

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
MAY 12, 2014
SPECIAL MEETING

A special meeting of the Township Committee of the Township of Hamilton, Atlantic County, NJ was held in Conference Room A of the municipal building on the above date with Mayor Roger Silva presiding. Members present when the meeting was called to Order were Aline Dix, Amy Gatto and Rodney Guishard. Mrs. Link arrived late. Also present were Michael S. Jacobs, Township Administrator, Joan I. Anderson, Township Clerk, and Randolph Lafferty, Special Conflict Attorney, and Robert S. Sandman, Township Solicitor.

The meeting opened with the flag salute and the Township Clerk certifying compliance with the New Jersey Open Public Meetings Act 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 in the municipal building, Mays Landing, New Jersey at 7:00 PM on Monday, May 12, 2014.

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 this meeting be adjourned to an executive session to discuss litigation which is exempt from public discussion pursuant to the New Jersey Open Public Meetings Law.

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

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

Meeting adjourned to executive session at 7:03:50 PM. Mr. Jacobs and members of the public left the room.

The governing body reconvened in public at 7:39:16 PM. Mr. Jacobs and members of the public returned to the room. Mr. Sandman checked the hall, lobby or the Zoning Board Meeting and ascertained that no one waiting there for the Committee to reconvene in public session.

Mayor Silva announced the meeting was reconvened to confirm the executive session.

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 terms as set forth in the proposed settlement agreement as signed by Deputy Mayor Gatto, Mayor Silva and Aline Dix consisting of six (6) paragraphs be and is hereby approved; and

BE IT FURTHER RESOLVED that Mr. Lafferty is directed to release John Birchmeier from his duties of further investigation of complaints.

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

RESOLUTION ADOPTED.

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Mayor Silva read the following joint mutual statement set forth in the settlement agreement:

"The issues between Committeewoman Aline Dix and the Township of Hamilton have been resolved to the satisfaction of the parties. All interested parties agree that this was accomplished in such a manner that the personal interests involved were set aside so as to promote the interests of the Township and its residents."

Ms. Gatto asked Mr. Lafferty to confirm for the record that she and Mayor Silva were eligible to vote on the matter. Mr. Lafferty explained the defendants named in by Committeewoman Dix in this lawsuit were the Township of Hamilton, Mayor Silva, Deputy Mayor Gatto, HR Director Mary Kelly and Administrator Michael Jacobs and that in advance of this meeting there was dismissal by Mrs. Dix and her attorney of Deputy Mayor Gatto and Mayor Silva from the litigation; the purpose of that was to eliminate any personal interest on their part apart from their service to the Township in their official capacities to eliminate any potential personal interest on their part in the litigation; they were dismissed; that dismissal was filed two days ago and that it was a voluntary action by Mrs. Dix and her attorney. Mr. Lafferty said that, in fact, eliminates any potential appearance of impropriety in his opinion.

Public comment:

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

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

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

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

ATTEST:

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

Clerk's Note: A copy of the signed settlement agreement will be attached to and maintained on file as part of these minutes.