

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
APRIL 21, 2014

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 Aline Dix, Amy Gatto, Rodney Guishard and Judy Link. Also present were Rita Martino, Deputy Township Clerk, Robert Sandman, Township Solicitor, Robert Smith, Township Engineer and Phil Sartorio, Director of Community Development.

The meeting opened with the salute to the flag followed by the Deputy Township Clerk certifying compliance with the New Jersey Open Meetings Law by posting a notice on the bulletin board in the municipal building and by sending a copy of this notice, along with an agenda of this meeting to The Press of Atlantic City, Atlantic County Record, Record Journal and Current newspapers stating that this meeting would take place at 6:30 PM on April 21, 2014 at the Municipal Building, Mays Landing, NJ.

A moment of silence for private reflection was observed.

Addition/Deletion of Late Agenda Items

There were no items on the late list.

Early Public Comment

Peg Capone spoke on item 5A, the budget. Mrs. Capone asked if attorney's fees for the lawsuit filed by Aline Dix have been budgeted. The solicitor advised Township Committee not to answer. Mayor Silva asked that any comments on the budget be held until the public hearing on the budget. Mrs. Capone said that she thinks it is important to reflect on the members of Township Committee that have demonstrated true courage when the township was faced with a severe structural deficit, Roger Silva and Amy Gatto. Mrs. Capone noted that Mr. Jacobs was the business administrator who had just stepped in and worked with Committee to find cuts within the staffing to help close the gap and as a result during the last two years we have had a zero tax increase. Ms. Capone expressed concern that based on Mrs. Dix law suit we will see a tax increase associated. Mrs. Capone commented that every time she is driving through a street littered with pot holes because the Township spent its revenue on lawyers rather than paving the road we can thank Mrs. Dix for that. Mrs. Capone added that she was disappointed and that she thought Mrs. Dix should withdraw anything. Mrs. Capone said that she works on the School Board for no pay or health care and they all have to work together whether the members like each other or not. Mrs. Capone said that she thinks it is an embarrassment that the people that are working to help this Township, Roger and Amy, have been attacked from the outside and are now being attacked from within and that she is very sorry for them experiencing that.

Bruce Strigh commented on item 9A, Business Registrations, asking what the procedure was for approving business registrations and if there were any physical on-site inspections by zoning. Mr. Sartorio said they look to see if the proposed use is permitted in the zone and that the application starts in the Clerk's office and then obtains approvals from zoning, construction and fire prevention. Mr. Strigh commented that due diligence did not always take place in the past. Miss Gatto asked if zoning checked for violations on renewals and was told no, only compliance with fire prevention was checked on renewals. Mr. Strigh commented that a physical inspection would show if signs are in compliance and trash disposal. Mr. Sartorio said that a Business Registration is a paper check with no site inspection.

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2014 Municipal Budget

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

RESOLUTION TO READ 2014 BUDGET BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building, the local public library, and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, in the County of Atlantic, State of New Jersey, that the budget shall be read by title only.

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

Public Hearing on the 2014 Budget

Bruce Strigh asked how a lawsuit that was filed after the budget process would be addressed. The Township Solicitor said that it would be handled like any other unanticipated expense, there are mechanisms in the law for emergencies and there is potential coverage.

Peg Capone stated that the four members of Committee should back up the individuals that are named. Mrs. Capone said that when something is wrong you should stand behind what is right and be unified no matter what party you are in. Mrs. Capone asked the Committee members to please support the employees and the Township Committee members. Mrs. Capone said this is a time when it is not political; it is a time when you have to stand behind the people who are right. Mrs. Capone added that if you were going to cut from any department the largest expenditure is the Police Department. Mrs. Capone said that she had felt the wrath of that department and had gone to court over a parking ticket and won and people have complained about being harassed about the curfew. Mrs. Capone said that she knew each of them was aware of waste and that crime has decreased since the 90's. Mrs. Capone said that people like to scare you and when cuts were made they swore crime was going to go through the roof but it didn't happen. Mrs. Capone said that Committee held firm and put the taxpayer ahead of special interests in the past so please support your employees and your fellow committee people.

Hearing nothing further from the public, on the motion of Miss Gatto, second of Mr. Guishard, the Public Hearing on the 2014 Budget was closed.

Miss Gatto moved, seconded by Mr. Guishard, that the following resolution be and is hereby adopted.

RESOLUTION AUTHORIZING LOCAL EXAMINATION  
OF THE MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Hamilton has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year,

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Hamilton that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth,
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

ROLL CALL: DIX- Yes  
GATTO- Yes  
GUISHARD- Yes  
LINK- Yes  
SILVA- Yes

Miss Gatto explained that this is due to a pension allocation reduction and that it had been previously discussed what to do with the reduction if it was received. Mayor Silva said that Mrs. Dix had been concerned that there wasn't enough money for road repairs and that a large portion was put into that. Mrs. Dix said that she had previously expressed concern that the increase in tax certificate sales may create a need for the legal fees and title search fees associated with the sales to be increased. Mrs. Dix asked if we don't have enough money to do the tax foreclosures that meant that we can't foreclose. Mrs. Dix said this is anticipated because we already had the tax sale and we know to expect an increase. Mrs. Dix explained that we have to front the fees out of the budget and wait to get the money back. Mr. Sandman said that while there will be an increase in attorney's fees it will not be proportionate to the number and title search fees will be \$200.00 times the amount of last year's budget to this years.

Miss Gatto moved, seconded by Mr. Guishard that the following Resolution be adopted:

**RESOLUTION TO AMEND BUDGET**

WHEREAS, the local municipal budget for the year 2014 was approved on the 17th day of March, 2014, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Hamilton County of Atlantic, that the following amendments to the approved budget of 2014 be made:

**Recorded Vote**

Aye

Dix  
Gatto  
Guishard  
Link  
Silva

Nay

None

Abstained

None

Absent

None

	<u>From</u>	<u>To</u>
<b>GENERAL REVENUES</b>		
1. Surplus Anticipated	3,000,000.00	2,915,369.00
2. Surplus Anticipated with Prior Written Consent of Director of Local Government Services		
Total Surplus Anticipated	3,000,000.00	2,915,369.00
<b>Summary of Revenues</b>		
1. Surplus Anticipated (Sheet 4, #1)	3,000,000.00	2,915,369.00
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	8,208,533.70	8,123,902.00
7. Total General Revenues	25,704,255.41	25,619,622.00
<b>CURRENT FUND - APPROPRIATIONS</b>		
8. General Appropriations		
(E) Deferred Charges and Statutory Expenditures - Municipal within "CAPS"		
(2) Statutory Expenditures:		
Contribution to:		
Public Employees' Retirement System	424,709.00	381,415.00
Police and Firemen's Retirement System of N.J.	1,026,044.00	959,707.00
Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	2,172,253.00	2,062,622.00
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	20,921,528.00	20,811,890.00
8. General Appropriations		
(C) Capital Improvements - Excluded from "CAPS"		
Capital Improvement Fund	70,000.00	95,000.00
Total Capital Improvements Excluded from "CAPS"	350,000.00	375,000.00
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	3,267,804.70	3,292,804.00
(O) Total General Appropriations - Excluded from "CAPS"	3,267,804.70	3,292,804.00
(L) Subtotal General Appropriations {Items (H-1) and (O)}	24,189,332.70	24,104,700.00
9. Total General Appropriations	25,704,255.41	25,619,622.00
<b>Summary of Appropriations</b>		
(A) Operations: (a+b) Within "CAPS" - Including Contingent	20,921,528.00	20,811,890.00
(C) Capital Improvements	350,000.00	375,000.00

Total General Appropriations

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A: 4-9, be published in the Atlantic County Record in the issue of April 23, 2014, and that said publication shall contain notice of Public hearing on said amendment to be held at the Municipal Building, 6101 Thirteenth Street on May 5, 2014.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Township Committee on the 21st day of April, 2014.

Certified by:

\_\_\_\_\_  
Municipal Clerk

Discussion:

Recommendation to designate Hot Dog Cart Vending Contract at the Cove a Veterans Set-aside Contract

Mr. Guishard pointed out that the request for this item said that the Township would obtain quotes from vendors to pay the Township for this vending opportunity. Mr. Guishard said that we don't expect to be paid for this and what we are looking for is obtaining the service. Mr. Guishard asked that we look for service and not payment.

The requirement to produce proof of all insurances including workman's comp was discussed. Mrs. Dix said there is no reason to require workman's comp from a veteran that has no employees. Mrs. Dix said that we need to have a meeting with the JIF to find out what we have to do as far as Workman's Comp insurance for this item and for the professional contracts. Miss Gatto suggested this decision would need to be explored in more detail at a later time, as to both the insurance requirements and the payment. Mr. Guishard suggested the insurance requirement by waived. Miss Gatto stated that she would not be comfortable making that decision without reviewing the recommendation Mr. Sandman gave on the issue last year. Miss Gatto asked that Mr. Sandman send this information again. Mrs. Link said that the insurance requirement was a recommendation from JIF not a law and the decision is up to the Committee. Mrs. Link said maybe this should be set aside until we have more information. Mr. Guishard stated that this is an entirely different category from the professionals that signed a contract that required they provide the insurance. Mayor Silva asked if this could be set aside for the next meeting. Mr. Sartorio said that the important thing at this time is to designate the Hot Dog Cart Vending Contract as a Veteran's Set Aside Contract.

Miss Gatto moved, seconded by Mr. Guishard that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to designate the Hot Dog Cart Vending Contract at the Cove a Veterans Set-Aside Contract.

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

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Public Hearing/Adoption of Ordinances  
Ordinance # 1766-2014

Hearing nothing from the public, Miss Gatto moved, seconded by Mrs. Dix that the public hearing be closed.

MOTION CARRIED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”

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

WHEREAS, Ordinance #1766-2014 was introduced and passed first reading on April 7, 2014 and was duly advertised in the April 9, 2014 edition of the Atlantic County Record for a public hearing to be held in the Municipal Building at 6:30 PM on April 21, 2014; 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 #1766-2014 be and is hereby adopted.

**TOWNSHIP OF HAMILTON  
ATLANTIC COUNTY, NEW JERSEY**

**ORDINANCE 1766-2014**

**BOND ORDINANCE APPROPRIATING ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000) AND AUTHORIZING THE ISSUANCE OF ONE MILLION EIGHT HUNDRED FIVE THOUSAND DOLLARS (\$1,805,000) IN BONDS OR NOTES OF THE TOWNSHIP OF HAMILTON FOR CAPITAL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY**

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

**Section 1.** The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be made or acquired by the Township of Hamilton, in the County of Atlantic, New Jersey (the “Township”). For the said improvements or purposes stated in Section 3, there are hereby appropriated the sums of money therein stated as the apportionment made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000), including the aggregate sum of NINETY-FIVE THOUSAND DOLLARS (\$95,000) as the down payment for said improvements or purposes as required pursuant to N.J.S.A. 40A:2-11 and more particularly described in Section 3 and now available by virtue of

April 21, 2014

provision in a previously adopted budget or budgets of the Township for down payment for capital improvement purposes, and including also monies received or expected to be received from the United States of America, the State of New Jersey or the County of Atlantic, or agencies thereof, as grants in aid of financing said improvements or purposes.

**Section 2.** For the financing of said improvements or purposes and to meet the part of said ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000) in appropriations not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of ONE MILLION EIGHT HUNDRED FIVE THOUSAND DOLLARS (\$1,805,000) pursuant to the Local Bond Law of New Jersey (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding ONE MILLION EIGHT HUNDRED FIVE THOUSAND DOLLARS (\$1,805,000) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
(a) Construction of various Public Works Projects, including improvements to Lake Lenape Dam, drainage and related roadways, recreation improvements and improvements to municipal complexes, including the costs of surveying, construction planning, architectural, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$991,500	\$941,925
(b) Purchase of various public safety and communications equipment.	\$653,000	\$620,825
(c) Purchase of Public Works equipment.	\$60,000	\$57,000

(d) Purchase of Various Management Information Technology Systems and Equipment.	<u>\$195,000</u>	<u>\$185,250</u>
<b>TOTALS</b>	<u>\$1,900,000</u>	<u>\$1,805,000</u>

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

**Section 4.** In anticipation of the issuance of said bonds and to temporarily finance said improvements, negotiable notes of the Township in a principal amount equal to the said principal of bonds not exceeding ONE MILLION EIGHT HUNDRED FIVE THOUSAND DOLLARS (\$1,805,000) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as he may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Committee of the Township at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in

accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law.

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

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

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

(b) The average period of usefulness of said purposes within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is **10.691 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk and an executed copy has been electronically signed and filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by ONE MILLION EIGHT HUNDRED FIVE THOUSAND DOLLARS (\$1,805,000), and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding THREE HUNDRED EIGHTY THOUSAND DOLLARS (\$380,000) in the aggregate for interest on said obligations, costs of issuing said obligations, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the Township in connection with the construction or acquisition of the improvements and properties as authorized herein, and other items of expense listed in and permitted under Section

40A:2-20 of the Local Bond Law have been included as part of the costs of said improvements and are included in the foregoing estimate thereof.

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

**Section 7.** Any action taken by any officials of the Township in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

**Section 8.** Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 9.** The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

**Section 10.** The Township reasonably expects to reimburse any expenditure towards the costs of the improvements or purposes described in Section 3 of this Bond Ordinance and paid prior to the issuance of any bonds or notes authorized by this Bond Ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "control group" as the Township, within the meaning of Treasury Regulations

Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

**Section 11.** This bond ordinance shall take effect twenty (20) days after the first publication of a summary thereof after final adoption, as provided by the Local Bond Law.

ATTEST:

TOWNSHIP OF HAMILTON,  
ATLANTIC COUNTY and  
STATE OF NEW JERSEY.

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

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

ROLL CALL: DIX - Yes  
GATTTO- Yes  
GUISHARD- Yes  
LINK- Yes  
SILVA- Yes

Ordinance # 1767-2014

Mrs. Dix stated that this ordinance should have each of the ordinance numbers listed individually with the amount to be taken from each listed extracted out to come down to the \$355,000.00 that we are trying to re appropriate. Mrs. Dix also questioned the use of monies from Ordinance 1403-2001 which is for landfill closure expenses. Mrs. Dix objected to the \$34,084.32 being stripped from this ordinance, stating the monies will be needed for expenses concerning the landfill. The CFO, Cynthia Lindsay came forward and offered Mrs. Dix a copy of the Capital Status Report listing all of the Ordinances and their remaining balances. Ms. Lindsay stated that there are two landfill closure ordinances one is 1403-01, which is the one Mrs. Dix specified she did not want canceled and there is another one for \$50,000.00 in Ordinance 1433-02. Mrs. Lindsay explained that nothing is being canceled it is being re appropriated into a public works project, that can be used for any type of public works project, inclusive of the landfill closure. Mrs. Dix asked Phil Sartorio if he thought \$50,000.00 was adequate for the landfill expenses, Miss Gatto stated that even if it was not there was still the \$34,000.00 that could be used for the landfill under a Public Works Project. Ms. Lindsay confirmed this.

Hearing nothing from the public, Miss Gatto moved, seconded by Mr. Guishard that the public hearing be closed.

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

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

WHEREAS, Ordinance #1767-2014 was introduced and passed first reading on April 7, 2014 and was duly advertised in the April 9, 2014 edition of the Atlantic County Record for a public hearing to be held in the Municipal Building at 6:30 PM on April 21, 2014; 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 #1767-2014 be and is hereby adopted.

**TOWNSHIP OF HAMILTON  
ATLANTIC COUNTY, NEW JERSEY**

**ORDINANCE NO. 1767-2014**

**ORDINANCE OF THE TOWNSHIP OF HAMILTON,  
COUNTY OF ATLANTIC, NEW JERSEY,  
APPROPRIATING CERTAIN UNEXPENDED PROCEEDS  
OF THE SALE OF PREVIOUSLY ISSUED BONDS AND  
NOTES TO FINANCE THE COST OF ADDITIONAL  
CAPITAL IMPROVEMENTS AND TAKING RELATED  
ACTIONS**

WHEREAS, the Township of Hamilton, County of Atlantic, New Jersey (“**Township**”) has, pursuant to the Local Bond Law, Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (“**Local Bond Law**”), and the following Ordinances: Ordinance No. 1340-99, finally adopted on July 6, 1999, Ordinance No. 1344-99, finally adopted on August 16, 1999, Ordinance No. 1350-99, finally adopted on October 4, 1999, Ordinance No. 1351-99, finally adopted on October 4, 1999, Ordinance No. 1369-00, finally adopted on May 15, 2000, Ordinance No. 1403-01, finally adopted on July 16, 2011, Ordinance No. 1531-05, finally adopted on June 20, 2005, Ordinance No. 1553-06, finally adopted on February 6, 2006, Ordinance No. 1565-06, finally adopted on June 5, 2006, Ordinance No. 1607-07, finally adopted on September 17, 2007, Ordinance No. 1601-07, finally adopted on August 6, 2007, Ordinance No. 1625-08, finally adopted on May 19, 2008, and Ordinance No. 1649-09, finally adopted June 1, 2009 (collectively all of the aforesaid Ordinances are hereinafter referred to as the “**Ordinances**”), all duly published as required by law, authorized, issued and sold general obligation bonds in the years 2001 and 2009, respectively (collectively, the “**Obligations**”) to finance the costs of various municipal projects and improvements as are more fully described in the Ordinances (collectively, the “**Prior Projects**”); and

WHEREAS, payment of all of the costs of the Prior Projects under the Ordinances has been made or provided for and **\$355,253.22** of the proceeds of the sale of the Obligations for the Prior Projects are not necessary for such purposes and remain unexpended (“**Unexpended Proceeds**”); and

WHEREAS, Section 40A:2-39 of the Local Bond Law provides that, if, in the opinion of the Township Committee of the Township (“**Committee**”), it is in the best interest of the Township, the Unexpended Proceeds may be appropriated to and used to finance the cost of any other purpose or purposes for which bonds may be issued; and

WHEREAS, the Committee has determined that it is in the best interest of the Township to appropriate the Unexpended Proceeds towards the costs of various public works projects, including improvements to the Lake Lenape Dam and related drainage and roadway improvements for the Township (collectively, the “**Additional Capital Projects**”).

NOW, THEREFORE, THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), does hereby ordain as follows:

**Section 1. Capital Character of Additional Improvements; Authorization.**

The Additional Capital Projects shall include improvements to Lake Lenape Dam, and related drainage and roadway improvements. It is hereby determined that the Additional Capital Projects constitute purposes for which bonds may be issued pursuant to the Local Bond Law, having a period of usefulness in excess of five (5) years, as required by Section 40A:2-21 of the Local Bond Law.

**Section 2. Appropriation of Unexpended Proceeds.**

It is hereby determined that, in the opinion of the Committee, it is in the best interest of the Township to appropriate the Unexpended Proceeds in the amount of \$355,253.22 under the Ordinances to finance the costs associated with the Additional Capital Projects and accordingly, said sum is hereby appropriated.

**Section 3. Capital Budget Amendment.**

The capital budget is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital improvement program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

**Section 4. No Additional Indebtedness Authorized.**

This Ordinance does not authorize any additional indebtedness, but merely appropriates proceeds of the Obligations in excess of the amount required to complete the improvements for the financing of which such Obligations were originally issued.

**Section 5. Repeal of Inconsistent Legislation.**

All ordinances and resolutions or parts thereof to the extent inconsistent herewith are hereby repealed or rescinded.

**Section 6. Effective Date.**

This Ordinance shall take effect immediately upon final adoption and publication as required by law.

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

ATTEST:

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

ROGER SILVA, MAYOR

ROLL CALL: DIX- Yes  
GATTTO- Yes  
GUISHARD- Yes  
LINK- Yes  
SILVA- Yes

Introduction of Ordinances

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance # 1768-2014 be and is introduced and passed on first reading and the Township Clerk is authorized to advertise same in the April 23, 2014 edition of the Atlantic County Record for a public hearing to be held at the Municipal Building at 6:30 PM on Monday, May 5, 2014.

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

TOWNSHIP OF HAMILTON  
ORDINANCE NO. 1768—2014

AUTHORIZING THE ACCEPTANCE BY THE TOWNSHIP OF HAMILTON OF THE UNCONDITIONAL GRANT OF LOT 3.01 IN BLOCK 1127 AS SHOWN ON THE TAX MAP FOR THE TOWNSHIP OF HAMILTON (FORMERLY PORTIONS OF FORMER LOTS 2 AND 3 IN BLOCK 1127) FROM THE COUNTY OF ATLANTIC AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

**WHEREAS**, the Township of Hamilton by Resolution dated June 12, 2012 entered into an Agreement of Sale with the County of Atlantic to acquire portions of former Lots 2 and 3 in Block 1127 on the Tax Map for Hamilton Township for the sum of \$1.00; and

**WHEREAS**, said former Lots 2 and 3 in Block 1127 were subdivided pursuant to an approval obtained from the Township of Hamilton Planning Board as memorialized in Planning Board Resolution 2013-008 dated December 5, 2013; and

**WHEREAS**, the newly formed Lot 3.01 in Block 1127 as referenced in Planning Board Resolution 2013-008 are the lands to be acquired from the County of Atlantic; and

**WHEREAS**, N.J.S.A. 40A:12-5 permits municipalities to acquire real property by purchase, gift, devise, lease, exchange, condemnation, or installment purchases.

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

**SECTION 1. ACCEPTANCE OF UNCONDITIONAL GRANT.**

The Mayor and other Township Officials are hereby Authorized to acquire title of Lot 3.01 in Block 1127 as shown on the Tax Map for the Township of Hamilton (formerly portions of former Lots 2 and 3 in Block 1127) in the Township of Hamilton, County of Atlantic and State of New Jersey, from the County of Atlantic by formalized by Quit Claim Deed.

**SECTION 2. RESTRICTIONS OF RECORD.**

The acquisition of Lot 3.01 in Block 1127 is subject to all deed restrictions or other lawful restrictions of record.

**SECTION 3. 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 enforceable by a court of

competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance. Except that this Ordinance shall not survive any determination by a court of competent jurisdiction that would result in this Ordinance authorizing the acquisition of title set forth in Section 1 hereto on a conditional basis or for good and valuable consideration.

(b) Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION 4. EFFECTIVE DATE.**

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

ROLL CALL: DIX- Yes  
GATTTO- Yes  
GUISHARD- Yes  
LINK- Yes  
SILVA - Yes

Consent Agenda

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

**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 Program Grant funds in connection with municipal acquisition 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 improvements at various park locations, including Underhill Park, Hickory Road Park, and Knights Avenue Park; and,

**WHEREAS**, the Township of Hamilton desires to amend the Financial Assistance Agreement by modifying the schedule of project costs attached to the Agreement to more accurately reflect the costs to complete the approved project, and to include improvements to a ball field at Underhill Park within the list of approved activities; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE Township Committee THAT:**

1. The Township 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
2. The Township 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
3. The Township is authorized to submit a request to modify the Financial Assistance Agreement to revise the schedule of costs attached to the Agreement; and
4. Mayor Roger Silva is hereby authorized to execute any required documents, agreements, and amendments thereto with the County of Atlantic for the approved County Open Space Trust Funds; and
5. This Resolution shall take effect immediately.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to authorize participation with the South Jersey Power Cooperative in the bid for Natural Gas and acknowledging the lead agency will be Camden County #E-88-02-SJPC

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

Miss Gatto moved, seconded by Miss Dix that the following resolution be adopted:

TOWNSHIP OF HAMILTON  
RESOLUTION  
SUPPORTING THE 2014 CLICK IT OR TICKET SEAT BELT MOBILIZATION

**Whereas**, the most effective device for preventing deaths and injuries in motor vehicle crashes remains the seat belt. In May 2001 the State of New Jersey enacted a Primary Seat Belt Law for front seat occupants. As the result of the law, seat belt usage in the State has steadily risen. The most recent statewide survey, undertaken in June 2013, determined the seat belt usage rate in New Jersey to be 91%.

**Whereas**, an enforcement mobilization is planned to combat occupants of motor vehicles not wearing their seat belts; and

**Whereas**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the nationwide 2014 Click It or Ticket seat belt mobilization; and

**Whereas**, the project will involve increased driving enforcement from May 19, 2014 through June 1, 2014; and

**Whereas**, when used consistently, seat belts save lives and reduce serious injuries;

**Now, Therefore, Be It Resolved**, that the Township Committee of the Township of Hamilton declares its support for the 2014 Click It or Ticket Seat Belt Mobilization from May 19, 2014 through June 1, 2014 and pledges to assist with increased awareness of this campaign and the goal of statewide seat belt usage in motor vehicles

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

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

BE IT RESOLVED, that the Township Committee of the Township of Hamilton has no objection to the ABC issuing a social affair permit to the Mays Landing Merchants Assn., for the Waterfront Wine & Food Festival, Sept 27 and 28, 2014 12 PM- 5PM, wine to be dispensed.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to authorize the Township Engineer to apply for the NJDEP 5G3 Construction Activity Stormwater General Permit for the Liepe Tract Basin Remediation

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to amend the 2014 Road Program Street List as recommended by the Township Engineer and Public Works Director as Follows:

Maple Avenue- move to next program to provide additional funds for patching

Farragut Avenue- not a Township Road

Berry Drive- move to next program to provide additional funds for patching

Branch Drive- move to next program to provide additional funds for patching

McGeary Place- move to next program to provide additional funds for patching

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

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

### **RESOLUTION**

**A RESOLUTION OF THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC AUTHORIZATION FOR THE TOWNSHIP COMMITTEE TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2014 OF DEPARTMENT OF HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING AND FOR THE TOWNSHIP CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET AND CERTIFY THE AVAILABILITY OF FUNDS.**

**WHEREAS**, the Township of Hamilton, Office of Emergency Management has been awarded State Homeland Security Grant Program Award from the New Jersey State Police Office of Emergency Management. The Sub grant, consisting of a total amount of \$10,000.00, including \$5,000.00 Federal Award and \$5,000.00 Local Matching Funds, is for the purpose of enhancing the Township’s ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

**WHEREAS**, the sub grant award incorporates all conditions and representations contained or made in application and notice of award; and

**WHEREAS**, the Township of Hamilton Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Sub grant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

**WHEREAS**, the Application for Sub grant Award calls for a match in the amount of \$5,000.00 which the Township of Hamilton Office of Emergency Management adequately satisfies through the 2013 Township of Hamilton approved budget for Division salaries and wages and fringe benefits.

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**NOW, THEREFORE, BE IT RESOLVED** that the Township of Hamilton Committee here with accepts the award of the FFY14 Homeland Security Emergency Management Performance Grant Program Sub grant in the amount of \$5,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

**BE IT FURTHER RESOLVED** that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$5,000.00, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of \$5,000.00 from the aforementioned grant; and

**BE IT FURTHER RESOLVED** that the like sum of \$5,000.00 is hereby appropriated under the caption FFY13 Homeland Security Emergency Management Performance Grant; and

**BE IT FURTHER RESOLVED** that the Township of Hamilton Administrator, the Township Chief Fiscal Officer and the Township Director of Emergency Management are authorized to sign the appropriate sub grant award documents; and

**BE IT FURTHER RESOLVED** that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management.

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

Miss Gatto moved, seconded by Mayor Silva that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton that the minutes of the April 7, 2014 regular meeting are hereby approved as published.

RESOLUTION ADOPTED WITH FOUR MEMBERS VOTING "AYE", NO "NAY", ONE "ABSTAIN". Mrs. Dix abstained from voting.

Miss Gatto 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 be paid, the bill list total being \$ 742,743.37

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

Miss Gatto moved, seconded by Mr. Guishard that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to appoint Samantha Arrasmith Part-Time Records Clerk at the rate of \$13.85 per hour, contingent upon successful completion of a background investigation, start date to be determined by the Chief of Police.

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

Reports

Administrator – no report

Solicitor- no report

Engineer

Mr. Smith stated that he is proposing to advertise the 2014 Road Program and Liepe Track Drainage Basin Remediation Project this week. Mr. Smith reported that a meeting has been scheduled for tomorrow with representatives of Tavistock to discuss the transition report, outstanding punch list and the bonding. Mr. Smith stated that he would report back to Committee on the meeting.

Mr. Silva noted that Public Works is working at the hockey courts to make repairs to large cracks that have developed on the surface and that the hockey courts are closed at this point. Mr. Smith was asked to look into this and report back.

Township Committee-

Mrs. Link commented that the Township Committee working together has always been in the forethought of her mind and we will do whatever is right for the Township at all times so there shouldn't be any concern about that.

Mrs. Dix asked Bob Smith when the 10 day notice would be sent regarding the tear downs that were bid on October 7. Mr. Smith said he would call the contractor tomorrow morning to find out. Phil Sartorio added that he had issued the demo permit.

Regarding the new parking lot across the street from the municipal building Mrs. Dix stated that three ordinances would be needed, an ordinance vacating the alley, an ordinance to create a mid-block crosswalk and an ordinance prohibiting parking on 13<sup>th</sup> St. Mrs. Dix stated that we own lot 5 across the street and asked if it would be prudent to add this land into this now rather than just have a piece of woods as a corner of our parking lot.

Bob Smith responded that the alley vacation was a condition of the Zoning Board approval and must take place. Mr. Smith said it was prudent to wait to vacate until we had title to the property because that way both halves go to the Township. Mr. Smith said we can proceed now that we have title and it will not hold up construction. Mr. Smith stated that he has already sent an email to Mr. Jacobs to discuss the alley vacation and the crosswalk. Mr. Smith said there is no point introducing a no parking ordinance until the parking lot is complete. Mrs. Dix stated that there shouldn't be a 100% 24/7 ban on parking on 13<sup>th</sup> St. Mr. Smith stated that he thought it was in the best interest of the safety of the public to adopt the ordinance prohibiting parking.

Mr. Smith said if we were to incorporate lot 5 it would require a redesign of the parking lot and a resubmission to Pinelands. Mr. Smith said another thought to consider is that lot 5 was planned to be used as an additional buffer in response to concerns of the Zoning Board to keep the parking lot a little further away from the residences. Mr. Smith added that we are providing an additional 80 spaces and he wasn't sure we needed more spaces than that. Mrs. Dix said it is regrettable that we didn't maximize the number of spaces and that she wishes it had been included all along.

Mrs. Dix expressed concern about the Liepe Tract Basin and asked what the impact would be on the surrounding farmlands. Mr. Smith said that it would hopefully have a positive impact because when the basin overflows now it has a negative impact. Mr. Smith said that following remediation he was hopeful it would properly drain and have a positive impact. Mrs. Dix asked if there was any investigation into Rural Development for any work they did on the farm fields 50-60 years ago. Mr. Smith responded that there

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was a tile drain system installed on the adjacent farm and partially on the Township's property. Mr. Smith stated that we have been given direction by the Cape Atlantic Conservation District that we are not to use that tile drain system for drainage of the basin and we were required to write a letter indicating that we would not use it for the de-watering of the site or for pumping out the basin.

Mrs. Dix noted that she is attempting to schedule meetings for both the Smart Growth and Quality of Life Committees.

Mrs. Dix stated that the Township Clerk's office had been under too much stress since August when they lost a staff member and we haven't made sure that a substitute was brought in. Mrs. Dix commented that there has been an extraordinary amount of work due to special elections and Mrs. Anderson has not had the time to get the minutes done. Mrs. Dix said that the Clerk's style of minutes with all the detail was necessary and suggested a transcriber be hired to come in to the Clerk's office and transcribe the minutes like a court stenographer. Miss Gatto said that she is not in agreement with that request. Mrs. Dix said that the August 5 minutes aren't done and the October 7 minutes aren't done and while she doesn't fault Mrs. Anderson or her staff we are in noncompliance with our obligation to have minutes promptly available. Mrs. Dix added that we need to help our office. Mayor Silva said it would be looked into.

Mr. Guishard asked that an update be provided on the American Legion. Mr. Guishard stated that the televised Township Committee meetings being shown are from December and January which is unacceptable. Mr. Guishard said that he will be calling the school to try and get it resolved. Miss Gatto explained that there is money in the capital budget for new equipment for the school which should alleviate the problem. Mr. Sartorio was asked to let Committee know when the new equipment will be available. Mr. Guishard reminded everyone about the Community Cleanup scheduled for this Saturday.

Mayor Silva announced that the Atlantic City Race Track will be opened April 24, 25, 26, 27, 29 and 30.

Miss Gatto thanked the American Legion for their note regarding the Veterans Set Aside Ordinance.

#### Public Comment

Peg Capone requested that the list of employee's salaries and benefits that used to be listed on the township website be updated and listed again. Mrs. Capone also asked that it be put on the front page of the web site.

Marge Wilson of Meadowbrook Condo Association spoke regarding an issue they have been having regarding dryer venting since the adoption of the rental ordinance. Ms. Wilson stated that the Fire Inspector has been failing rental units because under the adopted code dryers are required to be vented outside or a vent less dryer is required. Mrs. Wilson stated that running a vent that distance creates a fire hazard. Mr. Sartorio said this is the state code but it was possible to make a request to the appeals court. Mrs. Wilson said each person would have to appeal to the court and explained this is causing a financial hardship because the landlord has to run a 220 line or charge less rent because a washer dryer is not included in the unit.

Mrs. Dix said she would like the International Housing Code and the State Code looked at to see if this part can be removed and not apply to the Township of Hamilton Ordinance. Miss Gatto asked if the township could make an appeal to the court on the behalf of all the applicants. Mr. Sartorio will look in to this. Mr. Guishard said we should have some discretion in this.

Mr. Anthony Battistelli stated that he owns five units in Meadowbrook and that he cannot rent units without a washer and dryer. Mr. Battistelli said that he has new appliances that he cannot use and this requirement is a huge expense. Mr. Battistelli said that no other

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township requires this and the units are inspected by the state every five years and there has never been a problem leading him to believe it is not a state law. Mr. Battistelli said that there is really no safe way to run a vent.

Mr. Guishard suggested to the Mayor to form a subcommittee to develop ways to help the situation. Mr. Battistelli asked why that can't be "grandfathered" in. Mrs. Dix said this comes under Judy and me under Smart Growth and we will put it on the list at the meeting we are planning. The Mayor stated that he didn't have any problem with that.

Ms. Jill Hornberger, a landlord stated that she does not believe this code applies to electric dryers under state code only gas dryers. Ms. Hornberger stated that no one is permitted a gas dryer at Meadowbrook. Mayor Silva asked if Mr. Sartorio can look into this with other municipalities. Mrs. Dix said that the Smart Growth Committee will meet as soon as a meeting can be set up.

Ms. Deborah Kalai Kienzle asked why the meetings can't be put on TV on time. Ms. Kalai Kienzle said this has been going on since 2008 and the school board seems to get their meetings on TV on time. Ms. Kalai Kienzle mentioned that the animosity between the committee members is not nice to see. Mayor Silva replied that it is honest debate.

Mr. Bruce Strigh speaking as a member of the Zoning Board gave background information on the process for the approval of the parking lot stressing the time, care and consideration that went into the review of the project. Mr. Strigh pointed out that the proper notices were sent. Mr. Strigh said that the no parking condition was for safety purposes and that during the public hearings there were no objections from the neighbors or anyone else including Mrs. Dix, who was present at the meetings. Mr. Strigh stated that the time to offer suggestions was at the public hearing and not coming at this late hour after it is all signed, sealed and delivered. Regarding the stenographer and neighborhood blight those things take money and the time to put those into the budget is not after the public hearing but during the budget process.

Ms. Allison Hay asked if the street hockey courts could possibly still be under warranty because the cracks started within weeks. Mrs. Dix responded that there was a one year warranty and we are beyond that. Mr. Guishard and Mayor Silva stated that it could be looked into. Mayor Silva said the intent is to open it up to everyone as soon as possible.

Hearing nothing further from the public, Miss Gatto moved, seconded by Mr. Guishard to close the public portion.

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

On the motion of Miss Gatto, seconded by Mayor Silva and carried the meeting was adjourned at 8:22 PM.

Respectfully submitted,

Rita Martino, RMC  
Deputy Township Clerk

