

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
MAY 5, 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 and Rodney Guishard. Mrs. Link was absent. Also present were Michael S. Jacobs, Township Administrator, Joan I. Anderson, Township Clerk, Robert S. Sandman, Township Solicitor, and Robert J. Smith III, Township Engineer.

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice on the bulletin board in the municipal building and by e-mailing a copy of the notice along with the agenda for this meeting to the Press of Atlantic City, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place at 6:30PM on Monday, May 5, 2014 in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed.

Mayor Silva read the following proclamation, a signed copy of which was accepted by Brett Noll, Public Works Director, Sue Giberson and Chris Tilley on behalf of the Public Works Department.

Proclamation for National Public Works Week:

WHEREAS, public works infrastructure, facilities and services are of vital importance to sustainable communities and to the health, safety and well-being of the residents of the Township of Hamilton; and

WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, managers and employees from the state and local government and the private sector, who are responsible for and who plan, design, build, operate, and maintain our roadways, public buildings and structures and facilities which are essential to serve our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the United States of America to gain knowledge of and to maintain an interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, this year's theme "**Building for Today, Planning for Tomorrow**" is a tribute to all Public Works employees who create the foundation of a stronger, more livable community; and

Whereas, the year 2014 marks the **54th Annual National Public Works Week** sponsored by the American Public Works Association,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton does hereby designate the week of

May 18 - 24, 2014
National Public Works Week

in the Township of Hamilton which is designed to pay tribute to our public works professionals, managers and employees and to recognize the substantial contributions they have made to our national health, safety, welfare and quality of life.

Landfill Remedial Investigation Report:

Mr. Sartorio introduced Jeff Dey from Land Resource Solutions, LLC (LRS). Mr. Dey gave a power point presentation on the report; hard copies of the slides are available for review in the Township Clerk's Office; the full presentation was recorded and video-taped and can be viewed on the Township website. Mr. Dey said the DEP pointed to the landfill as the source of contamination of some wells in the area in 1990; LRS concluded its investigation of the soils and waste in 2009; LRS submitted a more comprehensive ground water evaluation; it is

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clear to LRS that the contamination is not coming from the landfill; DEP approval of it took about a year-and-a-half; LRS got their grant approvals in 2007 and 2008; initiated the first phase of the project in 2009; went to the next phase in 2011, 2012 and 2013; the report will be filed tomorrow. Mrs. Dix explained the potable water supply to the homes in question were connected to city water in 1995, 1996 and 1997 but whether or not the wells should be used for irrigation is different. Mr. Dey explained the wells have to be sampled if they are still there and said that the compounds they found don't correlate with the present landfill contamination. He explained LRS thinks solar energy is a great solution for use of the landfill; they are excited about taking title to the property and moving forward. Mr. Dye commented difficulty finding funding for the closure but there may be some additional State funding available now with some of the changes LRS made coupled with a minimized cost in design. Mr. Dey explained this submission is just the Remedial Investigation Data; the next one will be a combination of the Remedial Action Work Plan and the Landfill Closure Plan; LRS will prepare and submit it and they have been in communication with Pinelands on this. The Mayor asked for a realistic time line for it. Mr. Dey said he thinks LRS can submit the application this year; they would start working on it right away and hopefully can put it together in 90 days; there would be more discussions with DEP and Pinelands; they would be looking for financing for the 25% matching funds for the grant associated with the redevelopment work. Mr. Dey said he hoped to get through the submittals this year; to be in a position to get permits and approvals in place by this time next year; and to initiate physical landfill closure. Mr. Guishard asked if coordination between DEP and the Pinelands was required. Mr. Dey explained there is overlap and coordination; Pinelands waits for the DEP to approve it; and Pinelands has the ultimate say. He explained the key is for LRS to work with Pinelands; keep them up to speed on it, so that they know what is included, what the data is and what the risks are; so they are ready to go if and when DEP issues their approvals and permits; and has the ultimate say. Mr. Guishard referred to Mr. Dey mentioning the presence of methane and asked if there was any possibility of its use. Mr. Dey said they would look at it again but most landfills of this type are "legacy landfills" and there is very little unless there is still waste coming in.

Ms. 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 Land Resource Solutions is hereby authorized to submit the Landfill Remedial Investigation Report and required supporting forms and documents to the New Jersey Department of Environmental Protection.

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

Mrs. Dix asked Mr. Dey if a subcommittee meeting with the Smart Growth people, Mr. Sandman and Industrial Commission people was needed because the landfill is in the Industrial Park. Mayor Silva said Mr. Jacobs would set one up if it's needed. Mr. Sandman said the landfill outside boundaries touch three separate lots that are potentially marketable and suggested the presentation made by Mr. Dey be taken to the Commission sometime soon. He asked for and was given permission to take the hard copy of the power point presentation slides to the Industrial Commission.

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

Ms. 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 the following item be added to the agenda for consideration and action to be taken thereon tonight:

6.B Liepe Tract Recreation Complex Football Field Irrigation Complex Irrigation System bids (Bid #2014-03).

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

Early public comment on agenda items not listed for public hearing:

Peggy Capone asked what the tax rate increase will be. Mr. Jacobs said it would be 3 cents. Mrs. Capone said she would like to see all the employees' names, job title, salaries and health care cost listed on the website.

Michael Collezo said that as a business owner and resident he had concerns about the hotdog cart at the Cove; he doesn't think waiving workers comp for vendors is a good idea; he thinks it would expose the Township; and it is important to protect the Township for what lies ahead.

Public Hearing on 2014 Municipal Budget Amendment:

Ms. Gatto explained the amendment was needed to reallocate funds from a pension refund. Mr. Jacobs explained the pension reduction was a little over \$100,000.00; \$25,000.00 of it was reallocated to Capital to fund the Dam and the rest went into surplus for next year's budget.

The Clerk read the amendments. The following is a summary of the amendment:

	From	To
Capital Improvement Fund:	\$70,000.00	\$95,000.00
Contributions to PERS & PFRS	\$1,450,753.00	\$1,341,122.00
Anticipated Surplus	\$3,000,000.00	\$2,915,369.00
Total General Revenues	\$25,704,255.41	\$25,619,624.41
Total General Appropriations	\$25,704,255.41	\$25,619,624.41

Jim Kerrigan asked what caused the pension refund. Mr. Jacobs explained it was a recalculation by the State.

Rich DeFeo asked if the cost of the lawsuits the taxpayers are paying for was included in the budget. Mayor Silva explained that the Committee couldn't talk about it yet everything will be considered in due time. Ms. Gatto said it will be handled like any other unexpected expenditure. Mr. DeFeo commented on people talking about being worried about taxes going up and then doing something like this, taking advantage of the Township and the people are paying for it.

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

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

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

WHEREAS, the 2014 municipal budget was introduced and approved on March 27, 2014 and duly advertised for a public hearing thereon to be held on April 21, 2014; and

WHEREAS, the public hearing on the budget was held as advertised and closed on April 21, 2014; and

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WHEREAS an amendment to the budget was introduced and approved on April 21, 2014 and duly advertised for a public hearing thereon to be held on May 5, 2014; and

WHAEREAS the public hearing on the amendment has been held as advertised and closed,

NO, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the 2014 Municipal Budget be and is hereby adopted as amended.

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

Hot Dog Cart at the Cove bid:

Mr. Jacobs explained the Committee authorized making this a Veterans' Set-aside contract; it will be posted on the website for proposals from Veterans who qualify as a Veterans' Enterprise to provide an offer of how much they would pay the Township to operate there; and the question is whether or not Workers' Comp insurance will be required. Mr. Jacobs said he recommends it be required; the Joint Insurance Fund (JIF) doesn't require it but recommends it be required; the Risk Management Consultant recommends it be required; and the Township now requires it from all its professionals. Mr. Guishard suggested the Committee should evaluate the services the vendor will provide rather than the amount of money they will pay the Township because the estimated profit on the venture is very low; the cost of the insurance could exceed any possible return; and he thinks the risk is low enough that he would vote to waive the insurance requirement if it is a single owner vendor as it was previously. Mr. Jacobs explained the law requires it to be put out as a bid; the Township may not be offered any money and somebody may offer to charge the Township. Mr. Guishard asked if there were two qualified bidders and one offered \$10.00 and the other offered nothing, would it have to be given to the one that bid \$10.00. Mr. Jacobs said it would if they met the minimum requirements. Mrs. Dix said it is for 50 days at most; a veteran is allowed to have a hotdog cart in New Jersey; it isn't something the general public can take away from a veteran; advertising is costly; going out to bid will open it up to a lot of other people; the veteran is a sole proprietor; no one else can work there; that was clear in the hold harmless document; having the cart there is a convenience for those who use the Cove; she thinks it should be continued without the workers' comp; and she doesn't think it should be a Veterans' Set-aside because it isn't being taken away from the general population. Mr. Jacobs said it will be put on the Township website at no cost because it is below the bid threshold; the Township can't do away with indemnification; if someone goes to the hospital and says they were injured while working, it isn't just them that may come back, their insurance provider will try to collect from the Township's workers' comp; and with insurance, there is no connection between the value of the contract and the potential liability. Mr. Guishard asked if it had to be advertised. Ms. Gatto reminded Mr. Guishard that the Committee acknowledged at last meeting that they would use this as a test of the set-aside process because it is a net zero contract and it is a veteran. Mayor Silva said the Township spends \$19,000.00 to \$20,000.00 a year to have the Risk Management consultant look over all the insurance requirements and give the Committee direction to protect the Township and to do good risk Management. He introduced Dennis Brown the Township's Risk Management Consultant, and asked him if there are any exemptions whatsoever regarding veterans. Mrs. Dix asked if the hotdog cart operators in Atlantic City are required to have workers' comp insurance. Mr. Brown said it was a requirement of Atlantic City. Mrs. Dix commented on it being for 365 days a year in Atlantic City and only 50 days at the COVE. Mayor Silva said they could move it to other locations. Ms. Gatto asked if any carts are on publicly owned property in Atlantic City. Mr. Brown said "yes" and explained workers' compensation insurance takes preference over every other form of insurance; and the

insurance carrier paying the medical bills sees it should have been workman's comp claim and goes back to get their money. Mr. Brown estimated the premium cost would be between \$2,000.00 and \$2,500.00 and is an annual policy. Mrs. Dix said it would require \$50 profit a day just to pay the premium. Mr. Guishard said he understood that the smaller vendor contracts with a larger one in Atlantic City so they aren't paying the premium directly. Mayor Silva said one incident could cost more than the premium and you will be paying for it yourself. Mr. Brown explained that if someone gets injured and they think it is an employer-employee relationship, the business owner is responsible to pay the wages and medical bills for whatever time is necessary and is also subject to fines if they don't have workers' comp insurance. He said a sole proprietor is eligible to buy workers' comp for themselves; the State allows them to waive off on it if they want to but they are required to have it if they have an employee; the Township would take the risk because if that person protests to the New Jersey Compensation, Rating and Inspections Bureau, wins and the Bureau rules that he or she is an employee, the Township is subject to payment of their lost wages, medical bills and fines. He said that is a huge chance from the insurance aspect and that if the Committee is going to make an exception for a veteran he recommends that they make the exception all the way around. He explained that waiving the requirement for workers' comp is up to the entity; the vendors can get it; the Joint Insurance Funds are now monitoring whether or not they have it because they see the exposure; and they are looking at the certificates of insurance for everybody as they come in. Mr. Brown recommended as the insurance Risk Management Consultant that the Committee not make an exception because he thinks they are exposed. Mr. Sandman explained the amount of days and money the person can make has no bearing on the possible consequence of the loss; the size of the loss could be very, very large; and he has seen workers' comp claims last a lifetime. He said the RMC and the Joint Insurance Fund are telling the Committee not to waive the insurance and he would be a fool not to agree with them. Mr. Jacobs said he would rather give away the \$2,500.00 than risk the liability; that once the bids come in the Committee could decide it is worth it to them to pay the vendor the \$2,500.00 and still require the insurance. Mayor Silva said he liked that option. Ms. Gatto said she would move to put out it to bid with the workers compensation required as recommended by the Risk Management Consultant. Mr. Guishard said the recommendations were exactly what he expected from a Risk Manager and Lawyer but he thinks the probabilities are low enough that he would waive the requirement. Mayor Silva asked if Mr. Guishard wanted to make that motion now or wait until the next meeting. Mr. Guishard said he would do it now. Mrs. Dix said she would rather wait. The Mayor said Mr. Jacobs should put it out and see what happens. Mrs. Dix said that she, Mr. Guishard and Mr. Jacobs can start coming up with a Plan B.

Rejection of Liepe Irrigation System Bid #2014-03:

Mr. Smith explained it will be the same specifications with a clarification that a licensed plumber would be required to install the back-flow preventer. Mrs. Dix asked if the Township had a licensed plumber on staff. Mr. Jacobs explained they do but it wouldn't apply to this because they have to be listed as a sub-contractor.

Ms. 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 bids for the Liepe Tract Recreation Complex Football Field Irrigation System be and are hereby rejected in accordance with N.J.S.A. 11-13.2(d) to revise the specifications for the goods and services; and

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BE IT FURTHER RESOLVED that the bid specifications be revised to include the use of a Licensed Plumber for installation of the back-flow preventer as recommended by the Township Code Official and Township Engineer and that the project be rebid.

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

Public Hearing/Adoption - Ordinance #1768-2014:

Mr. Sandman explained the property is next to the Hess School. Jim Kerrigan asked how many acres it was. Mayor Silva said it is 29 acres.

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

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

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

WHEREAS, Ordinance #1768-2014 was introduced and passed first reading on April 21, 2014 and was duly advertised in the April 24, 2014 issue of the Atlantic County Record for a public hearing thereon to be held on May 5, 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 #1768-2014 be and is hereby

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

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.

ATTEST:

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

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

ROGER SILVA, MAYOR

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

ORDINANCE NO. 1768-2014 INTRODUCED & PASSED FIRST READING APRIL 21, 2014.
ORDINANCE NO. 1768-2014 ADOPTED MAY 5, 2014.

Introduction of Ordinance #1679-2014:

Mr. Jacobs explained the Ordinance was requested by the Homeowners' Association and recommended by The Police Department.

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Ms. Gatto moved, seconded by Mr. Gu8ishard, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1679-2014 be and is hereby passed on first reading and the Township Clerk is authorized to advertise same in the May 7, 2014 issue of the Atlantic County Record for a public hearing to be held thereon at 6:30 PM on May 19, 2014, in the municipal building, Mays Landing, New Jersey.

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

**TOWNSHIP OF HAMILTON
ORDINANCE # 1769-2014**

**AN ORDINANCE AMENDING CHAPTER 301, ARTICLE I OF THE TOWNSHIP CODE
TO CREATE A NO PARKING ZONE ON PORTIONS OF TRYENS DRIVE IN THE
TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY
WITHIN THE DEVELOPMENT KNOWN AS VICTORIA CROSSING.**

WHEREAS, the Township Committee of the Township of Hamilton deems it to be in the best interest of public safety to establish a NO PARKING ZONE on portions of Tryens Drive within the development known as Victoria Crossings in order to ensure and improve both motorist and pedestrian safety and facilitate emergency responses; and

WHEREAS, The Hamilton Township Police Department Traffic Safety Unit has reviewed the area and made certain recommendations,

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic and Sate of New Jersey that Chapter 301 of the Code of the Township of Hamilton shall be amended to read as follows as recommended by the Township of Hamilton Police Department:

SECTION 1. The Code of the Township of Hamilton, Chapter 301, Article 1, shall be and is hereby amended to include the following;

(26) No parking shall be permitted on the two interior curved areas of Tryens Drive from the apex of the curve for 60 feet in either direction. There shall also be no parking allowed on either side of Tryens Drive for 25 feet from each intersection with Victoria Drive.

SECTION II. The Township Clerk shall immediately after passage and publication of this Ordinance, make and file in the Office of the County Clerk for the County of Atlantic, a copy of this Ordinance, together with proof of publication hereof, duly certified by her, under the corporate seal of the Township of Hamilton, for record, as required by law.

SECTION III SEVERABILITY If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, erroneous and/or incorrect, such decision shall not affect or invalidate the validity of the remaining portions of this ordinance.

SECTION IV. REPEALER. All ordinances and parts of the Township of Hamilton 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 V . PENALTIES AND VIOLATIONS Any individual, partnership or corporation violating any provision of this Ordinance, upon conviction thereof before the proper officer having jurisdiction, shall be subject to a fine not to exceed fifty (\$50.00) dollars or imprisonment for a term not exceeding fifteen (15) days or both, in the discretion of the Court hearing the same.

SECTION VI. WHEN EFFECTIVE This Ordinance shall take effect immediately upon its final passage and publication as provided by law.

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

ATTEST:

JOAN I. ANDERSON, RMC
TOWNSHIP CLERK

ROGER SILVA, MAYOR

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

ORDINANCE #1769-2014 INTRODUCED & PASSED FIRST READING ON MAY 5, 2014.

Award of Contract for Public Works Building Interior Alterations:

Mrs. Dix referred ti a 2012 certification of funds and said she didn't believe the certificate of availability of funds for this contract is in proper order because it lists two bond ordinances as the source of funds but has no dollar amount to be charged to each one and that she wanted the breakout. Mr. Jacobs said it is the form required by the law; that the Committee could decide they want more specific information but they need to keep in mind that contract amounts are changed with change orders. Cindy Lindsay, CFO, said that Mr. Tuthill did break out the funds in his 2012 certificate but N.J.A.C. just requires it to have the Ordinance and appropriation; she believes it is correct according to the law; the auditors review them; and it is in accordance with the N.J.A.C.

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

WHEREAS, the Design Collaborative Architects & Planners, P.A. has advised following were the three (3) lowest of seven (7) sealed bids received for the Hamilton Township Pubic Works Building Interior Alterations project on April 30, 2014 (Bid #2014-05):

JH Williams Enterprises, Inc. Base Bid: \$229,400.00
Alternate 1A: 17,000.00
Alternate 1B: 11,000.00
Alternate 2: 13,000.00

MJJ Construction Base Bid: \$230,600.00
Alternate 1A: 5,000.00
Alternate 1B: 6,500.00
Alternate 2: 7.000.00

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Joseph Porretta Base Bid: \$239,625.00
Alternate 1A: 2,500.00
Alternate 1B: 2,500.00
Alternate 2: 5,000.00

and

May 5, 2014

WHEREAS, Design Collaborative Architects & Planners, P.A., the Architects for this project, has determined the base bid of J.H. Williams to be the lowest responsible bidder,

NOW, THEREFORE, BE IIT RESOLVED by the Township Committee of the Township of Hamilton that the bid of JH Williams Enterprises, Inc., Moorestown, NJ be and is hereby accepted and the contract for the Hamilton Township Public Works Building Interior Alterations project is awarded to them in the amount of Two Hundred Twenty-nine Thousand Four Hundred Dollars (\$229,400.00) for the base bid as recommended in writing by Design Collaborative Architects & Planners, P.A., architects for the project, on April 30, 2014; and

BE IT FURTHER RESOLVED that funding shall come from Capital Bond Ordinance #1607-2007 and #1672-2010 as certified by the CFO.

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

Consent Agenda items B, F, G, H and I were acted on separately at the request of Mrs. Dix.

There were no Business Registration License applications to be approved.

Ms. 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 amendment extending the expiration date of the \$92,828.00 Susquehanna Bank Letter of Credit #10010340536 from February 23, 2014 to May 23, 2014 be and is hereby accepted, said letter of credit being a maintenance guarantee for Jack Trocki Development Company, LLC Cologne Gardens project.

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

Ms. Gatto moved, seconded BY Mayor Silva, that the following resolution be adopted.

Be it resolved that the Township Committee of the Township of Hamilton has no objection to the Division of Alcoholic Beverage Control approving and/or issuing a special permit to Cousin Mario's Sons LLC for a catering permit for the Waterfront Wine & Beer Festival at Lake Lenape Park on September 27 and 28, 2014 with wine only to be dispensed.

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

Ms. 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 Change Order #1-Final to the Electrical Modifications for Relocation of the Hamilton Township Dispatch Center Contract, a net increase \$6,673.50, be and is hereby approved as recommended by Robert J. Smith III, Township Engineer on April 29, 2104.

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

Resolution opposing S-1801 & A-2621:

Mrs. Dix commented on this being discussed by the Committee prior to her coming on Township Committee and said it is an example of trying to make government smaller and she was surprised that it came up because there has been no conversation about at the Committee level at all. Mayor Silva said others may oppose the County taking over the

assessments in municipalities for many reasons; the Monmouth Plan and others are out there; the resolution opposed those two bills; and he believes there are some inherent difficulties with going to a County System. Mr. Guishard said the resolution clearly points that out; it has good reasons why it isn't to the municipality's advantage; and it hasn't been demonstrated that it is to the advantage of the Township to move to a County Assessment System. Mrs. Dix said the resolution objected to the idea but the Committee hasn't evaluated the different proposals; they don't know what Atlantic County might be considering doing; they don't know if every county would go the same direction or if there would be choices of plans; and the details haven't been presented. Mr. Guishard said the resolution is in disagreement with Senate Bill S-1801 and Assembly Bill A-2621; those bills are and have been available to look at; the Committee has them and he has seen them. Ms. Gatto said she agreed 100% that this is the kind of thing that should be local hands.

Ms. Gatto moved, seconded by Mayor Silva, that the following resolution be adopted.

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY

RESOLUTION OPPOSING SENATE BILL S-1801 AND ASSEMBLY BILL A-2621
AUTHORIZING COUNTY GOVERNMENT TO CREATE COUNTY TAX ASSESSMENT
WHILE ABOLISHING TAX ASSESSMENT AT THE LOCAL MUNICIPAL LEVEL

WHEREAS, Senate Bill S-1801 and Assembly Bill A-2621, if signed into law, would abolish the office of the Municipal Tax Assessor and shift all tax assessment responsibilities to the County; and

WHEREAS, the cost of this shift of responsibilities has not been presented to the Township Committee of the Township of Hamilton proving it to be cost effective and a way to provide overall property tax relief to the taxpayers of the Township of Hamilton; and

WHEREAS, the Municipal Tax Assessor is currently charged with establishing the assessed values of all real property within the corporate boundaries; and

WHEREAS, the Municipal Assessor and Municipal Attorney are charged with the defense of and settlements of assessed values through the tax appeal process; and

WHEREAS, taxpayers currently have the right to challenge the assessed value by appealing to the County Board of Taxation or the Tax Court of New Jersey through an impartial appeal process with the taxpayer filing the petition of appeal as the plaintiff, and the municipality in which the appeal is filed as the defendant and the County Tax Board via the County Tax Administrator or the Tax Court of New Jersey Administration as the impartial administrative agent; and

WHEREAS, the County Tax Board Administrator, under the direction of the County Board of Taxation, currently supervises the Municipal Assessor's day to day function, administers the tax appeal process while the Board establishes County equalization, and determines tax rates; and

WHEREAS, Senate S-1801 and Assembly Bill A-2621, if signed into law, removes local control of the establishment of assessed values in the tax appeal process and gives total control of the assessment process, regardless of conflict, to County Government,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton in the County of Atlantic and State of New Jersey objects to and opposes enactment of Senate Bill S-1801 and Assembly Bill A-2621; and

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BE IT FURTHER RESOLVED that the Township Clerk shall forward copies of this resolution to the Atlantic County Board of Chosen Freeholders, each municipality in Atlantic County, State Senator Jim Whelan, Assemblymen Chris Brown and Vincent Mazzeo, Atlantic County Association of Assessors, Municipal Assessors Association of New Jersey, Atlantic County League of Municipalities, Atlantic County Association of Township Officials and Atlantic County Mayor's Association.

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

Intermittent road closures for the Challenge Atlantic City Triathlon:

Mrs. Dix suggested the Committee had to consider that Leipzig goes into the race track; the flea market that just opened there; and she questioned who is going to control the traffic and who will pay the officers. Mayor Silva questioned whether or not Leipzig Avenue could be closed from the Pike to the Race Track because it is owned and maintained by the Race Track, not the County. Mrs. Dix said the common dividing line between the Mall and the Black Horse Pike is under the Mall's jurisdiction. Mr. Guishard said cities all around the world bid for this triathlon; Atlantic City got the contract; it will be a big money-maker and attract the news; the Committee should keep that in mind and try to find a way to work with them. Ms. Gatto said she agreed; it brings activities into town; the Committee should try to capitalize on it and support these kinds of activities for the Market and Hometown Celebration; the Triathlon is paying for the closures; and she thinks they are looking for the Township's cooperation. Mrs. Dix referred to the earlier discussion about liability over a single person with a hotdog cart and said she is concerned about closing a private road; cutting off traffic into the flea market; and the liability if the Township shuts its roads and accidents start happening. She suggested that everybody has to be a party to the agreement if closing Leipzig is going to affect traffic going into the Mall and no one can get onto the race track property. Mayor Silva asked Mr. Jacobs to contact them tomorrow and ask if they considered some of those things, at least on Leipzig Avenue. Mr. Sandman commented on the requirements in an agreement he drafted for a small triathlon in Cape May County and said something this big has to be orchestrated with the same kind of controls. He suggested any information Mr. Jacobs gets be given to the Committee well in advance of the next meeting.

Action on the request was deferred to the May 19th meeting.

1-year Extension of Solid Waste Collection Contract:

Mrs. Dix said the Committee being asked to do a one-year extension starting June 1st and she thinks it should have been on the table for discussion in January so that the Committee could have decided whether they wanted go in the same direction or have new specs done and go out to bid for a new contract. Mayor Silva explained there were options for extensions when this contract was awarded. Mrs. Dix said the resolution should be for Option 2B, not 2A of the bid proposal. Ms. Gatto explained the Committee saved a significant amount of money on the contract by building in options to continue getting the best price for a longer period of time. She asked Cindy Lindsay, the CFO, to explain what the options were if the Committee chose not to renew the contract. Mrs. Lindsay explained the contract would have to be extended on a month-to-month basis until it goes out to bid and a new contract is awarded.

Ms. 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 the Solid Waste Collection Contract with Waste Management of New Jersey, Inc. is hereby extended for one (1) year for the period June 1 2014 through May 31, 2015 a cost of \$612,648.00 in accordance with Option Year 2B of the bid submitted by Waste Management of New Jersey, Inc. on April 13, 2010 and all change orders thereto as recommended by Cynthia Lindsay, CFO.

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

Ms. 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 renewal of the following Inter-local Agreements for Waste Hauling Services to coincide with the award of an additional one-year extension of the contract with Waste Management Inc. of NJ (Bid #2010-01):

- (1) Atlantic County Institute of Technology.
- (2) Atlantic County Special Services.
- (3) Hamilton Township Board of Education.
- (4) Hamilton Township MUA.
- (5) Mizpah (Alfred Lundy) Community Center.

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY" AND 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 Lois Yarrington be and is hereby appointed Administrative Assistant in the Township Clerk's Office at \$42,000.00 per year effective May 6, 2014.

RESOLUTION ADOPTED WITH ALL MEMBERS PRESENT VOTING "YES", NO "NO" AND NO "ABSTAIN" ON ROLL CALL VOTE, 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 a salary of \$1,923.72 be and is hereby approved for Lois Yarrington as Deputy Registrar of Vital Statistics effective May 6, 2014.

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

On-Call Responder approvals:

Mrs. Dix said it should be paid on a per-diem basis so someone is assigned to be on call; they would be paid per night to hang around in case they are needed; if called in they would be paid time-and-a-half or double time depending on the day; and she thinks that is a more responsible way to do it. She expained she objected to this because the Committee didn't have \$5,500.00 to give back to the residents for leaf collection but now they have \$5,500.00 for this.

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Ms. 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 Jesus Cardona, James Jensen and Christopher Tilley be and are hereby approved as On-Call Responders in the Public Works Department with compensation of \$1,850.00 to each effective May 6, 2014.

RESOLUTION ADOPTED WITH MEMBER DIX VOTING "NO", MEMBERS GATTO, GUSHARD AND SILVA VOTING "YES" ON ROLL CALL VOTE, ONE MEMBER ABSENT,

Advertising for Finance Clerk:

Mrs. Dix said accounts payable is routine in every business; she is sure there are qualified people that may not have been in local government or were but not for 5 years; she thinks 5 years is unreasonable; it may shut the door on potential Township residents who are in need of jobs; and she wants it taken out. Ms. Gatto explained the ad said "desired" so it isn't required. Mr. Jacobs said the Township wants to hire the most qualified person.

Ms. 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 advertising for a Finance Clerk to fill a vacancy in the Finance Department be and is hereby authorized.

RESOLUTION ADOPTED WITH MEMBER DIX VOTING "NO", MEMBERS GATTO, GUSHARD VOTING "YES" ON ROLL CALL VOTE, ONE MEMBER ABSENT.

Bongiovanni Resignation:

Mayor Silva said Mr. Bongiovanni did an outstanding job working with the other VAB Members during his term on the Veterans' Advisory Board and on the Veterans' Remember and Honor Award Program. He said he is sorry to see Mr. Bongiovanni resign. Mr. Guishard said he seconded the Mayor's comments; that he respected anyone who steps up to the plate; and Mr. Bongiovanni stepped up to the plate. Ms. Gatto said she echoed the comments and that Mr. Bongiovanni has a lot of passion and heart for veterans.

Ms. Gatto moved, seconded by Mr. Guishard, that the resignation of Russell Bongiovanni, Sr., from the Veterans' Advisory Board effective April 23, 2014 be accepted and that Mr. Bongiovanni be sent a letter of appreciation for his service to the Country and the, Veterans' Advisory Board.

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

Ms. 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 the minutes of the April 21, 2014 meeting are hereby approved and adopted as published.

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

Ms. 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 are hereby ordered to be paid, the bill list total being \$7,635,478.59.

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

Reports:

Administrator: None

Solicitor: None

Engineer: Nothing to add to his written report.

Mrs. Dix reported the Smart Growth Committee talked about blight at their meeting; they learned that when the foreclosure notices that come Hall they are sent to the Building Inspector's Office; and that she thinks they need to start building a data base because if houses are vacant for 5 years they get mold filled and are eyesores. She reported the Smart Growth Committee is waiting for a report on the orange X's that are painted on the siding of houses in Harding Lakes. Mrs. Dix reported being told last year that there were 35 vacant houses in Harding Lakes and said vacant houses are a big problem. Mr. Guishard said it is a national problem.

Mr. Guishard reported there will be a free seminar on aging at Stockton from 10 AM to 4 PM on May 13th. He reported he attended the funeral of Bill French. Mr. Guishard commented on the traffic situation in the area particularly on 322 and 40 getting worse all the time and said that funding through the U. S. Transportation is expiring in October; Congressman LoBiondo has a key position on that Committee; and a new funding bill being worked on now. He reported a new organization will be holding a non-political meeting with Congressman LoBiondo and his staff at ACIT on June 13th for residents to let him know what their concerns are; to try to get their requirements into the bill; and to get input from the residents on what they want to see in the bill. He urged residents to attend and asked that anyone planning to go let him know because they want to provide lunch and need to know how many are coming. Mr. Guishard reported he is a member of the Citizens Advisory Council; it is part of the South Jersey Transportation Authority Planning Office that represents four counties; the intent is to have a Citizens' group to get their input into the Authority; and the Council members have elected Bob Campbell its Chairman. Mr. Guishard reported his wife attended Emergency Management Training Courses at the Canale Center; she found them to be very valuable; and he encouraged the residents to take it. Ms. Gatto explained the Emergency Management Team talked about advertising for people to attend and that the reason they didn't is that it adds another layer to Emergency Management that will need a third Team Coordinator and things that go along with having a designated third Team in town. Mrs. Dix said the County advertises it on their face book page; they are looking for people who can help their neighbor, not for people to become involved in OEM.

Mrs. Dix asked if Mr. Smith could contact D.O.T. about the timing of the traffic light for left hand turns from New York Avenue onto Route 40 coming into town; she said it is only 20 seconds; and causes traffic to back up to Harding Run. Ms. Gatto asked if that was one of the roads the Township previously submitted to D.O.T. and followed up on through Assemblyman Brown. Mr. Smith explained that he submitted it when complaints came in about McKee Avenue; D.O.T. said they would look to see if the timing to see if they match the approved timing; if they do, the next step would be to file a complaint with D.O.T. and they would look to see if it warranted amending it. Ms. Gatto explained those roads and others were part of a packet about light timing and things like that on state roads that aren't working that was given to the Lt. Governor to go to D.O.T. and followed up on it with Assemblyman Brown. Mayor Silva said he thought it is being exacerbated by the work at Sugar Hill. Mrs. Dix asked about the possibility of putting a traffic count cord or the traffic count board the Township has on New York Avenue so the Township would have traffic volumes to show D.O.T. if they aren't doing anything about it. Mr. Smith suggested following up with D.O.T. on correspondence already submitted before employing a traffic counter. Mayor Silva commented on proposed development on New York Avenue compounding the situation.

Mayor Silva reported the County is going to start redoing the Catawba Bridge over Miry Run in October to elevate the road; it will be out for a while; and will cause more issues in the community. The

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Mayor commented on the Earth Day success last Saturday; residents banding together to clean up their neighborhoods; and a phenomenal job being done in Harding Lakes. The Mayor said that he and Mrs. Dix met with the residents at Tavistock, their engineer, a lawyer, the attorneys for the Westchester Surety Company and for the Travelers' Insurance Company last week; they agreed that they will come back in the next 30 days with a time line for trying to get something done there; and he thinks that the bonding companies are going to take over. Mayor Silva commented on the Race Track having a successful meet last week with 10,000 people attending some days and the Mercado Market opening at the Race Track last weekend.

Public Comment:

Robert J. Campbell, Sr. said a letter is going out from the South Jersey Transportation Planning organization to all municipalities informing them of the Advisory Council's existence, what their duties are, and what the Township can do through them. He suggested the Committee send a letter to the South Jersey Transportation Authority about particular safety matters and to the Advisory Council on any project the Township might want to present a request for federal funds for. Mr. Campbell asked if the construction contract awarded was prevailing wage. Mr. Jacobs said that it had to be. Mr. Campbell said the Veterans' organizations he belongs to have received no less than 8 requests for copies of the Veterans' Set-aside Ordinance the Township Committee passed. Mr. Campbell commented on having gotten a Veterans' Vendor ID card and it allows a veteran to sell anything as long as they obey the laws of the municipality. He said the hotdog stands in Atlantic City are controlled by one firm; he believes it buys the insurance; and it covers 50 to 60 vendors; they are supposed to be veterans but some of them aren't; the person who owns the (firm) is; and the average veteran can't go to Atlantic City with a cart even with a proper license because the police will stop them.

Pat Timmreck held up what appeared to be a newspaper article and said she thinks it gave the Township a black eye; that it hurt her as a voter, resident and taxpayer when she read it; that she was glad to see (Mrs. Dix) here; and that she was disappointed in the Township Committee.

Mike Choma explained his house is directly across the street from the houses destroyed and damaged by the fire at the Fairways; he commented on response time and lack of water; and asked if the Township is responsible in any way for the (hydrant) pressure. Mayor Silva explained the Fairways management is responsible for maintaining and operation of the hydrants. He explained that the Director of the Hamilton Township MUA sent him a letter saying that he met with the Fairways project manager to discuss the situation that arose during the fire and suggested to him that the Fairways check all of the water valves along the water mains that service the complex because it might provide information on whether or not a valve within the system was closed or partially closed; that based on the MUA SCADA monitoring system it appears that adequate volumes of water were being fed into the system and the system responded appropriately; and the HTMUA didn't experience any low pressure calls during the fire event. Mayor Silva said he invited the Association President to come to the Emergency Services Advisory Board meeting next week to express their concerns directly to the Fire Chiefs. The Mayor suggested Mr. Choma call Mr. Blankenship if they have any questions. He asked that the residents bear with the Township until they have all the facts and said that if there is a problem the Township wants to correct it. Mr. Choma said someone came out the next day, turned the valve several times; it opened up and there was plenty of pressure; he didn't know why it didn't work the day of the fire; the volunteers are great; and he understands the delay because the Fairways is about 18 miles from Cologne fire house. Ms. Gatto commented on multiple companies responding because many of the volunteers are at work during the day. Mrs. Dix explained how the MUA monitoring system triggers the well to pump more water into the water tower when the water level in in starts To drop; the technology worked as it should that day; and what didn't

work under the ground at the Fairways needs to be identified. Mrs. Dix suggested that the fire companies have to know what is publically owned and what is privately owned in all of the developments and who is responsible for maintaining and operating the hydrants.

Peg Schwinger asked how often the MUA flushes the Fairways hydrants. Her daughter said they were schedules to be flushed in October 29, 2013. She suggested the hydrants be tagged when they are flushed with the date. Ms. Gatto explained the ESAB Board has maps of hydrants that they go over and suggested they attend one of their meetings and ask their questions. Mayor Silva said the fire departments usually have an after-action meeting to discuss what took place and examine everything. The Mayor offered to go to the Fairways community center and to bring Mr. Blankenship with him share what he knows with the residents. Mrs. Dix said the main on McKee Avenue and Cates Road is 12" and 8" where it goes into the developments and that is adequate.

A Fairways resident said they were told when they first moved in that there would be a pumping station just for the Fairways; he asked if the Planning Board minutes are accessible to the residents and suggested whoever is doing the investigation should look at them to see what happened to the pumping station. Mrs. Dix asked if it was a sewer pumping station or a water pumping station. Mayor Silva asked Mr. Jacobs to look into it. Mr. Guishard suggested the fire study done 4 or 5 years ago that discussed the adequacy of what the Township also has to be looked at. He said he didn't recall a recommendation in it for an additional station.

Peg Capone said she also read the newspaper article about Mrs. Dix being banned from Township Hall and it surprised her because every time she has been in Township Hall she has seen Mrs. Dix. Mrs. Capone showed calendar that she had highlighted all the times Mrs. Dix was in the building. She asked if anyone would explain to her what "unauthorized entrance" meant and said there were several going into Clerk's Office, the HR Office, and the Supply Closet; that she was trying to figure out when the ban occurred; and that it didn't look like Mrs. Dix was banned. There being no answers given, Mrs. Capone thanked the Committee for their time.

Bruce Strigh referred to the discussion on waiving the Workers' Comp requirement for the hotdog stand and said the only people who don't buy insurance are those who don't have anything. Mr. Strigh said he read the editorial about Mrs. Dix's lawsuit and he thinks that any organization that hires people has a duty to protect their employees; they have rights; according to the lawsuit there were many complaints; the Township had no choice but to investigate and they did;; the every employee and Township has a card to swipe when they enter the building; the internal locks have swipes that indicates Mrs. Dix was in town hall; he doesn't think it was a ban, he reads it as a restriction to protect the employees and taxpayers from potential lawsuits; he appreciated that the Committee wasn't commenting; he thinks the truth will come out when the proceedings are over; and he supports the 4 Members who acted the way they should have; he thinks it was a frivolous lawsuit; and the cost of any investigation caused frivolously should be borne by Mrs. Dix.

A resident of 80 Mill Street commented on broken sidewalks, trash, and the condition of the former Wheaton Factory and said the area needs to be monitored more. Mayor Silva asked Mr. Jacobs to speak to the inspectors about this.

Rich DeFeo commented on his taxes going up \$1,000.00 last year and will go up again this year. He said he didn't understand how a person can sit (on the dais) and say this is her town and be suing the Township.

Harry Rogers commented on public employees having no responsibility for the mess they create whether because of legislation or other acts; taxpayers always being left holding the bag; politicians never being held responsible for what they do; asking the

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Mayor 3 years ago if Mrs. Dix was going to continue her crusade against the Township Committee at that time; and being annoyed at the lack of personal responsibility going on in the Township right now.

John Kurtz explained the Hometown Celebration will be held Saturday, June 28th and Sunday, June 29th at Lake Lenape Park; Saturday, will be the Hometown portion; Sunday will be a community family picnic day; and the Merchants' Association will hold all of the events from Saturday over to Sunday. Mr. Kurtz announced the Merchants' Association Waterfront Wine & Food Festival will be held on September 27 and 28 at Lake Lenape Park; their Fall Festival on Main Street will be held on October 11th; and the Dickens of a Holiday will be held on December 6th. He explained the Association will provide the money to buy banners that will be rotated with the seasons; the cost is \$350.00 for each set of 4 seasons; 17 have been sold already and there are 20 poles; Township will put them up on the poles that previously held the 200th Anniversary Banners. Mr. Kurtz explained the banner suggestion was made by Lisa Marcolongo.

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

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

There being no further business to be considered tonight, Ms. Gatto moved, seconded by Mr. Guishard, that this meeting be adjourned.

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

ATTEST:

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