

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
MARCH 19, 2007

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was held on the above date with Mayor Palmentieri presiding. Members present were William Beyers, Nelson Gaskill, Jim Link and Charles Pritchard. Also present were Rita Martino, Deputy Township Clerk, Norman Zlotnick, Township Solicitor, Ed Perugini, Township Administrator and Robert Smith, Township Engineer.

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 faxing a copy of said notice, along with the agenda of this meeting, to the Atlantic City Press, Atlantic County Record, Record Journal and Current newspapers stating that this meeting would take place at 6:30pm on Monday, March 19, 2007 at the Municipal Building, Mays Landing, NJ.

A moment of silence for private reflection was observed.

Executive Session

Mr. Beyers moved, seconded by Mr. Link, 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 two matters of litigation and one personnel matter, which is exempt from public discussion under the provisions of the Open Public Meetings Act.

BE IT FURTHER RESOLVED that the results of said discussions shall be made public as soon as the basis for confidentiality is no longer confidential.

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

The Township Committee reconvened in public session at 6:58 PM

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton that the following agenda item is hereby changed:

8A Change grant permanent employment status to Malissa Skinner to terminate Malissa Skinner, Dispatcher 1, at the end of her probationary period Effective March 30, 2007

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

7A. Add Business Registrations

1) Lasting Expression- permanent makeup

7N. Approve Mark Stebbins and Guy Bishop for membership in Mizpah Vol. Fire Co. as recommended by its Chief.

7O Authorize the Township Clerk to forward to the Division of ABC, Grayling Corp. application to extend premises for annual Cinco-De-Mayo celebration May 4, 2007 2pm-midnight

7 P Authorize the receipt of bids for Class 1 Electrical Sub-code Official. Date of bid opening to be determined by the Finance Office.

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BE IT FURTHER RESOLVED, by the Township Committee of the Township of Hamilton that the following items are hereby deleted from tonight's agenda:

- 5A Discussion of Wawa Store #925 request for release of maintenance bond.
- 9A Approval of minutes of March 5, 2007

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

#### Confirmation of Executive Session

Norman Zlotnick reported on Township of Hamilton VS Morgan and stated that we are working on a proposal to temporarily reopen Skip Morgan Drive. Mr. Zlotnick reported that the proposal that had been submitted by Mr. Sanford through his engineers would be acceptable. He stated that the parties would split the costs of this temporary opening and that embodied in the stipulation to be jointly put together it would be stated that this would be without prejudice, which means it would not affect the rights of either party in the ongoing litigation as to who is ultimately responsible for Skip Morgan Drive. Mr. Zlotnick stated that this would be further subject to getting a Temporary Reopening Plan from our engineer and under his seal which would be provided to Mr. Sanford. Mr. Zlotnick stated that we already have a statement from Mr. Sanford's engineer stating that the project is safe and can be done.

Mr. Sanford asked if this would allow for the reopening as soon as possible and made clear that the Township would pay up front and that the Township would be reimbursed 50% by July 15, 2007. Mr. Perugini asked about the engineering costs and was told by Mr. Zlotnick that the engineering costs would be applied to the litigation itself. David Finnegan asked what the date would be for the temporary and permanent opening of the road. Mr. Perugini responded that once he gets the approval from the engineer he would be OK with it moving forward. Mr. Smith stated that he would talk with his designer to get a better idea of when the permit would be applied for and report back at the next Committee meeting.

#### Resolution Authorizing Acceptance of the Proposal for the Temporary Reopening of Skip Morgan Drive.

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton, that authorization is given to enter into the agreement in the context of the litigation regarding the temporary reopening of Skip Morgan Drive, the parties to each bear one half of the cost, the Township to pay the full cost up front to be reimbursed the one half no later than July 15, 2007 and that the authority is given to the Township Officials to sign whatever documents are ultimately needed to carry this forward.

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

#### Early Public Comment

Mayor Palmentieri read from a League of Municipalities opinion on the recent court decision and stated that a new taping policy had been created. Mayor Palmentieri stated that the new policy consisted of three things 1) a maximum of six private video recorders 2) video recorders are to be without lights and 3) video recorders are to be positioned at the outside ends of the front row to provide a view of those on the dais, the professional and those making public comment.

Mr. Wayne Choyce asked if there was a public comment policy and was it being changed. Mayor Palmentieri stated that there were no plans to change the existing policy,

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except that it will be enforced now. Mr. Palmentieri stated that having people come forward when they address Committee would allow the cameras a clear view of them.

Mr. Steve Radcliff thanked the Committee for their time and commended them for coming up with a liberal policy that he believes should close the issue.

Ms. Aline Dix asked if the Committee would be taking people's cell phones to prohibit them from using videophones. Norman Zlotnick said that they would not be confiscated but that it would be in violation if they were used surreptitiously. Ms. Dix asked if the proposed public comment policy would in anyway interfere with the public comment that has been in effect for the past ten years. Mayor Palmentieri stated that there was a policy adopted seven years ago and that that policy will be implemented.

Mr. Lafferty stated that the cameras should be in the back of the room.

Sue Sandman stated that the court decision said that governing bodies are under no obligation to set any guidelines on videotaping. Ms. Sandman said that it should be up to the videographer to determine where to shoot from.

Dave Furgione asked if the camera was going to be allowed to be manned and if they would be allowed to pan the audience. The Mayor responded yes to both.

#### Discussions

##### Revised videotaping policy

- The Mayor stated that the aspect of the videotaping that remained to be discussed would be the placement of the cameras. Mr. Pritchard stated that most people tape from the back of the room. The Mayor suggested that the option of the back of the room be added along with the option of the sides of the room.

##### Resolution adopting new videotaping policy

Mr. Link moved, seconded by Mr. Beyers to adopt the following resolution:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to adopt the proposed Public Meeting Video Taping Policy with the addition that cameras be allowed along the back edge of the meeting room.

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

Mr. Gaskill asked that a copy of the new policy along with a copy of the public comment policy be provided for the public and posted on the web site.

#### Introduction of Ordinances

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton, that Ordinance 1590-2007 be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the March 21, 2007 issue of the Atlantic County Record for a public hearing to be held at 6:30pm Monday, April 2, 2007 at the Municipal Building, Mays Landing NJ.

TOWNSHIP OF HAMILTON

ORDINANCE NO.: 1576-2007

**AN ORDINANCE TO AMEND CHAPTER 70 OF THE CODE OF THE TOWNSHIP OF HAMILTON, ARTICLE III, THEREOF, ENTITLED "CONTRACT OFF-DUTY EMPLOYMENT"**

**WHEREAS**, the Police Department has recommended certain changes to Chapter 70, Article III of the Code of the Township of Hamilton to reflect proper terminology and to update the provisions with regard to off-duty employment of police officers;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hamilton, County of Atlantic and State of New Jersey, that Chapter 70, Article III, of the Code of the Township of Hamilton be and the same is hereby amended as follows:

SECTION 1. Article III of Chapter 70 is hereby amended in its title to read as "Extra- Duty Employment."

SECTION 2. The following language is hereby added to Section 70-13 hereof entitled "requests for services."

A. An Extra-duty application and agreement must be signed and filed by the Extra-Duty employer who is requesting the services. All applications are subject of approval by the Chief of Police or his/her designee.

B. Indemnify and hold the Township harmless from and against any and all losses, claims, damages or expenses, including reasonable attorney fees, arising from the performance or police-related duties by such extra-duty Township police officer on behalf of such entity. Such indemnity agreement shall be in a form acceptable to the Township attorney.

C. Provide the Township, prior to the utilization of the Township police officer, with a certificate of insurance from a company authorized to do business in the State of New Jersey evidencing workers' compensation coverage, personal liability and comprehensive general liability with policy limits of not less than One Million (\$1,000,000.00) Dollars and property damage liability coverage with policy limits of not less than Three Hundred Thousand (\$300,000.00) Dollars. Such policies of insurance

shall name the Township as an additional insured and shall remain in effect during the entire period that the officer is employed by the outside entity.

SECTION 3. Section 70-16 thereof is hereby amended as follows:

B. Rate of Compensation for public entities: Fifty (\$50.00) Dollars per hour.

SECTION 4. Article III is hereby amended to read as follows:

A. Each and every time the words "Off-Duty employment are found herein, they shall be changed to read "Extra-Duty employment."

B. Each and every time the words "off-duty" are found in this Article, they shall be amended to read as follows: "Extra-Duty."

SECTION 5. Severability. If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION 6. Repeal of Inconsistent Ordinances. All Ordinances or parts of Ordinances that are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION 7. Effective Date. This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

**TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF HAMILTON,  
COUNTY OF ATLANTIC**

\_\_\_\_\_  
THOMAS PALMENTIERI, MAYOR

ATTEST:

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

ROLL CALL: BEYERS  
GASKILL  
LINK  
PRITCHARD  
PALMENTIERI

ORDINANCE # 1590 - 2007 INTRODUCED AND PASSED FIRST READING  
, 2007 AND ADOPTED , 2007.

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ORDINANCE # 1590-2007

AN ORDINANCE TO AMEND CHAPTER 70 OF THE CODE OF THE TOWNSHIP OF HAMILTON, ARTICLE III, THEREOF, ENTITLED "CONTRACT OFF- DUTY EMPLOYMENT"

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton to approve the following business registrations:

- 1) Lasting Expression

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize the Township Clerk to forward to the Div. Of ABC, without objection Cologne Fire Company application for a special permit for their chicken BBQ June 2, 2007 Noon-9pm beer and wine dispensed.

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

Mr. Pritchard moved, seconded by Mr. Link that the following resolution be adopted:

BE IT RESOLVED by the Township Committee of the Township of Hamilton to accept the \$8,526.00 Service Insurance Co. Inc bond #19229 as performance guarantee for Goff Holdings LLC.

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

Mr. Pritchard moved. seconded by Mr. Link that the following resolution be adopted:

BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize execution of a 2-year renewal agreement with VSP for employee vision insurance.

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

Mr. Pritchard moved, seconded by Mr. Link that the following resolution be adopted:

BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic to authorize the purchase of Play Safe black 6-foot rubber curbing from Rubber Recycle to enclose the Cove Playground at a cost of \$1,591.00, funding to come from the Off Site Improvement Fund as recommended by the C.E.R. Advisory Board.

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

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

RESOLUTION AUTHORIZING A PERSON TO PERSON TRANSFER OF  
PLENARY RETAIL CONSUMPTION LICENSE #0112-33-033-012

WHEREAS the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, heretofore issued Plenary Consumption License #0112-33-033-012 to Hamilton Kitchen LLC, a limited liability corporation of the State of New Jersey, for premises located at 4215 Black Horse Pike, Mays Landing, NJ; and

WHEREAS the Township Committee of the Township of Hamilton, County of Atlantic, has received a person to person transfer application from Andrew Reichel, an individual, trading as Simply Fondue, for a person to person transfer aforesaid Plenary Retail Consumption License #0112-33-033-012 to him; and

WHEREAS all applications for this person to person transfer have been properly executed and filed; all fees are paid; all information has been reviewed by the proper officials; all legal advertising has been made; and no written objections thereto were received,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, that the Plenary Retail Consumption License #0112-33-033-012 heretofore issued to Hamilton Kitchen, LLC, a limited liability corporation of the State of New Jersey, for premises located at 4215 Black Horse Pike, Mays Landing, NJ, be and is hereby transferred to Andrew Reichel, an individual, trading as Simply Fondue, for premises located at 4215 Black Horse Pike, Mays Landing, NJ effective March 23, 2007.

RESOLUTION ADOPTED WITH All Members Voting "Aye", No "Nay"  
No "Abstain"

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

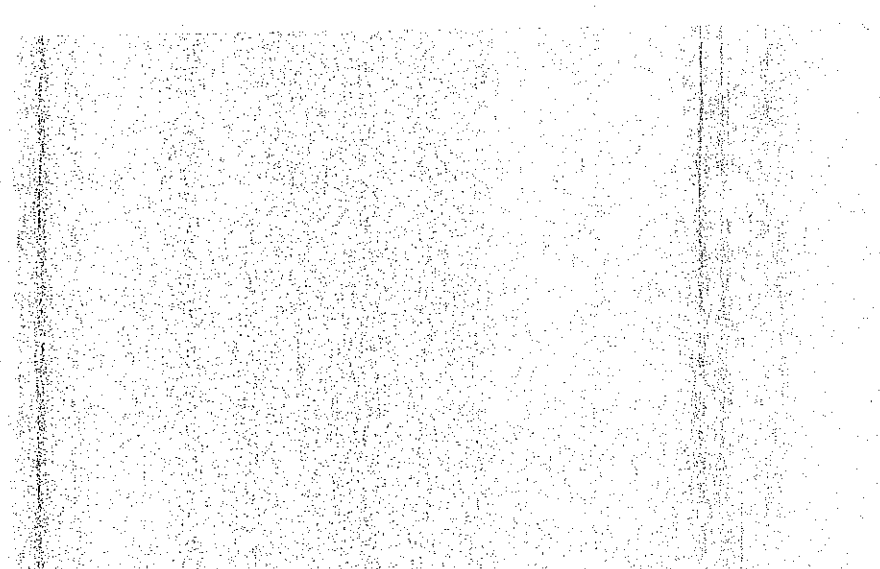
RESOLUTION

WHEREAS, transfers are permitted between budget appropriations during the first three months of the year for unexpended balances of the preceding year to meet bills incurred during the preceding year;

BE IT RESOLVED by the Township Committee of the Township of Hamilton, that transfers between year 2006 Budget Appropriations be made as follows:

Account No.	Account Title		From	To
31-400	Natural Gas	Other Expenses	3,200.00	
20-165-2	Engineering Services & Costs	Other Expenses		3,200.00
		Totals	3,200.00	3,200.00

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





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

BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize the Mayor to sign an agreement with The ARC of Atlantic County wherein the Township will pay ARC \$84,000.00 from the Housing Trust Fund for ARC to deed restrict 3 dwelling units for occupancy by low and/or moderate income persons.

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

Mr. Pritchard moved, seconded by Mr. Link that the following resolution be adopted:

BE IT RESOLVED by the Township Committee of the Township of Hamilton to accept \$2,584,646.28 Wachovia Bank letter of credit #SM224795W as performance guarantee for Hamilton Greene Meadows Associates LLC (DD Residential Limited Partnership) for Hamilton Greene Phases IV and V (Block 1135.01/Lots 1.02 through 1.10).

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

Mr. Pritchard moved, seconded by Mr. Link that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton, County of Atlantic to authorize the Mayor to execute agreements relating to the construction of Volunteer Way.

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

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

BE IT RESOLVED, by the Township of Hamilton, County of Atlantic to accept the Cologne Volunteer Fire Company certified list of members eligible for 2006 LOSAP credit.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to approve Todd Gabriel and Charles Maxwell for membership in Laureldale Volunteer Fire Company as recommended by its Chief.

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

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

BE IT RESOLVED, by the Township of Hamilton, County of Atlantic to approve Mark Stebbins and Guy Bishop for membership in Mizpah Vol. Fire as recommended by its Chief.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to Authorize the Township Clerk to forward to the Division of ABC, Grayling Corp application to extend premises for annual Cinco-De-Mayo celebration May 4, 2007 2pm – midnight.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to authorize the receipt of bids for Class 1 Electrical Sub-code Official. Date of bid opening to be determined by the Finance Office.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to approve the ACIT request to hold its annual Hotcakes 5K race in the Business/Industrial Park on Saturday, March 24, 2007 from 9am to 10am.

RESOLUTION ADOPTED WITH MR. PRITCHARD ABSTAINING, ALL OTHER MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Mr. Pritchard moved, seconded by Mr. Gaskill that the following resolution be adopted.

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to terminate Malissa Skinner, Dispatcher 1, at the end of her probationary period effective March 30, 2007.

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

Mr. Gaskill moved, seconded by Mr. Pritchard that the following resolution be adopted.

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to increase Mitch Polun, Karate Instructor, hourly salary rate from \$13.00/hour to \$15.00/hour as recommended by the CER Advisory Board.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to accept the resignation of Joseph Platanella, Laborer I, effective March 16, 2007.

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

Mr. Pritchard moved, seconded by Mr. Beyers that the following resolution be adopted.

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to accept the resignation of Betty Kobelo, Environmental Commission Secretary effective May 1, 2007.

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

Mr. Link moved, seconded by Mr. Beyers 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  
\$2,371,001.21 as of March 16, 2007.

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

Mr. Link moved, seconded by Mr. Gaskill that the following Departmental Reports are  
accepted for filing:

Township Clerk- \$15,745.25 February Current receipts  
Township Clerk - \$1,135.00 February Dog & Cat receipts

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

Mr. Link moved, seconded by Mr. Gaskill that the following Departmental Reports are  
hereby accepted for filing.

- A. Tax Assessor
- B. Tax Collector
- C. Community Activities Coordinator
- D. Community Planner/Economic Development Dir.
- E. Public Works/Environmental Office
- F. Planning
- G. Zoning
- H. Construction
- I. Finance
- J. Police
- K. Senior Citizens/Social Services
- L. Vital Statistics

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

#### Reports

##### Solicitor

Mr. Zlotnick reported that Kara would be required to present its plan for  
reorganization on April 12. Mr. Zlotnick stated that he would report back to Committee  
on April 16. Mr. Zlotnick commented on Sue Sandman's remarks regarding the recent  
Supreme Court decision. Mr. Zlotnick stated that her comments were unfair to the  
Committee because she quoted out of context. Mr. Zlotnick stated that the policy adopted  
tonight was very reasonable.

##### Engineer

Mr. Smith reported that he got a call regarding the purchase of Glen Eyre Pallet  
One.

##### Administrator

No Report.

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## Township Committee

Mr. Pritchard extended his condolences to the families of Harry Jackson and Officer Gorneau on the tragic accident and commended the Chief for the professional way that he handled the situation.

Mr. Gaskill stated that he was glad to see that reasonable minds came up with a reasonable conclusion eventually.

Mr. Beyers commented on the question regarding the integrity of how the policy was put together tonight. Mr. Beyers wanted the public to know that everything was done for the right reasons and for the good of the entire Township.

Mr. Link commended the clear cutting ordinance enacted by the Planning Board. Mr. Link asked if anything was happening with the dam and asked Mr. Perugini to look into it. Mr. Link extended his condolence to the families of those involved in the tragic accident.

Mayor Palmentieri echoed everyone's comments regarding the accident. Mayor Palmentieri stated that he got a letter from the Dept of Transportation regarding the left turn lanes on to Babcock and Cologne from 40. The Mayor stated that it appears that they are not going to address just Babcock and Cologne. Mayor Palmentieri asked the administrator to follow up on this.

## Public comment

Mayor Palmentieri opened the floor to the public.

Aline Dix stated that she had not received a satisfactory response to her open public records request of March 9. Regarding the request for a copy of the Township's policy on educational reimbursements, Ms. Dix stated that she received copies of the three union contracts regarding education reimbursements. Mr. Perugini stated that as far as he knows that is the Township's policy because in the salary ordinance it states that the non-union employees will receive what the union employees get. Ms. Dix stated that she did get a list of employees who received educational stipends but it did not state the reasons why they received the stipend. Ms. Dix gave the request back to Mr. Perugini and asked that it be completed.

Liz Butcher stated that she thought Sue Sandman was pointing out that the recent court decision regarding video taping stated that the governing body did not have to formulate any regulations.

Peg Schwanger asked about the street lighting on Cates Road that she had asked for a couple of months ago. Mr. Gaskill said that he had met with the Director of Public Works regarding this and that he would attempt to put something in the budget for this year.

Judy Link relayed a message of thanks for the removal of the trash pile at Kara homes in a timely fashion.

Bob Shoeber asked about the VSP agreement. (Employee Vision Insurance) Mr. Shoeber asked about the application process for the housing trust fund. Mr. Sartorio explained that there is an application for new construction and that this resolution was part of our spending plan. Mr. Shoeber asked about the early public comment policy. The Mayor explained the early public comment policy. Mr. Shoeber asked how he was supposed to know that he needed to sign in. It was decided that there would be a sign placed on the board explaining early public comment.

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John Pucci commended the work of the Police Department, especially Officer Adams, at the Mr. Oakcrest after party. Mr. Pucci stated that he has an issue with the Township Maintenance Ordinance. Mr. Pucci stated that he has ornamental grasses in the front of his yard and he wants to keep it that way. Mr. Pucci stated that he did not think the maintenance ordinance should apply to his particular situation. Mr. Pucci said that he understood that part of the purpose of the Mayor's Task Force was to look into this type of situation. Mr. Pucci said that today was the deadline given to him to cut the grass and that he didn't want to cut his grass and would not cut it. Mr. Pucci said that it was suggested to him that this be addressed through his site plan approval. Mr. Pucci asked that the Committee stay the date of the violation until he is able to go through the site plan process or until he is able to get a reasonable second opinion. Mr. Perugini recommended that the Committee let this be decided by the Judge. Norman Zlotnick stated that no summons had been issued. Mr. Link asked if there was any detriment to the health, safety or welfare of the resident or neighbors. Mr. Link asked if there was no detriment to health, safety or welfare would it not be a problem to give it to another body to adjudicate. Mr. Perugini stated he did not know what authority another body would have over this. Mr. Perugini cautioned not to make the exception but to make the rule and to let a judge or another jurisdiction do the exceptions. Mr. Gaskill stated he wasn't around when the ordinance was adopted and said he would like to know the intent of the ordinance. Mr. Perugini stated that the intent of the ordinance at the time was to prevent properties from becoming unkempt, and that if you could see it from the road or from a neighboring property then it would qualify under the property maintenance code. Mr. Gaskill asked if there was the ability to revisit the ordinance because he thinks it is more for the junk cars and things like that. Mr. Perugini stated that they certainly have the authority to amend the ordinance. Mr. Perugini stated that there were exceptions to the grass regulations for large rural sites and that this issue was pertaining to just landscaped areas of a property not natural areas when the grass can be whatever the natural height is. Mayor Palmentieri stated that he thought the issue was a distinction between ornamental grasses which are allowed to grow to their natural height versus typical green grass that need to be cut to be properly maintained. Mr. Pritchard said that it would be a bad precedent to tell an employee not to do their job. Mr. Pritchard said it was a dangerous precedent for someone to come before Committee and ask them to overturn an employee's job. Mr. Perugini reemphasized that this was an issue for a court of law. Mr. Pucci said that this was not green grass and was not neglected. Mr. Pucci questioned the extent of the Environmental Officer's landscape training and stated that he disagreed with Mr. Perugini and that an exception should be made for his property.

Roger Silva asked how this maintenance ordinance is enforced. Mr. Perugini stated that the majority of this is done in response to complaints. Mr. Pergini stated further that there are two employees that respond to these complaints and that if in the process of responding to these complaints they see other violations they act on that as well. Mr. Silva stated that he thought the ordinance referred to lawns. Mr. Silva asked the Committee to show Mr. Pucci the consideration of going to see the property.

Mr. Link asked if this could be put off a couple of weeks and let the Planning Board look into it and see if there were other options.

On the motion of Mr. Link, second of Mr. Beyers to adopt the following resolution:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton, to delay the enforcement of the ordinance in this case by three weeks.

Mayor Palmentieri asked if this was so that we could define the difference between ornamental grasses and typical grasses. Mr. Link said that he would like the Planning Board to take a look at it and consider it. Mr. Pritchard stated that he did not believe this was a Planning Board issue. Mr. Pritchard said that he didn't have any problem with it being placed on the next agenda for discussion. Mayor Palmentieri stated that he thought the discussion should be limited to just the items discussed here so as not to disturb what seems to be working. Mr. Gaskill stated that if we do not enforce our

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Ordinances we could be setting a precedent. Mr. Gaskill asked if Mr. Pucci would have the right to appeal. Mr. Zlotnick said that if it were changed before it went to court the judge would apply the statute that is in force at that time. Mr. Perugini said that no citation has been issued yet and that there is time for the Committee to make some more investigation and to speak with the Environmental Officer. Mr. Perugini cautioned against making a response right now without full knowledge of what is going on. Mr. Link said that if that were indeed the case he would withdraw the motion. Mr. Gaskill said that this would have put Ingrid in the position of never being able to enforce any complaints.

MR LINK WITHDREW THE MOTION. THE SECOND WAS WITHDRAWN BY MR. BEYERS.

Mr. Pucci said that the Township Landscape Architect had come out and looked at the property and that it was satisfactory to him but that he didn't have the process to write the letter because he has been told that the Township won't pay for it. Mr. Pucci asked that the Township authorize the Landscape Architect to go to his property and give a professional opinion. Mr. Pucci said pay for the guy to come out and do it or I'll pay for it if you can't. Mr. Pucci said that there should be a process set up for this. Mr. Perugini asked if we should pay this through our operating funds. Mr. Perugini asked if we could let this wait until the next meeting. Mr. Perugini assured the Committee that nothing irrevocable would take place prior to the next meeting. Mayor Palmentieri asked that all Committee members be provided a copy of the ordinance. Mayor Palmentieri stated that they would review it.

Aline Dix asked if there was any activity at the cotton mill. Phil Sartorio stated that the new owners took possession last month and are now securing the property and remediating inside. Ms. Dix asked when they would be presenting a redevelopment plan. The Mayor stated that Phil Sartorio was the one working on the plan. Mr. Sartorio stated that there would be a meeting in two to three weeks and that the plan was to be completed by May. Ms. Dix asked if we were creating the plan because she thought that they would be preparing the plan at their own expense. Mr. Zlotnick said that a redevelopment plan was one thing and when they go for their site plan it was another. Mayor Palmentieri stated that the owners are working on the building and we are working on the other parts of the redevelopment plant. Ms. Dix stated that the members of the Main St. Task Force feel that they were duped. Ms. Dix stated that Cotton Mill Assoc. paid 2.75 million for the building and less than two years earlier Mr. Rinaldi paid less than three-quarters of a million dollars.

Wayne Choyce asked about the costs of the tree and grate removal from Main Street. Mr. Perugini stated that there will be a restocking charge of 40% that he is still negotiating but unless we go to court over it we will be paying it. Mr. Choyce said that whoever was at fault should be paying for it.

Maureen Gallagher Bugdon asked that a date be set for airing of the meetings on Channel 2. Mr. Pritchard stated that they had set the beginning of May as a possibility and that we should have sample policy to look at for the next meeting. Mr. Perugini said that the costs would be included in this year's budget. The Mayor asked if these costs would be split with the school boards that should be broadcast too. Mr. Pritchard explained that this was just for the camera for the Township Meetings.

Maureen Gallagher Bugdon asked that Holly St. be looked at regarding the trash on the side of the road. Ms. Bugdon asked that it be taken into consideration that it can be intimidating to speak at a meeting and that when making a policy it should be kept as open and as easy as possible.

Brian Furgione asked if it was possible to film the budget meetings in house and have the video taken over to Channel 2 for broadcast. Mr. Furgione offered his taping services.

March 19, 2007

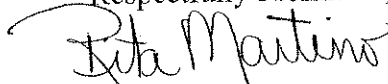
Mr. Pritchard said he spoke to Ms. Gatto at Oakcrest and they will not air any tapes without a written policy from the Township. Mr. Pritchard said that if we can finalize a proposal at the next meeting maybe that would be a logical step for the first couple of meetings. Mayor Palmentieri said that we should discuss this policy at the next meeting.

Hearing nothing further from the public, Mr. Pritchard moved, second of Mr. Link that the public comment portion be closed.

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

On the motion of Mr. Pritchard seconded by Mr. Link the meeting was adjourned at 8:15 PM

Respectfully submitted,

A handwritten signature in cursive script that reads "Rita Martino".

Rita Martino, RMC

Deputy Township Clerk