr. Sartorio if it involves Planning. Mr. Perry explained there is one for a buy-one, get one free opportunity on a couple of models of playground equipment from Monturano Company that is great if

October 1, 2012

it is equipment the Township can use. Mr. Perry suggested the Committee let Mr. Smith know if there is something they would like to do and they will try to find a grant for them. He commented on the Township having gotten money for landscaping in the Mays Landing area and said some more could become available; there is money available for underground tank removal; and DOT has grants for alternate energy. Mrs. Dix asked if the Monturano buy-one, get-one free was on State Contract. Mr. Perry said it was; it came in today; it is Game Time for up to 100% matching funds; and he will give the information to Mr. Jacobs. Mayor Silva asked if the municipal government energy audit program was an ongoing grant. Mr. Perry said some of those programs are out of money or running out because they were so successful. The Mayor asked Mr. Perry to keep an eye on them because the Township hopes to close the landfill by the end of this year. Ms. Gatto commented on the Township wanting to do something with Duberson School and she thinks it is a creative-funding challenge. Mayor Silva commented on someone urging the Township to look at 144 acres in the Weymouth area for Farmland Preservation grants and on there being some smaller areas in Mays Landing. Mr. Perry explained Green Acres is still giving out money although the amounts are less and less and Farmland Preservation in one of their high priorities. He said he would be glad to research it for the Committee. The Mayor and members of Committee thanked Mr. Perry for his presentation.

There was no executive session and no executive session confirmations to be made.

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

#### 2012/2013 Best Practices Inventory:

Mr. Jacobs explained the Township has to fill out the Best Practices Inventory in order to receive the balance of its State Aid; the CFO fills it out and the Committee has to acknowledge that they received it; a total between 41 and 50 points is required in order to get 100% of the money; the Township total was 45 and it has been sent in. Mayor Silva said he thinks it is amazing that the Township has to keep records of all of this, check it off and send it in to get back money that already belongs to the municipality. Mr. Cain commented on some of the questions being "backward questions" and it not being an easy task to accomplish. Mayor Silva explained a municipality could possibility of lose 1% to 5% of their total aid if their score drops. Mr. Jacobs explained the Township was able to answer "yes" last year to question #5 that ask if the municipality has a Pay to Play Ordinance and that the answer had to be "no" this year because they added a sentence asking if the Township adopted an ordinance that is more restrictive than the State statutory requirement. He said the Township adopted the State model ordinance and it seems like they are trying to reduce the municipality's ability to get points.

All members present verbally acknowledged they received the inventory.

#### Vacation of 10' alley in Block 748 between Lots 5 & 6:

Mr. Jacobs explained it was brought to the Township's attention by someone doing a title search that there is still an alley that goes right through the middle of the Four B's building that hasn't been abandoned. He said eliminating it wouldn't harm anybody. Mr. Sandman said that in his opinion the Township waived any public interest in the alley by allowing construction of a building over it; the Committee doesn't have to do anything as a municipality but it would come up as a defect in title if the owner tried to sell the building; his advice is to ask the owner if they want the Committee to do something about it; and he will prepare the ordinance if they do. Mr. Jacobs will send a letter to the property owner.

Public Hearing/Adoption - Ordinance #1728-2012:

Mrs. Dix referred to a letter received from Pinelands and asked if this Ordinance was on cluster housing. Mr. Sartorio explained that letter was about a different Ordinance and a hearing on the recommendation to conditionally approve it is scheduled for October 13<sup>th</sup> or 14<sup>th</sup>. He explained this Ordinance is basically to catch up with Municipal Land Use Law and Pinelands Comprehensive Management Plan changes and some modifications recommended by the Planning Board. Mr. Sartorio said there were no changes in zoning of any districts.

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

MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

Mr. Jacobs asked Mr. Sartorio if they discussed the Planning Board having the authority to put a time limit on completing improvements when they met with a couple of Committee Members. Mr. Sartorio explained that language is already in the Ordinance where it says the performance guarantee has a defined lifespan when it is posted. Mrs. Dix commented on developers using not wanting the heavy delivery trucks going over new pavement as an excuse not to finish paving. She commented on that being the reason Misty Pines didn't get their paving done until 2009 and on Tavistock being 95% finished but not having their finished paving and the storm drains aren't working. Mayor Silva mentioned other developments where that has happened and commented on it being the result of the economy. Mr. Sartorio referred to developments done in phases and explained the change that requires final paving has to be done in a Phase when the Phase is 90% done. He said it is up to Township Committee to grant extensions on the performance guarantee lifespan; the developer is technically supposed to come back to the governing body to request the extension; and the Township needs to get back to following up on that internally. Mr. Jacobs asked if the Planning Board would put that into their approval resolution and that it isn't automatic. Mr. Sartorio said it is in the Ordinance. Mrs. Dix said the Township has to enforce it. Mr. Cain asked who would follow up on it. Mrs. Dix said it would probably be through the Administration and Engineer that is doing the inspections; they would have a tickler file on it that was either on the calendar or for when a certain number of units get CO's.

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

WHEREAS, Ordinance #1728-2012 was introduced and passed first reading on September 17, 2012 and was duly advertised in the September 19, 2012 issue of the Atlantic County Record for a public hearing to be held on October 1, 2012; 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 #1728-2012 be and is hereby adopted.

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

TOWNSHIP OF HAMILTON  
ORDINANCE NO.1728 - 2012

AN ORDINANCE AMENDING CHAPTER 203, KNOWN AS THE LAND USE AND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF HAMILTON TO: INCORPORATE AMENDMENTS TO THE MUNICIPAL LAND USE LAW AND THE PINELANDS COMPREHENSIVE MANAGEMENT PLAN AND TO MAKE OTHER TECHNICAL AMENDMENTS.

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

SECTION 1. Chapter 203, Land Use and Development, of the Code of the Township of Hamilton is hereby amended as follows:

- A. Amend Article I, General Provisions, §203-4.B. Planning Board Membership by amending subsection (1) to read as follows:

(1) Class I: the Mayor, or the mayor's designee.

- B. Amend Article I, §203-6.D, Hearings, by amending subsection (1) to read as follows:

(1) The Planning Board and Zoning Board of Adjustment shall hold a hearing on each application for development or variance approval. The applicant shall obtain, complete and submit the appropriate application forms, § 203-135.B, and the appropriate checklist(s), § 203-135.C, for any development for which the applicant is seeking approval. The Planning Board shall hold a hearing on adoption or revision or amendment to the Master Plan.

- C. Amend Article I, §203-8.B , Master Plan components, by deleting existing subsection (13) and inserting the following as subsections (13) thru (16):

(13) A farmland preservation plan element, which shall include: an inventory of farm properties and a map illustrating significant areas of agricultural land; a statement showing that municipal ordinances support and promote agriculture as a business; and a plan for preserving as much farmland as possible in the short term by leveraging moneys made available by PL 199, c.152 (C. 13:8C-1 et al.) through a variety of mechanisms including, but not limited to, utilizing option agreements, installment purchases, and encouraging donations of permanent development easements;

(14) A development transfer plan element which sets forth the public purposes, the locations of sending and receiving zones and the technical details of a development transfer program based on the provisions of section 5 of PL 2004, c.2 (40:55D-141);

(15) An educational facilities plan element which incorporates the purposes and goals of the "long-range facilities plan" required to be submitted to the Commissioner of Education by a school district pursuant to section 4 of PL 2000, c.72 (C. 18A:7G-4); and

(16) A green buildings and environmental sustainability plan element, which shall provide for, encourage, and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of buildings on the local, regional and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on-site; and optimize climactic conditions through site orientation and design.

- D. Amend Article I, §203-9, Procedures for development in Pinelands Areas, by inserting the following as new subsection (A)(2) (s):

(s) Agricultural resource extraction provided that:

i. All of the removed soil remains in agricultural or horticultural use within the Pinelands Area;

ii. No more than 2,000 cubic yards of soil per calendar year are removed from any parcel; or

iii. No more than 20,000 cubic yards of soil per calendar year are removed from any parcel and a Farmland Conservation Plan, designed in accordance with the United States Department of Agriculture, Natural Resources Conservation Service New Jersey Field Office Technical Guide, section 4, dated May 2001, incorporated herein by reference, as amended and supplemented, is approved by the Soil Conservation District and submitted to the Pinelands Commission by

the owner of the parcel, demonstrating that the proposed resource extraction is for one of the following agricultural purposes:

(1) Agricultural irrigation ponds;

(2) Blueberry/cranberry agriculture site preparation and horticulture of other wetland species, provided the activity is located on wetland soils or soil types that are somewhat poorly drained or moderately well drained with a seasonal high water table within 24 inches of the natural surface of the ground, as defined in the Atlantic County Soil Survey, published by the USDA, Natural Resources Conservation Service, as amended or supplemented; or,

(3) The offsite removal of overlying soils to access underlying sand for cranberry management practices, provided the quantity of overlying soil removed offsite does not exceed the quantity of underlying sand to be used for the management practices listed in NJAC 7:50-6.55(a)4 and the quantity of overlying soil removed offsite does not exceed that reasonably necessary to provide access to underlying sand to be utilized within a three year period.

- E. Amend Article III, Definitions and Word Usage, §203-18, Definitions, by adding or amending the following definitions:

INHERENTLY BENEFICIAL USE – A use which is universally considered of value to the community because it fundamentally serves the public good and promotes the general welfare. Such a use includes, but is not limited to, a hospital, school, child care center, group home, or a wind, solar or photovoltaic energy facility or structure.

RESOURCE EXTRACTION, AGRICULTURAL – those resource extraction activities accessory to an existing agricultural or horticultural use which meet the standards contained in NJAC 7:50-6.55 or which do not require an application to the Pinelands Commission pursuant to NJAC 7:50-4.1(a)19.

WIND, SOLAR OR PHOTOVOLTAIC ENERGY FACILITY OR STURCTURE – a facility or structure for the purpose of supplying electrical energy produced from wind, solar, or photovoltaic technologies, whether such facility or structure is a principal use, part of the principal use or an accessory use or structure.

- F. Amend Article V, Forest Area Districts, §203-29.A., Area & bulk requirements to insert the following as Note f, applicable to the maximum height for accessory structures:

<sup>f</sup> Excluding barns and other related farm buildings which may be as high as 35 ft.

- G. Amend Article VII, Regional Growth Districts, §203-45, Area & bulk requirements, Table 7.1 to insert the following as Note 15:

15. Lot area, lot width, front yard, side yard, rear yard, lot coverage and impermeable coverage requirements set forth on Table 11.1 (Planned Adult Communities) shall apply to the following Planned Unit Residential Developments that were rendered nonconforming as a result of adoption of Ordinance No. 1417-2001:

- The Fairways at Mays Landing
- Stone Crest
- Victoria Crossing
- Victoria Pointe
- Hardings Run
- Hardings Run II
- Timber Glen/Evergreen
- Hamilton Green
- Oakcrest Estates
- Mays Landing Village
- Chancellor Place
- Tavistock

- H. Amend Article VII, Mizpah Village, Sections 203-27, Lot requirements, to read as follows:

B. Lot Requirements:<sup>c</sup>

- (1) Minimum total lot area: 1.0 acre
- (2) Minimum lot frontage: 150 feet
- (3) Maximum lot coverage: 4% ~~10%~~
- (4) Maximum impermeable surface: 10%

- I. Amend Article XII, Subdivision, Site Plan and Conditional Use Approval, §203-103. Filing of applications, by amending subsection B. to read as follows:
  - B. Applications for site plan review approval, subdivision approval, conditional use approval, planned development approval or any other development within the jurisdiction of the Planning Board shall be submitted for filing with the Planning Board administrative officer at least 21 days prior to a work meeting of the Planning Board. Pursuant to this chapter, the applicant shall obtain, complete and submit the appropriate application forms, § 203-135A, B., and the appropriate checklist(s), § 203-135-~~B.C.~~, for any development for which the applicant is seeking approval.
  
- J. Amend Article XII, §203-110.A., Development exempted from obtaining site plan review and approval, by inserting the following as new subsection (10):
  - (10) An application to collocate wireless communication equipment on or within an existing Personal Wireless Telecommunications Facility provided the application meets the following requirements:
    - (a) The Personal Wireless Telecommunications Facility shall have been previously granted all necessary approvals by the appropriate approving authority;
    - (b) The proposed collocation shall not increase:
      - i. the overall height of the wireless communication support structure or telecommunications tower by more than ten percent of the original approved height;
      - ii. the width of the wireless communications support structure or telecommunications tower; or
      - iii. the square footage of the existing equipment compound to an area greater than 2,500 square feet;
    - (c) The proposed collocation complies with the final approval of the Personal Wireless Telecommunications Facility and all conditions attached thereto and does not create a condition for which variance relief would be required pursuant to this Chapter or any other applicable law, rule or regulation.
  
- K. Amend Article XII, §203-115, Preliminary and final plat details for major subdivisions, by deleting existing subsection A.(48) and inserting the following:
  - (48) If the project is to be phased or a major addition is to be made to an existing development, a traffic control plan will be required and will include:
    - (a) A description of each phase will be provided, including traffic flow with ancillary signage for each phase including a description of how site traffic, construction traffic and through traffic will be safely accommodated;
    - (b) Time frames to complete each phase;
    - (c) A traffic control plan that will show safe vehicular and pedestrian circulation for each phase of the new development or to major modifications of existing developments. The traffic control plan will separate construction traffic from regular site traffic as much as possible and will address through traffic, if applicable;
    - (d) Requirement to provide a suitable sub-base capable of supporting emergency fire apparatus to the site prior to beginning construction on any phase;
    - (e) Requirement to keep all roadways necessary for emergency access open at all times. Storage of building materials and construction equipment should be shown on a site plan to assure that the roadways will be kept open;
    - (f) To assure the roadways provided are capable of providing acceptable access for emergency vehicles, a truck turning plan for the largest fire truck in the Township will be provided for each phase showing that the roadways provided will accommodate the emergency vehicles;
    - (g) A requirement to provide adequate and safe parking for each phase;
    - (h) A requirement to provide directional and traffic signing, including speed limit signage for each phase in accordance with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD);

- (i) A requirement to provide adequate and safe vehicular and pedestrian access in accordance with the latest standards in the Americans with Disabilities Act (ADA);
- (j) Traffic calming measures may be considered by the Board, if necessary;
- (k) Title 39 Enforcement of the Phasing Plans and the complete development may be requested by the Board.

L. Amend Article XII, §203-116, Details for preliminary and final site plan, by deleting existing subsection C.(46) and inserting the following:

- (46) If the project is to be phased or a major addition is to be made to an existing development, a traffic control plan will be required and will include:
  - (a) A description of each phase will be provided, including traffic flow with ancillary signage for each phase including a description of how site traffic, construction traffic and through traffic will be safely accommodated;
  - (b) Time frames to complete each phase;
  - (c) A traffic control plan that will show safe vehicular and pedestrian circulation for each phase of the new development or to major modifications of existing developments. The traffic control plan will separate construction traffic from regular site traffic as much as possible and will address through traffic, if applicable;
  - (d) Requirement to provide a suitable sub-base capable of supporting emergency fire apparatus to the site prior to beginning construction on any phase;
  - (e) Requirement to keep all roadways necessary for emergency access open at all times. Storage of building materials and construction equipment should be shown on a site plan to assure that the roadways will be kept open;
  - (f) To assure the roadways provided are capable of providing acceptable access for emergency vehicles, a truck turning plan for the largest fire truck in the Township will be provided for each phase showing that the roadways provided will accommodate the emergency vehicles;
  - (g) A requirement to provide adequate and safe parking for each phase;
  - (h) A requirement to provide directional and traffic signing, including speed limit signage for each phase in accordance with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD);
  - (i) A requirement to provide adequate and safe vehicular and pedestrian access in accordance with the latest standards in the Americans with Disabilities Act (ADA);
  - (j) Traffic calming measures may be considered by the Board, if necessary;
  - (k) Title 39 Enforcement of the Phasing Plans and the complete development may be requested by the Board.

M. Amend Article XII, §203-123.C, General Improvement requirements and specifications, to read as follows:

C. Installation of improvements. No final plat of a major subdivision or site plan, **or phase thereof**, shall be approved by the Planning Board until the satisfactory completion of all required improvements, as set forth in the Planning Board's resolution granting preliminary subdivision or site plan approval, shall have been certified to the Planning Board by the Municipal Engineer, unless the developer shall have filed with the township a performance guaranty sufficient in amount and of a suitable form to cover the cost of all such improvements or the uncompleted portion thereof, as approved by the Township Engineer, and guaranteeing the installation of any such uncompleted improvements on or before a date to be specified by the Planning Board. Such guaranty shall provide that all roadways shall have a base course installed no later than when certificates of occupancy have been issued for 10% of the proposed dwelling units and a final course no later than 90% of the units **in the development phase covered by the guaranty**. No minor subdivision shall be approved by the Planning Board until the developer shall have filed with the township a performance guaranty sufficient in amount

to cover the cost of all required on-tract and off-tract improvements and guaranteeing the installation of such uncompleted improvements on or before a date to be specified by the Planning Board .

N. Amend Article XII, §203-134., Performance and maintenance guaranties, by amending subsections A.(1) &(2) and inserting new subsection A.(3) as follows:

203-134. Performance and maintenance guaranties.

A. Posting; cost.

(1) Performance guaranties shall be required to be posted prior to the granting of final development approval, and maintenance guaranties shall be required to be posted prior to release of performance guaranties in connection with on-tract improvements as specified in this chapter. **In the event that the subject development is sold or otherwise conveyed by the developer or a developer other than the developer who posted the original performance guarantee acquires the project, the new developer shall replace the original performance guarantee with a performance guarantee for the value of the improvements not yet completed and provide replacement inspection fees as required by §203-133.C. Upon acceptance of the replacement performance guarantee and inspection fees, the Township shall release the original developer’s performance guarantee and all related inspection fees on deposit with the Township and said original developer shall have no further responsibility to the Township.**

(2) The cost of the installation of improvements for the purposes of this section shall be estimated by the Township Engineer based on documented construction costs for public improvements prevailing in the general area of the municipality. The developer may appeal the Township Engineer's estimate to the **county construction board of appeals established pursuant to NJSA 52:27D-127.**

**(3) Performance guaranties shall be in favor of Hamilton Township in an amount not to exceed 120 percent of the cost of installation of the improvements. Ten percent (10%) of the total guarantee shall be in cash deposited with the Township Clerk and the remaining 110 percent shall be an acceptable form provided for in Section B (below).**

SECTION 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.

SECTION 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.

SECTION 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

\_\_\_\_\_  
ROGER SILVA , MAYOR

ROLL CALL: CAIN "YES"  
DIX "YES"  
GATTO "YES"  
KESSELMAN ABSENT  
SILVA "YES"

ORDINANCE NO. 1728-2012 INTRODUCED AND PASSED FIRST READING ON SEPTEMBER 17, 2012.

ORDINANCE NO. 1728- 2012 ADOPTED ON OCTOBER 1, 2012.

ZONING BOARD OF ADJUSTMENT VARIANCE APPLICATION CHECKLIST

INFORMATION REQUIRED	APPLICATION TYPE						COMPLIANCE (C – Complete; NC – Not Complete; W – Waiver)
	Appeal 40:55D- 70.a	Interp 40:55D- 70.b	Hardship 40:55D- 70.c(1)	Planning 40:55D- 70.c(2)	Use 40:55D- 70.d	Street 40:55D- 34 or 35	
1. Completed Zoning Board Application Form	X	X	X	X	X	X	
2. Appropriate Application/Escrow Fees	X	X	X	X	X	X	
3. Proof that all taxes and MUA fees are up to date	X	X	X	X	X	X	
4. Tax Map showing the property location	X	X	X	X	X	X	
5. Plot plan based on a recent survey of the property showing the following information:							
a. Location & dimension of the property boundaries			X	X	X	X	
b. All adjacent streets, easements & rights of way			X	X	X	X	
c. The minimum building setback lines for the zoning district			X	X	X		
d. Location & dimensions of any and all existing buildings & structures on site			X	X	X		
e. Footprint of the proposed development			X	X	X	X	
f. Setback dimensions of the proposed development			X	X	X	X	
g. Location and dimensions of any existing or proposed on-site easements			X	X	X	X	
h. Environmental features impacting the site (wetlands, wetland buffers or other environmental restrictions)			X	X	X		
INFORMATION REQUIRED (CON'T)	APPLICATION TYPE						COMPLIANCE
	Appeal 40:55d- 70.a	Interp. 40:55D- 70.b	Hardship 40:55D- 70.c(1)	Planning 40:55D- 70.c(2)	Use 40:55D- 70.d	Street 40:55d- 34 or 35	
i. Existing and proposed limits of site clearing			X	X	X	X	
j. Site coverage calculations – existing and proposed building & impermeable coverage			X	X	X		
6. Additional information/documents							
a. Photographs showing existing conditions at the location of the proposed			X	X	X	X	

development							
b. Photos of adjacent uses as seen from the location of the proposed development			X	X	X	X	
c. Plans & elevations of the proposed structure(s) or building addition(s)			X	X	X		
d. For site/lot coverage variances, a stormwater impact report prepared by a Professional Engineer			X	X			
7. Narrative identifying any of the sections above from which a waiver is being requested and an explanation why the applicant is entitled to such waiver	X	X	X	X	X	X	

Introduction of Ordinance #1729-2012:

Mrs. Dix commented the reason for Ordinance #1729-2012 and #1730-2012 being because of the new manual the Committee adopted; her understanding that every prior Ordinance having to do with salaries and wages and responsibilities is being eliminated and merged into one new one; and that all prior permissions or regulations are now codified into these two new ordinances. Mr. Jacobs explained the Committee adopted a Township of Hamilton Policy Manual and a lot of new items were incorporated into it; a lot of them came out of Chapter 66 and were moved from an Ordinance to a Policy Manual because JIF requires the Policy Manual be reviewed every other year by the Labor Attorney but an Ordinance can sit for years and become stale and outdated. He explained that a long list of duties the Committee wanted the Administrator to do was in an Ordinance adopted a couple of years ago that was in Chapter 80; he suggested they be moved into Administrator's Ordinance since Chapter 80 is being eliminated; and they are being moved word for word into Ordinance #1729. Mr. Jacobs explained what was in each section of the Ordinance #1730; it will now be the only ordinance you have to go to for a personnel decision; and he will go into details of what is in it at the public hearing.

Ms. Gatto 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 #1729-2012 be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the October 3, 2012 issue of the Atlantic County Record for a public hearing to be held at 6:30 PM on October 15, 2012 in the municipal building, Mays Landing, New Jersey.

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

**TOWNSHIP OF HAMILTON  
ATLANTIC COUNTY, NJ.  
ORDINANCE #1729-2012**

**AN ORDINANCE OF THE TOWNSHIP OF HAMILTON TO AMEND THE TOWNSHIP CODE CHAPTER 60, ARTICLE VI, ADMINISTRATOR, SUB-SECTION 35 POWERS AND DUTIES, TO INCORPORATE THE ADDITIONAL DUTIES APPROVED IN ORDINANCE #1630-2008.**

BE IT ORDAINED BY THE Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey that the following salary and wage ranges are hereby established for municipal officials and employees of the Township of Hamilton who are not covered by a collective bargaining unit.

**SECTION 1.**

Amend ARTICLE VI, ADMINISTRATOR, Sub-section 35, by adding a new letter “W.” to the end of this sub-section:

W. Administrative and Personnel Actions:

The Township Administrator shall also have the authority to do the following:

1. Approve all Leaves of Absence authorized by adopted Twp Ordinances and contracts.
2. Accept all employee resignations.
3. Approve employee transfers.
4. Approve employee returns from authorized leaves.
5. Approve members to the volunteer Fire and EMS departments pending completion of all Township Committee approved procedures.
6. Approve blue light permits if designated as such by the Mayor.
7. Grant regular status to employees who have successfully completed introductory period or deny continuance of employment to employees who have not successfully completed introductory.
8. Expand clerical, non-union employee’s standard work (not to exceed 40 hours per week) based on work load and budget.

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

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

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

ATTEST:

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

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

\_\_\_\_\_  
ROGER SILVA, MAYOR

ROLL CALL: CAIN	“YES”	
DIX	“YES”	
GATTO	“YES”	
KESSELMAN		ABSENT
SILVA	“YES”	

ORDINANCE #1729-2012 INTRODUCED & PASSED FIRST READING ON OCTOBER 1, 2012.

October 1, 2012

Introduction of Ordinance #1730-2012:

Mr. Cain thanked Bruce Strigh and his Committee for the hard work they put into some portions of what was incorporated into the Ordinance.

Ms. Gatto 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 #1730-2012 be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the October 3, 2012 issue of the Atlantic County Record for a public hearing to be held at 6:30 PM on October 15, 2012 in the municipal building, Mays Landing, New Jersey.

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

TOWNSHIP OF HAMILTON  
ATLANTIC COUNTY, NJ.  
ORDINANCE #1730-2012

AN ORDINANCE OF THE TOWNSHIP OF HAMILTON TO AMEND AND COMBINE CHAPTER 80 SALARIES AND COMPENSATION, AND CHAPTER 66 PERSONNEL, AND TO DELETE CERTAIN SUB-SECTIONS WHICH ARE REDUNDANT AND/OR CONFLICTING WITH THE TOWNSHIPS EMPLOYEE HANDBOOK AS FOLLOWS:

BE IT ORDAINED BY THE Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey that the existing Chapter 66, PERSONNEL is hereby deleted in its entirety and replaced with the following new Chapter 66 PERSONNEL:

**SECTION 1.**

Delete Chapters 80 SALARIES AND COMPENSATION, and 66 PERSONNEL, in their entirety and replace them with a new Chapter 66 to read as follows:

**ARTICLE I**

**Personnel**

**66-1. Employee Handbook Required.**

An Employee handbook dated shall be adopted by Resolution and shall include among other policies the following specific policies:

1. Employee Hiring
2. Introductory (formally known as Probationary) and Permanent Employment Status
3. Anniversary Date and Service Time
4. Definitions
5. Leave (ie. Vacations, Holidays, Personal days, Sick leave, Funeral Leave, Other Excused Absences, and Leave of Absence, Injury Leave.
6. Hours of work and Payroll Records
7. Discipline and Discharge
8. Overtime
9. Compensatory Time
10. Grievances
11. Outside Employment
12. Maintenance of Records; access
13. Resignations
14. Termination and Seniority and Benefits
15. Training; College; Continuing Education
16. Personnel Files
17. Equal Opportunity
18. Affirmative Action

This Employee Handbook shall be reviewed by the Township Labor Attorney and the Joint Insurance Fund to assure it complies with Federal, State, and Local Laws, and meets the standards to receive a reduced insurance deductible and co-pay.

**66-2. Definitions**

**FULL-TIME EMPLOYEE**

Includes all township employees who are employed 12 months a year and receive an annual salary set by ordinance and have specific basic workweeks and required hours as set by the Township Committee or by contract approved by the Township Committee. Full-time employees shall not include employees who work less than 35 hours per week.

**MANAGEMENT**

Those employees who are responsible for the day-to-day operations and supervision of their respective departments, responsible for the budgets for those departments and are not otherwise covered within a group by a contract approved by the Township Committee.

**PART-TIME HOURLY EMPLOYEES**

Those employees working on an as-needed basis and paid by the hour. Hourly rates for part-time hourly employees shall be set by ordinance. Hourly employees shall not be paid for holidays nor shall they receive benefits, including but not limited to paid sick leave, vacation leave and health insurance benefits.

**PART-TIME SALARIED EMPLOYEES**

Those employees who receive an annual salary set by ordinance and work 12 months per year, but not full-time. An average number of hours to be worked by part-time salaried employees may be set by the Township Committee. Part-time salaried employees shall not receive benefits provided for full-time employees.

**ARTICLE II  
Salaries and Compensation**

**66-3. Purpose; effective date.**

This Article establishes the maximum salaries (listed in Attachment A “Salary and Staffing Chart”) for non-aligned officers and employees of the Township of Hamilton, County of Atlantic, State of New Jersey, in accordance with the provisions of this Article, as set forth below, to be effective October 1, 2012.

**66-4. Collective Bargaining Units**

The Township Administrator is hereby authorized to make payment of salaries, remuneration, allowances and expenses as may be provided for by any Collective Bargaining Agreement or Employment Agreement approved by the Township Committee. The Township Administrator shall also have the authority to make step promotions contained in the Collective Bargaining Agreements, including early step promotions (not to exceed one year early) if consistent with Collective Bargaining Agreement criteria. If anything contained in a Township Committee approved agreement conflicts with this ordinance, the approved agreement shall prevail until its expiration date when the affected employee shall become subject to this ordinance.

**66-5. Annual Increases for employees listed in Attachment “A - Section #1”:**

- A. The Township Administrator shall have the authority to award an annual percentage increase in salary up to the following percentages based on performance, attendance and customer–service:

- January 1, 2009 = 3.90%
- January 1, 2010 = 3.75%
- January 1, 2011 = 3.75% Repealed
- January 1, 2012 = 0%

**March 1, 2013 = \$1,375.00 flat increase to full time employees and 2% increase to non-full time employees, listed in Section #1 of Exhibit "A"**

- B. Salaries shall be paid every other week at a sum equal to the annual salary divided by the number of pay periods in the calendar year (normally 26 but occasionally 27) or per hour wages for hourly employees.

**66-6. Maximum Number of Employees.**

This Article establishes a complete list of all approved Job Titles and the maximum number (listed in Attachment A "Salary and Staffing Chart") of full and part-time employees approved to be employed in each job title, of the Township of Hamilton, County of Atlantic, State of New Jersey, in accordance with the provisions of this ARTICLE, as set forth below and in Attachment A, to be effective October 1, 2012.

**66-7. Maintenance of Employee Positions and Titles.**

- A. The Township Committee may back-fill vacated positions contained on Attachment "A" by resolution.
- B. The Township Committee must amend the ordinance when increasing the number of positions, increasing the maximum salary for any position, and/or adding a new Title to Attachment "A".
- C. The Salary and Staffing Chart approved by the Township Committee shall be maintained in the Human Resources Office and posted at all times. The initial posting shall be as provided in "Attachment A" attached to this ordinance. Each and every time a change is made to this Chart a new Chart shall be posted to reflect said change and signed by the Mayor and Township Clerk and immediately reposted. Once replaced, the old Chart shall be placed in a binder, and each and every time thereafter it is replaced, the replaced exhibit, shall be placed in the same binder thereby creating lasting history of personnel changes.

**66-8. Health Insurance Contribution**

The Township shall provide non-aligned employees with the same health, prescription, eye, and dental insurance as it does for Teamster Employees. All non-aligned employees shall be required to continue contributing to the costs of the Health Insurance Plan, as is mandated by law, including P.L. 2011, Chapter 78 and which shall replace and not be in addition to any other contribution. Such payments shall be withheld in equal installments throughout the year from an employee's paychecks. The Township shall maintain its Section 125 Plan so the contributions may be "pre-tax".

**66-9. Mileage Reimbursement**

The mileage reimbursement for business use of an employee's personally owned vehicle (POV) will be in accordance with the Internal Revenue Service Code Section 162 – Mileage Allowance Rate. Employees are mandated to use a Township pool vehicle unless one is not available as determined by the Department Head. Use of a POV for township business shall be kept to an absolute minimum.

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

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

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

ATTEST: \_\_\_\_\_ TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF HAMILTON,  
COUNTY OF ATLANTIC, NJ

\_\_\_\_\_  
JOAN ANDERSON, R.M.C.  
TOWNSHIP CLERK

\_\_\_\_\_  
ROGER SILVA, MAYOR

ROLL CALL: CAIN "YES"  
DIX "YES"  
GATTO "YES"  
KESSELMAN ABSENT  
SILVA "YES"

ORDINANCE #1730-2012 INTRODUCED & PASSED FIRST READING OCTOBER 1, 2012.

**EXHIBIT A**

**LISTING OF ALL NON-UNION POSITIONS  
MAXIMUM AND CURRENT SALARIES AND WAGES**

**EFFECTIVE DATE October 1, 2012**

**SECTION # 1**

<b>TITLE</b>	<b>SALARY MAXIMUM</b>
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**FULL-TIME DEPARTMENT HEADS**

Township Administrator	\$ 130,000
Chief of Police	\$ 130,000
Chief Financial Officer	\$ 120,000
Township Clerk	\$ 115,000
Director of Public Works	\$ 115,000
Director of Community Development	\$ 115,000
Municipal Court Judge	\$ 110,000

**FULL-TIME DEPUTIES AND DIVISION CHIEFS**

Police Captain	\$ 120,000
Municipal Court Administrator	\$ 90,000
Deputy Director of Public Works	\$ 90,000
Division Chief, Plumbing Sub-Code	\$ 75,000
Division Chief, Tax Assessor	\$ 90,000
Division Chief, Tax Collector	\$ 90,000
Division Chief, Fire, Sub-Code, Rent Housing Off.	\$ 65,000
Division Chief, Planning	\$ 80,000
Deputy Chief Financial Officer	\$ 75,000
Deputy Municipal Clerk	\$ 70,000
Division Chief, Roads and Drainage	\$ 70,000
Division Chief, Maint., Rec., & Grounds.	\$ 70,000

**FULL-TIME NON-UNION EMPLOYEES**

Communications and Records Supervisor	\$ 70,000
Director of Management Info. Systems (MIS)	\$ 80,000
MIS Specialist	\$ 70,000
Electric & Building Sub-code	\$ 70,000
Director of Human Resources	\$ 60,000
Tax Assessing Appraiser	\$ 60,000
Administrative Assistant (Location Const. Office)	\$ 45,000
Executive Assistant to the Township Admin.	\$ 55,000
Accounts Payable/Purchasing	\$ 55,000
Executive Assistant to the Chief of Police	\$ 50,000

**PART-TIME REGULAR ANNUAL AMOUNT**

Emergency Management Director	\$ 6,000
Public Defender	\$ 40,000

**PART-TIME REGULAR HOURLY RATE**

Fire/Code/Housing Inspector	\$ 25.00 per hr.
Fire/Code/Housing Inspector	\$ 25.00 per hr.
Fire/Code/Housing Inspector	\$ 25.00 per hr.
Fire/Code/Housing Inspector	\$ 25.00 per hr.
Fire/Code/Housing Inspector	\$ 25.00 per hr.
Clerk	\$ 15.00 per hr.



October 1, 2012

WHEREAS at a public auction held on September 26, 2012 an offer of Seven Thousand Two Hundred (\$7,200.00) Dollars was made by Anthony Chiappine, Jr., whose address is 15 N. Third Street, Hammonton, NJ 08037; and

WHEREAS no other bids were offered,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the offer Seven Thousand Two Hundred (\$7,200.00) Dollars made by Anthony Chiappine, Jr. for the following described parcel of land be and is hereby accepted and the sale of same to him is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>	<u>LOCATION</u>
226 / 5	9.07 +/- acres	Creek Road

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcel to Anthony Chiappine, Jr., 15 N. Third Street, Hammonton, NJ 08037, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 12, and September 19, 2012 issues of the Atlantic County Record copies of which were distributed to the public at the time of sale and all bidders acknowledged in writing that they had read and understood same.

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that authorization is hereby given to release American Southern Insurance Company bond #B988-08-01447, the maintenance bond for Quality Modular Homes LLC extension of Maryland Avenue stormwater management system contingent upon Quality Modular Homes LLC providing funding or otherwise guaranteeing a maintenance and inspection program for said stormwater management system for a minimum of 10 years in a form acceptable to the Township of Hamilton as recommended by Robert J. Smith III, Township Engineer, September 24, 2012.

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

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

WHEREAS Select Construction recently received administrative approval of changes to the approved plans for their Wexford Land Major Subdivision that reduced the required amount of landscaping and the required amount of fencing around the stormwater management basin; and,

WHEREAS reductions to Cape Bank (formerly Boardwalk Bank) letter of credit #2005-1 approved on December 19, 2005 and January 16, 2007 resulted in the performance guarantee balance being reduced to \$143,233.50; and

WHEREAS, on November 14, 2011 reduction of said letter of credit from \$143,233.50 to \$113,881.43 was authorized as recommended by the Township Engineer November 7, 2011,

October 1, 2012

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that authorization is hereby given for reduction of Cape Bank (formerly Boardwalk Bank) letter of credit #2005-01, the performance guarantee for Select Construction/Wexford Lane subdivision, from \$113,881.43 to \$105,637.43 as recommended by Robert J. Smith III, township Engineer, September 13, 2012.

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Limousine Licenses #1 and #2 be and are hereby approved for Park Avenue Limousine LLC d/b/a Society Limousine Company, for the following vehicles:

- 1) 2008 Lincoln Town Car Stretch limo, VIN #2L1FM88W08X639982, NJ tag #OL4664G.
- 2) 2004 GMC Yukon Denali, VIN 1GKFK66U84J260958, NJ Tag #OL9007F.

BE IT FURTHER RESOLVED that a Limousine Driver License is hereby approved for Thomas H. Cray, Jr. as a driver for Society Limousine Company.

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following raffle licenses are hereby approved for St. Vincent dePaul School:

- 1) #20-2012 Chinese auction to be held November 10, 2012.
- 2) #21-2012 Off Premise Raffle drawing to be held November 10, 2012.

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

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

RESOLUTION AUTHORIZING RENEWAL OF INACTIVE LIQUOR LICENSE WITH SPECIAL RULING OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL

WHEREAS, Finnerty's Inc., a corporation of the State of New Jersey, is the owner of Plenary Retail Consumption License #0112-33-013-002; and

WHEREAS, aforesaid PRC License #0112-33-013-002 has been inactive since July 21, 2009; and

WHEREAS, Finnerty's, Inc. filed the required application for renewal on May 8, 2012 and paid the renewal fees for the 2012-2013 license year which was accepted by the Township Committee of the Township of Hamilton on June 18, 2012 for filing only and with no action taken to approve or deny its renewal pending receipt of the required Alcoholic Beverage Control Special Ruling for renewal; and

WHEREAS, the Division of Alcoholic Beverage Control issued a Special Ruling pursuant to N.J.S.A. 33:1-12.39 on September 20, 2012 under Agency Docket No. 06-12-7640 which authorized the Township of Hamilton, at its discretion, to renew said PRC License #0112-33-013-002 for the 2012-2013 and 2013-2014 license years; and

October 1, 2012

WHEREAS, the required Alcoholic Beverage Retail Licensee Clearance Certificate for renewal purposes was issued May 8, 2012,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic that, pursuant to the terms and provisions of the aforesaid Division of Alcoholic Beverage Control Special Ruling Plenary Retail Consumption License #0112-33-013-002 is hereby approved and issued for the 2012-2013 license year to Finnerty's, Inc., for premises located at 7134 Black Horse Pike, Mays Landing, NJ 08330.

BE IT FURTHER RESOLVED that the license certificate shall be retained in the office of the Township Clerk until said license is transferred and/or reactivated at a location approved by the Township Committee of the Township of Hamilton.

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

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

TOWNSHIP OF HAMILTON  
ATLANTIC COUNTY, NJ

RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND  
EXECUTE A CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION  
FOR THE SAFE CORRIGOR PROJECT

BE IT RESOLVED that the Township Committee of the Township of Hamilton, Atlantic County, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to submit an electronic grant application identified as HSF-2012-Hamilton Township-00045 to the New Jersey Department of Transportation on behalf of the Township of Hamilton.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Hamilton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

Resolution of support for no parking on part of CR 559:

Mr. Cain asked if it was from 322 to past the bridge. Mrs. Dix expressed concern that people would park on the grassy areas between the curbing and woods line at the 322 intersection or on one of the other grassy areas on the south side of 322 and then walk across 6 lanes of highway to the park. Mr. Jacobs explained he was told there was a problem there and an emergency vehicle couldn't get through. Chief Tappeiner explained it is difficult to get one car through when cars are parked there during the summer; the County approached the police and asked if they would be alright with them making it no parking; there were a couple of near-drowning incidents there this summer; and the congestion with the parking makes it a bigger risk with two-way traffic going through there. The Chief said Mrs. Dix brought up a valid point but the issue on the roadway itself should be addressed first because it is a hazard. Mayor Silva said it is a matter of enforcement, whether people park there, on Gale Avenue or further up and the police will have to remove them. He commented on this being the first step in trying to address an issue and said the police can build on it as they move forward. Ms. Gatto suggested that the ESAB Board to look at it also. Mr. Cain commented on the police having enforcement ability on the north side the way the County Ordinance is written. The Mayor said the Township could appeal to the

October 1, 2012

County to have their Rangers do the enforcement at the Forge; there are measures the Township can take to cooperate with them; and hopefully it will work.

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

RESOLUTION OF SUPPORT FOR ATLANTIC COUNTY ORDINANCE  
NO. 14-2012 PROHIBITING PARKING ON A PART OF MAYS LANDING-  
DA COSTA ROAD (COUNTY ROUTE 559) IN THE TOWNSHIP OF HAMILTON.

WHEREAS, Mays Landing - DaCosta Road (County Route 559) in the Township of Hamilton is a County Road; and

WHEREAS, the Atlantic County Board of Freeholders passed Ordinance No. 14-2012 in response to an issue of public safety with respect to emergency response vehicles access to the Atlantic County Weymouth Furnace Park; and

WHEREAS, the Chief of the Hamilton Township Police Department has concurred in writing with the aforesaid Ordinance prohibiting parking on both sides of Mays Landing - DaCosta Road (County Route 559) at all times from the curb line of the Black Horse Pike (US Route 322) to a point 2,240 feet northeasterly therefrom,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton does hereby support the Atlantic County Ordinance No. 14-2012.

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

Authorization for Police auto auction:

Mrs. Dix explained why she asked for this to be taken separately. Mr. Jacobs explained the Ordinance requires a calculation; the police use \$3,500.00 per vehicle; it is one lot and if no one buys it, the tower gets the vehicle and the Township doesn't have to pay them for the storage. Chief Tappeiner explained the minimum bid is based on the aggregate number of vehicles there are times \$3,500.00 per vehicle which includes the towing and storage. Mrs. Dix said that she and Mr. Jacobs didn't know that when they talked about this.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Hamilton Township Police Department is hereby authorized to auction the following abandoned/unclaimed vehicles in accordance with NJSA 39:10-1 and other applicable statutes at 10:00 AM on Thursday, November 1, 2012.

**Lot 1 of 1: Minimum Bid: \$21,000.00**

**EDS Auto 965 Route 50 Mays Landing NJ 08330 (609) 625-1332**

1988	Ford	F150	Gray	1FTEF15YXJNB27626	Auction
1997	Triumph	Motorcycle	Yellow	SMT502FK0VJ047493	Auction
2004	Chevrolet	Impala	Tan	2G1WF52E649342054	Auction

**E&T Auto Body 6553 Harding Highway Mays Landing NJ 08330 (609) 625-0568**

2005	Honda	Motorcycle	Black	JH2PC370X5M201263	Auction
2001	Dodge	Caravan	Red	2B8GP44361R334641	Auction
1996	Jeep	Cherokee	White	1J4GZ58S2TC291041	Auction

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the minutes of the September 17, 2012 regular meeting be and are hereby approved and adopted as published.

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

Ms. Gatto moved, seconded by Mr. Cain, 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 total being \$2,136,945.61.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Rita Henry be and is hereby appointed a part-time Clerk in the Construction/Fire Prevention/Housing Code Office at \$13.00 per hour, not to exceed 24 hours per week, the effective date to be determined.

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

Recall of Public Works employee for Truck Driver/Laborer II vacancy:

Mr. Jacobs explained the person recalled wasn't the most senior employee but he was the most senior one qualified with the CDL license; the person who was most senior obtained the CDL in the past couple of days and would be eligible for recall should the Township have an open position between now and February. Mr. Jacobs said there is still one vacancy but he is going to suggest not hiring a Truck Driver/Laborer and hiring a person with concrete/masonry experience along with being a truck driver laborer for a dual position for when there are small concrete/masonry jobs to be done. He said it would be like was done with the electrician/maintenance position.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Donald Lysinger be and is hereby recalled to fill a Truck Driver/Laborer II vacancy effective October 15, 2012 at \$31,289.46 per year.

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

Mrs. Dix moved, seconded by Mr. Cain, 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 a part-time Fire Prevention Inspector.

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

October 1, 2012.

Reports:

Mr. Jacobs reported he approved use (Town Hall) by the Small Business Administration for a week and, because it has been so successful and busy, they want to extend it for another week. There were no objections to extending the use of facilities.

Mr. Sandman explained the Pine Creek letter of credit performance guarantee was reduced to about \$90,000.00; it doesn't technically expire until October 13<sup>th</sup>; he had to send the "call notice" 30 days before it expired; the bank asked where to wire transfer the money to and he directed them to hold the funds until the 13<sup>th</sup> to see if the developer posts some other form of performance bond. Mrs. Dix asked where that guarantee would go. Mr. Sandman explained that under the Ordinance the replacement security has to be delivered to Mrs. Anderson as the Clerk; she will send it to him for his review and acceptance; then it would come the Township Committee for a vote to accept it on the 15<sup>th</sup>. He said if he receives it on or before the 13<sup>th</sup> he will direct the bank to wait until the Committee has its meeting and then the Members will have to decide how they want to proceed. Mr. Sandman commented on developments with some homes in them that were approved years ago but still have incomplete improvements and amenities. He said he isn't prepared right now to address how the Township can logistically and legally compel somebody to do something in a specified period of time but it is something to consider.

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

Mayor Silva asked Mr. Jacobs when the deadline for people to call in for stuff from the June 30<sup>th</sup> storm in front of their home to be picked up and if he received many calls. Mr. Jacobs said it was the close of business last Friday and the list is quite long. The Mayor asked if there was any estimate of when the pick up would start and who would do it. Mr. Jacobs said he wasn't sure a decision had been reached on who would do it but he anticipates starting this week and hopes to complete it by the end of the month. He said there will still be the (hanging branches) and he isn't sure whether they will be done in house or by contractor.

Ms. Gatto reported Weymouth Fire Company is having their annual open house and fire prevention program tonight; many fire houses do fire prevention activities during October; and it is a good time to visit your local fire house, meet your local firemen and do some fire prevention activities with your family.

Ms. Gatto reported Emergency Management Coordinator Bob Mattle scheduled a Derecho storm debriefing; it has been advertised; it will be in Conference Room A.

Ms. Gatto congratulated the Merchants Association and the Historic Society on their Fall Festival and the Art in the Park events. She announced the Merchants' Association Wine Festival will be held October 20th and 21st.

Ms. Gatto reported the Rotary Club is in full swing for the Halloween Parade; they are \$1,000.00 short of what they need right now; and they are in discussion with some of their regular donors to close the gap but will take any donations.

Mrs. Dix reported the County Freeholders will meet in the old Court House on October 15<sup>th</sup>. Mayor Silva said it would be nice if they notified the Township; this is the County Seat and they should be meeting here; the Township offered them use of the Committee's meeting room for their meetings; and no Freeholder has attended a Township Committee meeting. Mrs. Dix said she got their meeting date list and marked the 4 times they are meeting in Hamilton Township on her calendar. She said they no longer send their agenda to the Clerk who put it in the Committee Members' Office for them to see.

October 1, 2012

Mrs. Dix said she agreed with Ms. Gatto about the Fall Festival; she spoke to a couple from Millville that came because of an article in Ed Hitzel's magazine about the American Café on Main Street; and she thinks the Township should do whatever it can to cooperate with (the Merchants' Association and Historical Society) to make their events a success. Mrs. Dix said everything was cleaned up by when she left at 5 o'clock.

Mrs. Dix reported attending the Eagle Scout Court of Honor yesterday; that she took the proclamation the Committee passed; and she wrote the letter the Scouts asked for. She explained the Scout's project was greasing all the valves in each of the 550 fire hydrants in Egg Harbor Township. Ms. Gatto said she just got a request from a resident for an Eagle Scout Project and asked that anyone with any ideas for a project in town to let her know.

Mayor Silva referred to Mrs. Dix's comment about supporting the events and said he didn't think they can find more or better support than they get from the Township Committee. He said they do a phenomenal job in cleaning up.

Mr. Cain reported Hamilton Commons sent the Engineer some plans and asked if there was a time line. Mr. Smith explained the developer asked him to take a quick look at the plans so they could proceed but they did not have a formal schedule. Mr. Cain asked Mr. Smith to let the developer know the Committee wants a schedule. Mr. Sandman said it would be appropriate for Mr. Smith to also let them know that the Township Committee authorized and directed him to provide an executive session at the next meeting to talk about ways to enforce relieving of the problem at Hamilton Commons which may include a lawsuit.

Mr. Cain reported Mr. Jacobs communicated with the owners of the Wheaton Mill property letting them know how the Committee feels; what they want to see happen there; and that the Committee is still willing to work with them in any way they can but the owner has to clean the site up. Mr. Jacobs said they asked for a meeting in the middle of the month and said that they are willing to work with the Township.

Mayor Silva said nothing has happened with the basin at Timber Glen; the water isn't going down and there hasn't been any significant amount of rain; and the discharge hose has been in there for weeks.

The Mayor commented on the amount of work being done at the Hamilton Mall basins and said it is significant. Ms. Gatto asked Mr. Smith if he had any interaction with the contractors for the Mall project. Mr. Smith said he didn't. Ms. Gatto asked Mr. Jacobs to contact them and ask them to put up a "coming soon" sign for the pad sites. The Mayor said they will call the Mall owner tomorrow.

There being no questions or comments from the public, Ms. Gatto moved, seconded by Mayor Silva, that the public comment portion be closed.

MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

There being no further matters to be acted on tonight, Mrs. Dix moved, seconded by Mr. Cain, that this meeting be and is hereby adjourned.

MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", NO "ABSTAIN", ONE MEMBER ABSENT.

ATTEST:

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