

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
APRIL 21, 2008

The regular meeting of the Township Committee of the Township of Hamilton was held on the above date with Mayor Charles Pritchard presiding. Members present were Nelson Gaskill, Amy Gatto, Joseph Nickels III, and Roger Silva. Also present were Edward M. Sasdelli, Township Administrator, Joan I. Anderson, Township Clerk, Randolph Lafferty, Township Solicitor and Daniel DePasquale for the Township Engineer.

The meeting opened with the flag salute followed by the 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 the notice, along with the agenda of this meeting, to the Atlantic City Press, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place at 6:30pm on Monday, April 21, 2008, in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed.

Mr. Gaskill recognized Freeholder Giordano for getting the grant for the landfill remediation and all of his hard work on it in the past. Mayor Pritchard expressed his appreciation for Mr. Giordano for all he did on this. Freeholder Giordano said the \$379,000.00 is to begin the process and there is a chance of getting the money to close the landfill. He said he knows the people on Township Committee will follow through on it.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the name in Agenda Item 7 be corrected to read Randolph **K.** Johnson, Sr.; and

BE IT FURTHER RESOLVED that the following items be added to the agenda of this meeting for consideration and action to be taken thereon tonight:

5. Prior to opening the Budget Hearings: Resolution to read the budgets by title only.
- 8.A Insert name of business: Pets Plus - retail per product store at Festival Mall.
- 8.H Resolution authorizing local examination of the municipal budget.
- 9.C Grant Carrie Darminio a medical leave of absence without pay (FMLA) effective April 16 through May 2, 2008.
- 10.B Add \$328.22 tax overpayment refund to bill list and amend bill list total to read \$1,663,574.02.

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

There were no executive session confirmations to be made.

Early public comment on agenda items not listed for public hearings

Thomas Palmentieri said he was very glad to see the landfill project moving forward even though it has been 2-3 years getting to this point. He said the study will let the Township know what their options for alternative closures are and getting approvals for them. Mr. Palmentieri it may also help alleviate some of the obstacles to land sales in the Industrial Park. Mr. Palmentieri said he encouraged support of the effort.

\$379,000.00 Landfill Remedial Investigation Grant presentation

Trevan Houser from Land Resource Solutions said that they knew when they started this project that it would be a long process going through the DEP and ultimately the EDA. He said the letter they got is an approval of the scope of work they submitted to DEP on behalf of the Township and that it was forwarded to Economic Development Authority (EDA). He explained the EDA is the entity that awards the grant and they will correspond with the Township regarding closing on it. Mr. Houser explained Land Resource Solutions will implement the grant do a complete investigation of the landfill and areas around it where disposal was documented or reported; identify all potential constraints on the property; identify where there are

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or where there are or are not contaminants; and come up with an action plan to address what is found at the completion of the studies. Mr. Houser explained the goal from the start was to identify potential alternatives to conventional closure of the landfill which is a raincoat over the landfill to keep water from getting in. He said that from years of research they found that the water going in isn't the problem, it is what is coming out. Mr. Houser said that a landfill usually takes care of itself with the passage of time but they want to be sure there is nothing coming out that will impact humans or the environment. Mr. Houser said their goal is to complete the studies and come up with a plan that will be the least costly remedy for the landfill. He said that, since they started, Pinelands Commission and the DEP have agreed to co-sponsor the EPA on the Alternative Cover Assessment Program which is about better, different ways of closing landfills. He said DEP has been very receptive to their indication that alternative covers are appropriate for older sites. Mr. Houser commented on the Pinelands Commission being receptive but not educated enough in the process to make a determination but they are now having the EPA come talk to them. He said that is a very good sign that they are doing their own research and expressed hope that as the process moves forward Pinelands will become more comfortable with it and Land Resources will be able to present a detailed report of the results of their investigation to them. He expressed hope that, at that point, they could move forward along the lines of an alternative cover.

Mr. Sasdelli asked if it would become a fenced-off mound of green dirt that can never be used for anything. Mr. Houser said the main focus of an alternative cover is to promote reuse of the site so they don't want to see conventional closure. He said they would like to see a soil cover that can allow some level of infiltration and is less costly than the impervious cover. Mr. Houser explained it would be better to have some redevelopment proposal that will have the cover intergrated into it. He said that is something DEP and EPA are promoting to reuse some of the older sites. Mr. Houser said the State is a vested partner now that they are investing close to \$400,000.00 in the process and would like to see something come of it. In response to Mr. Sasdelli's question on examples of such redevelopment, Mr. Houser said the most notable site is the New Jersey Gardens Mall in Elizabeth, New Jersey. He said alternative-end uses are almost unlimited and that DEP has even approved residential use on top of landfills. Mr. Houser said that, within the confines of its location, the Committee should consider reuse as a viable option for the property.

Mr. Silva asked how long the study will take. Mr. Houser said the study shouldn't take more than a couple of months but it would take the better part of a year to get from where they are today through the closing process, contracts and work plan approvals. Mr. Silva asked how detailed the study would be and if more monitoring wells or anything to see what the sub-base is like would be needed. Mr. Houser said certain things have been done by the Township in the past but the problem is whether the data is still reliable because of the length of time that has past. He said the DEP did its own site investigation as part of the Forest Walk water issue but they don't want Land Resources to say that they will reiterate what DEP said and start from there; they want them to start at the beginning. Mr. Houser said their investigation will include sampling the cover materials on the landfill; drilling new monitoring wells around the site; soil sampling in the landfill and other areas; delineation of the old access road to find out if and where material may have been disposed; gas sampling to determine how much gas the landfill is still generating. He said the grant is for \$379,000.00 worth of investigation, sampling and analysis. Mr. Houser said his company has done many of these with the State.

Mr. Nickels asked why the government would want Mr. Houser's company to start back at point "A" other than trading off liability. Mr. Houser said that, if his company accepted their information and report, they could not certify its accuracy because some laboratory methods have changed. He said it is their protocol and the Township has entered into an agreement with DEP to go forward with the process of closing the landfill. Mr. Houser said the Township can terminate that agreement but it had agreed to do certain things as part of the process.

Mr. Houser said he thought a lot of new information had been brought to light with the passage of time. He said Mr. Sasdelli knows how to get in touch with him if anyone has any information. Mr. Houser said the closing documents will be coming through from EDA.

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Mayor Pritchard said this was a problem the Township has faced for many years. He thanked Mr. Houser for all he has done so far and for getting it on the way. Mr. Houser expressed hope it will end up in the right place rather than where they may have been regulated to go a few years ago.

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

RESOLUTION TO OPEN PUBLIC HEARING ON 2008 BUDGETS

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least ten (10) days prior to the date of the hearing, a publication by summary of the budgets has been advertised and that at least one (1) week prior to the date of the hearing, a complete copy of the approved budget as advertised has been posted in Township Hall and copies have been made available by the Clerk to persons requiring them; and

WHEREAS, these two conditions have been met,

NOW, THEREFORE, BE IT RESOLVED that the budgets shall be read by title only.

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

2008 Municipal Budget public hearing/amendment/adoption

Mr. Sasdelli said the governing body directive was that the budget process be as open as possible. He explained that power point presentations were made and public discussion took place whenever discussion of the budget was on the agenda. He said every budget meeting was held in public and full disclosure of the budget was on the website. Mr. Sasdelli referred to the agenda item authorizing local budget examination and explained that only towns in sound fiscal condition are eligible to do that and that the State has deemed Hamilton Township to be one of those towns. Mr. Sasdelli said the budget maintains all current programs and services; eliminates 2 full-time police officer and 2 full-time clerical positions; includes at least one-half million dollars for road paving; replacement of the Third Street bridge; Skip Morgan Drive; Lenape Dam; and closing the landfill. He said the current budget requires a \$111.00 increase on average homeowner. Mr. Sasdelli explained the State mandated pension increase of \$636,000.00, loss in State Aid of \$254,000.00, and \$430,000.00 surplus deficit that had to be replaced totaled \$1.3 million which is about 10½ cents. He said that if they were taken out of the equation the tax rate would have been flat. Mr. Sasdelli said the loss in State Aid was anticipated to be raised in the levy and that took it from 8.7 cents to 10.7 cents.

Mr. Nickels said it also included gypsy moth spraying and that was something the Committee took a proactive position on. Mr. Sasdelli said every area that the State entomologist said needed spraying would be sprayed. Mr. Silva said the Township still doesn't know if it will be reimbursed for it by the State. Mr. Sasdelli said the reimbursement started out at 50%, then it dropped to 25% and the rumor now is that there may not even be the 25%.

Mr. Silva said the governor now added a 3% tax on trash at the landfill that cost the Township another \$25,000.00. Ms. Gatto said that is why recycling is important. Mr. Silva commented on not knowing what else the State is going to pull out from under the Township.

Thomas Palmentieri said that as the budget stands with the anticipated amendment, the 2008 tax increase will be the largest ever, \$1,587,791.00 which is 11.8%; the highest spending ever at almost \$24 million; the largest spending increase for operating expenses of \$1,893,000.00; and leaves a \$400,000.00 surplus which is the same as last year. Mr. Palmentieri said the budget seemed inconsistent with what current Committee Members said last year. He quoted portions of the June 18, 2007 minutes where Mr. Pritchard said the surplus was at a dangerous level; that if something happened it could be a catastrophe and the Township could go into a bankruptcy situation; that the revenue projections were unrealistic and the Committee was living on the edge with a very dangerous surplus. He said Mr. Gaskill agreed. Mr. Palmentieri commented on economic times being worse this year than last and asked how they justified this year's surplus with economic when both of them

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voiced opposition to last year's surplus in much better economic times. Mayor Pritchard said that was why he advocated keeping more surplus last year in anticipation of what was going to happen this year. Mr. Palmentieri asked why Mr. Pritchard advocated raising the taxes more last year. The Mayor said it was to protect the Township better this year. He said that next year is looking much more ominous. Mr. Palmentieri said the Committee has the ability to determine the surplus and asked if it shouldn't be larger this year with a 5-0 majority. Mayor Pritchard said it would be looked at tonight if the Committee could find it tonight. He said it is a bare bones budget; services and personnel were cut; and the Committee is hamstrung by other forces.

Mr. Silva said he was also opposed to the low surplus last year. He said Mr. Palmentieri didn't base last year's budget on reoccurring revenues, he budgeted it on anticipated land sales that never came through. Mr. Silva said there is no revenue anticipated in this budget that isn't reality. He said Mr. Palmentieri also didn't have the new state mandates this Committee has or a reduction in State aid. Mr. Palmentieri said he had increased pension contributions. Mr. Silva said that is bigger this year. Mr. Silva said the shortfall in surplus is what was really kicking the Committee because it was not recharged. Mr. Palmentieri said \$3.7 million was recharged. Mr. Silva that wasn't necessarily so. He said that Mr. Palmentieri took \$8 million from surplus in 2 years and that every year when he asked the Administrator if he was comfortable with that, the Administrator said "no, I feel very uneasy". Mr. Silva asked if Mr. Palmentieri was suggesting the Committee raise the taxes more. He said it can't be done with the CAP. Mr. Palmentieri said nobody wants higher taxes and the Committee decided last year that people would rather have lower taxes and deal with the lower surplus. Mr. Silva said that there was nothing in the budget last year. He said there was no road program but if you look at this year's budget there is a greater balance of needs and addressing things that were never done before. Mr. Palmentieri said they had the same \$1.5 million capital budget last year. Mayor Pritchard said there are a lot of projects on the board that weren't done over the previous few years that the Committee feels need to be finalized. Mr. Palmentieri said he agreed with that.

Mr. Nickels said when anything like a physical plant is neglected for any period of time, whether it is the Senior Center where no money was set aside for remedial repairs, it ages 2 years if it goes 1 year without assistance and 4 years if it goes without assistance for 2 years. Mr. Nickels said (Town Hall) building bothers him because the work that was done is a little short of shoddy in terms of the condition of the floors and things like that. He said he is greatly concerned that the roads haven't really been addressed for a number of years and the gypsy moths were a disaster last year. Mr. Nickels said that when you look at what this Committee is able to do including finding a way to get gypsy moth spraying in the budget it tells him this Committee is doing things that really need to be done that have been ignored for quite some time. He said that he and Mr. Silva sat in the audience questioning what was being done. Mr. Nickels said he asked why they weren't looking beyond 1 year. He said this Committee made no bones about it that next year will be even worse and, depending on economic conditions 2010 could be worse than the others, but you have to prepare for that. Mr. Nickels said he didn't like a \$400,000.00 surplus. He said it is a scary scenario knowing that if a powder keg goes off the Township has a very short pocket.

Mr. Palmentieri said he agreed that there is a lot that needs to be done but unfortunately there is not enough money to do it. He commented on there being \$6 million in capital requests in the past and, in order not to have the debt service continue to grow, the Committee had to eliminate all but \$1.5 million. He said they kept it at that level so as not to be overburdened with debt service. Mr. Palmentieri agreed the Committee could spend 5 times what it does each year but they can't afford it so tough choices have to be made.

Mayor Pritchard said that there has been a tremendous increase in utility cost since the budget process started and the Township is looking at \$3 to \$4 for a gallon of gas now so the numbers will have to be tweaked to compensate for that. Mr. Nickels said the Township spent \$65,000 for gas the first 3 months of 2007 and \$87,000 for gas the first 3 months of 2008 when gas was \$3. He said that is a lot of shortfall to come up with. He said every time transportation costs go up every other goods and service cost goes up.

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Mr. Palmentieri said the 3 new Committee Members complained about taxes during their campaign last year and asked how they answer people who are looking for the tax reduction they implied would be coming when they are faced with the large increase. Mr. Silva said they didn't promise anything they couldn't deliver. Mr. Nickels said they made it very clear that the financial picture was bleak going into this year. He said they knew there was going to be a problem when they saw a Mary Poppins attitude and anticipation of revenue that never came through. Mr. Nickels said other people brought that up too. He said he would love to be able to say taxes were going to be cut by 2% to 10% but the reality is absolutely something different. Mr. Palmentieri asked if the Committee saw any point in the future where taxes might go down. Mayor Pritchard said he didn't see it barring some major land sale but he thought that it would be needed for capital improvements. He said that the Township has never been so affected by what is happening in Trenton as it was this year. The Mayor said he is us very uncomfortable with that surplus but the Committee is forced into a situation where they have very little flexibility.

Mr. Silva said that there is a ray of hope if the ratable base is increased with commercial development and there are avenues there that can be looked at. He said he would never say taxes will never come down but he thinks the Committee realizes they have to start looking at everything in the community and take care of the priorities representing the residents and making sure public safety is the paramount consideration. Mr. Silva said there are areas that could be commercially developed and that the reval is coming but what the result will be is unknown.

Mr. Palmentieri said he agreed with everything that was said and it was nice to hear everybody saying the same thing. He said people have questioned the number of employees implying that it is too high and that is part of the reason for the tax rate. He asked what the Committee's position was on that. Mayor Pritchard said he has always felt the Township doesn't have any fat in its work force. He said he was very uncomfortable having 2 less police officers.

Mr. Palmentieri said the Committee is faced the largest tax increase dollar-wise and asked if the Committee felt they cut enough expenditures or they wanted to revisit it. Mayor Pritchard said that is why there is a public hearing because some very legitimate ideas may come forward tonight. Mr. Palmentieri named many states that he heard have multi-billion dollar deficits. He said he heard Florida is charging the Sheriff's officers \$1,200.00 a year to take their cars home and cutting fireworks. He said people are getting creative in doing what the Township Committee is doing here as well as the State of New Jersey. Mr. Nickels said the Committee has to look at ways to maximize every dollar and to look at services in 2008 and 2009. He said a citizen presented a suggestion about fire services that is worth examining. Mr. Nickels said he was vilified in the early 1990's when he suggested charging for ambulance services and a couple of years later that policy was adopted and is now a given. He said there is no reason it can't also be done for fire safety. Mr. Nickels said it was a very good suggestion from a member of the public. The Mayor said Mr. Lafferty is looking into it and may bring it forward in the next couple of meetings. Mr. Palmentieri asked if the Committee could see the Township and municipalities in general not being able to maintain existing services and having to shift back to necessities and stopping luxuries. Mr. Nickels said the Township has spoiled itself by allowing that to happen and that is why this year's budget is not for the faint of heart. He said he believes Public Safety is the core responsibility of any government entity. Mr. Nickels said the Committee has to have the courage to do things that will not be popular with a significant group of people who will think they don't like them. He said that isn't the case, it is how the Committee can do the best good for the most people with the limited dollars that they have. He said it bothers him to be 2 police officers down when he sees other frivolous things still in the budget. Mr. Silva asked Mr. Palmentieri why Motor Vehicles was cutting back hours and the number of offices. Mr. Palmentieri said it was to cut expenses. Mr. Silva said that is what the Committee is doing in prioritizing things. Mayor Pritchard said anything that is cut this year exacerbates the problems for next year because the State added a tax CAP levy on top of the budget CAP.

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Township Auditor, Leon Costello said the Levy Cap was new in 2008 and it will be difficult to live within in 2009 and 2010. He said the amount of surplus being used this year is to keep it at the tax levy right at the amount the Township is allowed to raise it by. Mr. Costello explained there was no limit on how high the levy could be raised in prior years. He said the levy CAP will force increases down in next two years and spending will have to be adjusted or additional revenues will be needed to make it work. Mr. Costello said that having a budget presentation in late summer or early fall was discussed to know where the Township will be in 2009. He said that up until 2008, if a governing body needed \$2 million more they could raise the levy but they can't do that any more. Mr. Costello said the main reason for using \$3.3 million from surplus and leaving exactly the same amount as last year there is to get down to the tax levy the Township is allowed to have.

Mr. Palmentieri said he thought another problem will be that some things that are outside the CAP this year will be inside it next year. Mr. Costello said debt service, capital improvements, Police & Fire Pensions (PFRS) and PERS pension increases are outside the CAP this year but the PFRS and PERS increases will be inside the CAP next year. Mr. Sasdelli if the budget as introduced was put into next year's template, it is \$802,000.00 above the CAP. Mr. Palmentieri said he thought that during the 9 years he was on Committee, it cost \$1 million more or more to maintain the services the Township had. He said that it has been going for years but now the CAP is squeezing down, expenses are going up and they have to meet in the middle somewhere. Mr. Palmentieri said the budget was growing for the past 6 years because the municipality had to absorb a bigger portion of the pensions and the liability and health insurance costs going up. Mr. Palmentieri said he thought the State finally caught on that government has to get smaller and through legislation and imposition of the CAP, local government has to do the same thing starting this year and next year in high gear.

Mr. Nickels said he understood the concept of trying to incorporate private business practices into government function is unique. He said time will tell and he will take his hat off to the governor if he is right but, if he isn't, he is a pretty naïve businessman that came into a political arena that he was unprepared for. Mayor Pritchard said the State is pushing shared services and this Committee has talked to other municipalities about it. The Mayor said a lot of towns are looking to get police protection but he questioned how the Township could add the officers to do it, even if they reimbursed the Township, when this Township can't do it for their own municipality within its CAP. The Mayor said it is great for the State to come up with these suggestions but there is no viable way to make it happen.

Mr. Palmentieri said that no matter what the Committee does they have to have an increase this year and a bigger one next year or tremendous cuts, probably both.

John Kurtz said that, with all the talk about rising taxes, rising food costs and cutting personnel, it sounded like the town needed a celebration. He said it was brought to his attention after the last meeting that the funding for the Hometown Celebration was almost lost. Mr. Kurtz said the budget affects many things including community spirit. He commented on the number of people at Hometown Celebration going from 800 the first year to over 3,000 last year. Mr. Kurtz said Mr. Silva personally congratulated him last year on what a great event community event it was. He commented on the possibility it might be brought up again and amended to cut or reduce the funding and said he thought that was something that had to be thought through. Mr. Kurtz said the Merchants' Association is a dues driven organization and they cut the Clydesdale horse and wagon ride out last year to save money because it requires more police protection. He said the Association would like the Committee to think more about this and community spirit. Mr. Kurtz said the largest number of vendors ever are pre-booked this year. He said the Association is looking into ways they can help cut some of the costs. Mr. Kurtz said he hoped the Committee would revisit reducing funding for the only event that lifts the spirits in the Township.

Mr. Silva said Hometown Celebration is in addition to other events. He said the Halloween Parade is phenomenal and the Christmas Tree lighting is great. Mr. Silva said he didn't think the 2 negative votes were against the Hometown Celebration and fireworks, they just felt there should be another way of funding it other than having the municipality pay for it.

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Mayor Pritchard said he agreed with Mr. Silva and Mr. Nickels especially for next year and would be shocked if it was in next year's budget because of the constraints the Committee will have. The Mayor said he personally thought it would be unfair to cut it out at this late date but sponsors have to be generated for next year if this type of program is going to be kept, especially the fireworks. He questioned the need for every town to have fireworks and said there has to be some kind of joint fireworks held in a central location.

Mr. Nickels said he was involved in reigniting this in the 1990's and it was done 100% with private contributions and the only expense incurred by the Township was unanticipated overtime but it wasn't significant. He said that since then it has grown to the behemoth it is today and he would rather put that \$30,000.00 towards another police officer even if only for a third or half the year. Mr. Nickels asked why government has to be in the business of making people happy for a day especially when it isn't even being held on the 4th of July. Mr. Nickels said the Township is in an extremely difficult budget situation not only in 2008 but also 2009 and 2010. He said he thought the effort, energies and private dollars should be put towards making the 2010 tri-centennial something very, special rather than limp into 2008. Mr. Kurtz said he thought continuing Hometown Celebration would build up to the Tri-centennial. Mr. Nickels said he thought they have to put out the cans and start getting private donations. Mr. Kurtz said that is what they did before and how they got the fireworks money. Mr. Nickels said it bothered him quite a bit when he saw \$30,000.00 for something that cost the Township nothing the last time he was involved. Mr. Kurtz said it sounded like a fund raising issue and he thinks that it could be resolved with discussion with the Merchants' Association and the Township. Mr. Nickels said he didn't support \$30,000.00 before and would not tonight for a 1-day celebration that could be used for a lot better things including a partial police officer. Mr. Silva said he thought the \$30,000.00 figure was low. He said half of it was fireworks and the other was police, public works, other volunteer services and everything that goes with it. Mr. Nickels said if other towns are doing away with fireworks all those people will be here. He commented on living on the lake and having an advantage to bring his out-of-town friends to enjoy that part of the day and evening but he has to think unselfishly. Mr. Nickels said spending money on something that is nonessential this year sends the wrong signals that things can't be as bad as the Committee is saying they are. He said he appreciated Mr. Kurtz being willing to try to raise funds for fireworks but he didn't see that happening. Mr. Kurtz said it is all about community spirit and that is a very important issue with the way things are going.

Aline Dix commented on Mr. Palmentieri saying this is the largest tax increase ever and said the largest was 74 cents at the Township level in 1976. She asked what clerk's positions were cut. Mr. Sasdelli said a Police Records Clerk and a Technical Assistant in the Construction Office were not replaced. Ms. Dix asked if a job freeze or reducing the work force by attrition was considered. Mr. Sasdelli said that was already done with two police officer positions and two clerical positions not being filled. The Mayor said it would depend on the Department needs. Ms. Dix questioned the \$200,000.00 increase in the Police operating expenses while other departments were cut or held at last year's level. Mr. Sasdelli explained replacement of 5 or 6 police cars is usually budgeted for but no police cars were purchased last year so \$133,000.00 for 4 cars was added back in the budget this year. Ms. Dix said she thought a couple of cars were gotten last year with grants. She expressed her opposition to leasing police cars. She said the \$1 buy-out at the end of 36 months and the provision for a settlement in case of a total loss of a cop car were deleted from the bid specs she gave the Township the last time they went out for a lease. Ms. Dix said that if a car that was 3 months old crashed the Township had to pay 33 more months on something they no longer had. She said that mistake should not be made again if the Committee feels they have to lease cars. Mr. Sasdelli said he didn't like leasing cars either except as a last resort. He said 5 or 6 police cars are used up each year because they roll 1.2 million miles a year and it is not good to have police officers sitting in the patrol room because they don't have cars to patrol in. He said everything that can be done will be done to not to have to resort to leasing.

Ms. Dix said she thought the 50% buy-out for health benefits should be revisited and the percentage brought more in line with what other municipalities are doing. She said one town is \$2,500. to \$3,000. and that is a nice chunk of change in December.

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Ms. Dix expressed opposition to using 1-time windfalls to fund the budget. She said 1-time money should be used for 1-time items like the bridge, public works building, getting Duberson School back in shape as a community center and a refreshment stand at the Cove.

Cora Zaczynski, a resident of Tavistock, said the increase from 8 cents to 10.7 cents is a 33 $\frac{3}{4}$ % increase and people can't afford it. She said people in Tavistock are double priced because the Township did not or will do a reval so their (assessments) are out of line. Mrs. Zaczynski asked if Township employees pay anything towards their medical insurance. Mr. Sasdelli said the Township Committee already approved the reval. He said there is a court order that it has to be complete by 2010 and on the books by 2011. He said if Mrs. Zaczynski feels her taxes are out of line she could file a tax appeal by April 1st. Ms. Zaczynski said the state requires revaluations every 10 years. Mr. Sasdelli said there is no such statute. Mrs. Zaczynski said she bought her house because her husband can't go up steps. She said that when she paid her taxes in 2004 was told the reval would be done in 2007 and when she came back again she was told it would be in 2009 and now someone told her was told it would be 2012. Mr. Sasdelli said there is a court order that it has to be done by 2010 and on the books for 2011. He explained that the 10.7 cents was the local purpose tax but when you factor in the County and School rates the overall increase is only 5 cents and that is about \$50.00 a year on an average assessed value of \$104,000.00. Mrs. Zaczynski said she paid \$212,000.00 for her house and the tax is \$7,000.00. Mr. Sasdelli said that was the market value, not the assessed value. Mrs. Zaczynski said people are trying to sell homes in Tavistock and can't. Mayor Pritchard explained the increase from 8.7 cents to 10.7 cents was because the State took \$254,000.00 away after the budget was introduced and that shortfall had to be covered.

Teresa Thomas commented on non-essential services being talked about at the last meeting. She said she thought leaf pickup and bulk trash services should be stopped for the rest of the year. Ms. Thomas said she hires someone to rake the leaves to the curb and maybe she should hire them to take them away too. Mayor Pritchard said that is part of the Garbage District Budget. Mr. Sasdelli said it all comes out of her pockets though. The Mayor expressed his concern that the woods and rivers will become filled with refrigerators and stoves if bulk waste collection is that is stopped. He said that happened in the past. Mr. Silva asked how that could be done now because it is a contractual agreement. Mr. Sasdelli said the Township would have to try to amend the contract and there is no guarantee. He said if significant dollar reductions, other than for the fireworks and Christmas decorations, are made in the budget it affects services.

Dick Norris asked what the employees contribute to their pensions and health care. Mr. Sasdelli said they contribute 5% of their salary for pensions and the municipality contributes 5%. He explained health care contributions differ. He said he pays 1.5% of his salary for health care, the Teamsters will start paying .5% of their salary for health care and the police unions also contribute for health care. Mr. Norris asked why that amount couldn't be raised. Mr. Sasdelli said the Township is trying to do that but it has to be negotiated with the unions. Mr. Norris said he asked for an application for a discount on his taxes but a married couple making more than \$10,000.00 a year isn't eligible. Mayor Pritchard explained that limit is set by the state not the municipality. Mr. Norris suggested cutting overtime for court clerks. Mayor Pritchard said the Township has the highest number of court cases in the county. Mr. Norris asked why the people couldn't be made to pay for it. Mayor Pritchard explained the municipality can't charge more for fines than the State allows and people still have to be here to keep the court running. Mr. Sasdelli said that the Township negotiated a new work schedule in the last contract that eliminated about \$15,000.00 in court overtime but it can't be totally eliminated. He said he watches overtime very closely and he questions anything he sees that looks out of whack whether it is a police officer, building inspector or a clerk. Mr. Sasdelli said Mr. Norris should call and let somebody know if he sees someone working overtime and it doesn't look right. Mr. Norris asked why the Township can't use the Sheriff's Department. Mr. Sasdelli said there were jurisdictional issues that would have to be looked into. The Mayor said the Sheriff officers patrol periodically and are always going through the Township to the jails. He said the Township could ask but can't make them patrol instead of using its own police. Mr. Norris said towns are merging police departments and asked why the Sheriff's Department couldn't come in on it. The Mayor said Mr. Norris would have to take that up with the Sheriff. He said that between the State and local police, the Township has very adequate patrols. He said the Township wouldn't argue if the Sheriff decided to put

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more patrols here but the Township couldn't cut its force because they are not overstaffed now. Mr. Norris said they would save on vehicle maintenance, fuel and manpower time. Mr. Silva said the cost would go over into the County budget and tax then. He asked if there was still a tax freeze for seniors and if there was an income limit. Mr. Norris said the State told him there was no such program. He said he was told they give you money back from what your tax went up to the year before. Mayor Pritchard said Mr. Norris gets it back as a rebate. Mr. Silva said Mr. Norris should look into it and that he could check it on line or go to the Tax Assessor. Mr. Norris said the tax increase will hurt senior citizens especially. Mr. Silva said he is a senior citizen too and everyone feels it. He said the Committee will consider any suggestion brought forth if it has merit.

John Pucci said he was on the Board with Mr. Nickels when all the expenses for 4th of July were done through fund raising efforts and activities. Mr. Nickels commented on that board and others who joined in being creative in ways to raise money. He said he thought it was the year there was a 13-cent tax increase. Mr. Nickels said he thinks that kind of spirit is sorely lacking and needs to be rekindled. Mr. Pucci commented on a program in a town in New York where senior citizens were allowed to come in and do clerical work for a reduction in their taxes. He asked if it was something the Committee would be interested in doing. Mr. Silva said he thought it was an article in Parade.

Mr. Pucci said he lives on the outskirts of town and it sometimes takes 10 minutes to get a police officer. He said he heard the dispatcher say all the officers were busy and they would send one when they could. Mr. Pucci said he didn't know how many officers work on any day but he didn't want the response time to increase because officers were lost due to the budget. Mr. Sasdelli explained there will be a loss of only 1 officer if the budget is adopted because he is recommending a civilian do the court liaison work now being done by an officer and that the officer be put back on patrol. He said he would love to make the patrol sectors smaller to reduce response time but it would take more officers. Mr. Sasdelli said the response depends on the level of the call and he won't broadcast the number of officers on a shift.

Charles Cain said an article in today's paper recognized Somers Point Road and Atlantic Avenue as the worst intersection in the County. He commented on hearing a lot about community spirit tonight and said he had to say 90' buildings will ruin the community and do not fit in with the Township's Master Plan. Mayor Pritchard explained this was a public hearing on the budget and asked Mr. Cain to hold his comments for later if they didn't tie into the budget.

Mr. Silva said the police were on the fire scene at the Fairways last week in 3 minutes and he thought they do a fabulous job of responding no matter where it is in the Township. He commented on there being an inordinate number of incidents sometimes and said the Commanders know when to call in more officers. Mr. Sasdelli said there were 51,000 calls for service. Mr. Pucci said he wasn't saying anybody wasn't doing their job but he is willing to pay a little more to keep the status where it is.

There being no further questions or comments on the budget from the public, Ms. Gatto moved, seconded by Mr. Silva, that the public hearing on the 2008 Local Municipal Budget be and is hereby closed.

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

Committee Discussion on the Budget

Ms. Gatto said that based on information Mr. Sasdelli and Mr. Sartorio provided, all the properties in the Industrial Park are sold or under contract and suggested the Industrial Commission line item could be cut by \$20,000.00 to \$25,000.00. Mr. Silva explained there will still be legal costs because the closings haven't take place and the Commission is also responsible for maintenance of the Park. He said it was \$90,000.00 at one time, \$62,000.00 last year and \$50,000.00 this year so it has been reduced significantly. Mr. Silva suggested treading lightly until everything is closed. Mr. Nickels agreed with Mr. Silva and said it would be foolhardy to reduce it in 2008 because until everything is sold the professionals will still be needed. He said there are 2 entities interested in property now and, if they both go to settlement, Ms. Gatto might have a point in 2009 but he can't support it in 2008. Mr. Silva said that based on comments heard over the past couple of weeks that could change with some land sale in there.

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Ms. Gatto said the Recreation Advisory Board is starting a sponsorship program and she would like some of the funds from that to go for recreation stuff, senior center and community services. She said that Board is looking for alternative sources of revenue.

Mr. Silva said that even if the Committee cut out some of the non-mandatory services the money has to be reallocated somewhere else. He said he thought Public Works was under-funded for years. Mr. Silva said it upset him when he saw \$16,000.00 was spent for port-a-potties last year and that they are at the Public Works Yard. He said he wanted to see decent facilities there. Mr. Silva commented on the possibility of a \$60,000.00 to \$100,000.00 increase in utility costs based on things heard tonight. Mr. Sasdelli said oil was \$85 a barrel when the budget was put together in December and it is \$118 a barrel today so he knows there isn't enough in the budget. He said that if Ms. Gatto is right and the Industrial Commission doesn't use the whole \$50,000.00 he knows that money and maybe more will be needed for transfer to fuel at the end of the year. Mr. Silva said Mr. Palmentieri told him in December that the Committee would have a time with the budget this year. He said he thought Trenton was going to pull the rug out from under the municipality even more and the Committee has to protect the residents and not overburden them any more than they already are doing with the proposed tax increase. Mr. Silva commented on one-third of the year being gone already and said the Committee has to make some hard decisions. He said that he thought there are things on that list that need to be reallocated. Mr. Silva said he heard what Mr. Kurtz said about community spirit but, right now, the spirit is broken in a lot of families. He suggested not paying the MUA water bill at all. He said he thought \$30,000.00 for the Hometown Celebration was a low figure and that the money should be reallocated. Mr. Nickels said he shared Mr. Silva's concerns. He said there essential things that need to be done and there are things that can be done in good times but the Township is not in good times now. He said he would like to take the money that is in non-essential functions and reallocate it to what will have long-term, positive results for the town.

Mr. Nickels made a motion to reallocate the Hometown Celebration, Christmas decoration, and water bill funding which totaled approximately \$58,000.00. Mayor Pritchard asked what Mr. Nickels wanted it reallocated to. Mr. Nickels said the Public Works facilities are abominable and spending money there would be better long term than being spent on a one-day function. The Mayor said he thought that was going to be looked under the Capital Budget. Mr. Nickels said \$58,000.00 could put another police officer back on the streets or do many things that he sees as government's core responsibilities instead of something the town did without before and can do without again.

Ms. Gatto asked how much was paid to the MUA so far. Mr. Sasdelli said three months have been paid. The Mayor said that would be about \$4,500.00 bringing it down to about \$13,500.00.

Mr. Silva said the Committee still has to reallocate that money to what is absolutely necessary, public service, public safety, and public welfare. He said Public Works is part of public safety because the job they do on the streets every day. He said he is prepared to make that hard decision tonight.

Mayor Pritchard said he was willing to compromise on Hometown Celebration but not to eliminate it completely because he thought that would be very unfair. He said he wouldn't lose any sleep over canceling the fireworks but thought it was important that what the merchants do during the day be maintained. He suggested some overtime could be cut back with volunteers. Mr. Nickels said they used Scouts and Scout Masters in the past. He said it comes down to deciding on police protection, good roads, and adequate facilities for Public Works or fireworks. He said it's a philosophical issue of what the core job of elected officials is and he didn't think it was fireworks or Hometown Celebration. Mr. Nickels and Mr. Silva said they would vote no on the budget if fireworks and Hometown Celebration are in it. Ms. Gatto asked why not get rid of the whole community recreation/social services department if it is not essential. Mr. Nickels said he didn't suggest that, he asked if \$30,000.00 plus the other money would be better placed for police, fire, good roads, and positive work environment for employees than fireworks. Ms. Gatto said she understood the road program was budgeted for. Mr. Nickels said that and everything including police is under-funded. Mayor Pritchard said he didn't think fireworks could be equated to having a new police officer because you couldn't get an officer for \$30,000.00. Mr. Nickels said it would be moving in the right direction.

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Mr. Gaskill said Mr. Nickels was talking about a one-time savings of \$30,000.00 but that doesn't equate to what will happen in the out-years with police officers. He said some movement is being made to bring the resource officers out of the high school and elementary school and that would put another officer back on the streets. Mr. Gaskill proposed cutting Hometown Celebration to \$15,000.00; cutting the \$18,000.00 for the MUA; reducing Christmas decorations to \$6,000.00; cutting Court overtime to \$5,000.00 because they are fully staffed; and cutting the Historic Board budget to \$3,000.00. He said that was about \$51,400.00 and any savings should be allocated to utilities and if anything is left over at the end of the year it goes to surplus. Mr. Gaskill asked if there was any money left in Capital from last year for the building at Public Works. Mr. Tuthill said there was but he didn't have the figure with him. Mr. Gaskill he thought it was about \$170,000.00. Mr. Sasdelli explained the original proposal for the public works building was about \$400,000.00 and one of the Director's suggestions was to get a modular and connect it to the existing building for about \$200,000.00. Mr. Gaskill said he wants to get money into utilities. Ms. Gatto said that was why she recommended cutting the Industrial Commission. Mr. Gaskill said he could agree with that if the Industrial Park was sold out completely. He said it was something that could be looked at next year and that non-life hazard inspections could also be looked at next year. Mr. Silva suggested cutting everything and putting it all towards utilities because there will be rising costs in electric and gas, not just fuel. Mr. Gaskill said his proposal was that whatever the members agreed on be put towards fuel. At Ms. Gatto's request Mr. Gaskill explained his proposal was to: cut \$15,000.00 from Hometown Celebration even if it meant doing away with fireworks; cut \$13,500.00 from the MUA; cut \$4,000.00 from Christmas decorations; cut court overtime down to \$5,000.00; and cut the Historic Board from \$7,400.00 to \$3,000.00.

Mr. Gaskill said he thought the town was in a position where it was well taken care of now and he isn't sure the Historic Board's usefulness as it is presently written is that necessary. He said he thought the Planning Officer, Phil Sartorio, could do it because he is a trained, certified professional. Mayor Pritchard said he wanted to be sure enough was budgeted for the salaries. Mr. Sasdelli said they have a secretary and a historic architect who meets with and gives them advice. Mr. Gaskill asked if the architect had a contract or if he billed monthly. Mr. Nickels said he thought it was under the Planning Board. Mr. Sasdelli explained he is also a Planning Board professional. Mr. Nickels said the Historic Commission is advisory to the Planning Board. In response to questions on the secretary's salary, Mrs. Anderson said she didn't know what it is. Mr. Tuthill said the Architect bills hourly. Mr. Gaskill said there is someone in-house who could do that. The Mayor said they couldn't as far as some of the architectural aspects.

Ms. Gatto said she was willing to cut \$15,000.00 from Hometown Celebration in the spirit of compromise. She said she would rather see what was kept go towards the daytime activities and to do away with the fireworks. Ms. Gatto said she agreed that the Township won't be able to pay for it next year. She said she was okay with \$5,000.00 for court overtime if Mr. Sasdelli is comfortable with it and she agreed with the other proposals but still wanted the Industrial Commission money on the table even if only \$10,000.00. Mr. Gaskill expressed concern about what would happen if they ran into legal issues with the settlements. Ms. Gatto said she believed there was a possibility some of those deals won't close for years. Mr. Silva said that e there are time limits on all of them. He said closing the landfill was holding up one of the closings but he thought the grant the Township just got would move that in a more favorable way. Ms. Gatto asked that it be kept on the table for next year. Mr. Sasdelli explained he and the CFO will watch that account and said it doesn't have to be spent just because it is budgeted. Ms. Gatto asked if the money could be reallocated if it looked like it wasn't being spent when the Committee has a mid-year update meeting. Mr. Costello explained the budget cannot be changed once it is adopted but money can be transferred back and forth between every line item in the budget after November 1st. He suggested leaving the funds discussed in the budget if the Committee wasn't sure what is going to happen in that line and it can be transferred in November.

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Mr. Silva asked when Mr. Costello planned to hold the meeting to review where the budget was. Mr. Costello said he planned to do it in late summer. Mr. Gaskill said it was a good idea because the Committee is where it is now because they didn't know about the new budget CAP and losing all that money when the budget was put together. He said that next year they will know better what is coming.

Mayor Pritchard said he was in favor of Mr. Gaskill's proposed compromise and that putting it into a line item was critical. Mr. Nickels said the mark of a good compromise is when no one walks away happy and that he would go along with the compromise. Mr. Silva said he wasn't totally happy with it but he would also go along with the compromise.

Mr. Sasdelli said amending each individual line item would be more than 10% each and would require another public hearing and adoption date. He explained that if the budget is left the way it is and just the programs are cancelled the money can be transferred to fuel after November 1st. He said it has the same effect. Mr. Sasdelli clarified that the Committee Members agreed to: cut the \$15,000.00 for fireworks; cut \$13,500.00 or whatever remains on the MUA; cut \$15,000.00 from court overtime; and cut \$4,000.00 from Christmas decorations. Mr. Silva and Ms. Gatto said the Historical Advisory Board was cut \$4,400.00. Mr. Sasdelli explained he would do that if possible but he didn't know how much of their budget was already spent. Mr. Silva suggested Mr. Sasdelli look at the \$10,000.00 in contingency if he had to take from anywhere to get to the hard numbers. Mr. Sasdelli said the total was about \$51,000.00 that can go into utilities. Mr. Costello asked if the Committee is going to use it as a transfer vehicle. Mr. Sasdelli said they are.

Mr. Costello explained the amendment he had prepared was based on the loss of state aid, a decrease in one grant and an increase in another grant. He said the amendments were all state mandated and it brings the rate increase to 10.7 cents. Mr. Costello said that the savings on the items as discussed will be transferred after November 1st to wherever it is needed. Mr. Sasdelli said the amendment basically deals with the \$254,000.00 the Township was shorted by the state. Mr. Costello explained the next steps procedurally were to adopt the amendment and then adopted the budget as amended.

Mr. Silva moved, seconded by Mr. Gaskill, that the following Resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Resolution to Amend the 2008 Municipal Budget, as set forth in full on the following page, be and is hereby adopted.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN" ON ROLL CALL VOTE.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the 2008 Local Municipal Budget be and is hereby adopted as amended.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN" ON ROLL CALL VOTE.

2008 Solid Waste Budget public hearing/adoption

Mr. Sasdelli said there are no amendments on this budget and there is no increase in the tax rate. He explained one of the reasons there is no increase in the tax rate for this budget was that, under direction of the governing body and the Public Works Liaisons, Ingrid Perez and Bill Montag diverted the waste stream from the Atlantic County landfill to the Cumberland County landfill. He said that will save about \$20.00 a ton which will translate into a savings of about \$80,000.00 for the year.

Mr. Nickels said he understood there will not be a Garbage District next year. Mr. Sasdelli said that one of his recommendations when the Committee meets in the summer to review the status of the 2008 municipal budget will be to roll it into the Public Works budget. He said he didn't think there was any need for separate budgets, separate hearings and separate audits.

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Mr. Silva said this budget was under CAP and asked if it would have a negative impact on the other CAP. Mr. Costello explained there would no effect at all because there would be a CAP adjustment on the whole budget.

Mayor Pritchard called for public questions or comments. There being no questions or comments, Mr. Silva moved, seconded by Ms. Gatto, that the public hearing be closed.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the 2008 Solid Waste Collection Budget be and is hereby adopted.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN" ON ROLL CALL VOTE.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1621-2008 be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the April 23, 2008 issue of the Atlantic County Record for a public hearing to be held in the municipal building, Mays Landing, New Jersey on May 5, 2008 at 6:30pm or as soon as the agenda will allow.

ORDINANCE NO. 1621-2008

AN ORDINANCE PROVIDING FOR THE INSTALLATION AND OPERATION OF TRAFFIC CONTROL SIGNS PROHIBITING THE LEFT TURN ENTERING AND EXITING THE PROPOSED US ROUTE 40 DRIVEWAY AT THE MILLWORKS SHOPPING CENTER SITE LOCATED ON BLOCK 1030, LOT 1 IN THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC, NEW JERSEY.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Business Registration License for Pets Plus, a retail pet product store at Festival Mall, be and is hereby approved.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Atlantic City Electric be and is hereby granted an easement for installation of a push pole off existing pole #PB42702 on Block 210, Lot 2, as shown on drawing WR# 5567022.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are authorized to execute the Easement Agreement on behalf of the Township.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Young's Skating Center is hereby granted an extension of hours from Midnight on May 2, 2008 to 2am on May 3, 2008 for a Church skating party.

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

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

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE
SAFE AND SECURE COMMUNITIES PROGRAM

RESOLUTION OF PARTICIPATION

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLID SAFETY

WHEREAS, the Township of Hamilton, County of Atlantic, wishes to apply for a project under the Safe and Secure Communities Program, and

WHEREAS, the Township of Hamilton has reviewed the application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the applicant Local Unit of Government, for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Township Committee that

1. As a matter of public policy the applicant's Unit of Government wishes to Participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and Review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to the applicant as authorized by law.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Goff Holdings LLC check #132, in the amount of One thousand Two Hundred Seventy-eight Dollars and ninety cents (\$1,278.90) be and is hereby accepted to be held in escrow as a 2-year maintenance guarantee for their warehouse/office project on Block 944, Lot 46.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that George Samuelson, Jr., be and is hereby approved for membership in the Mays Landing Volunteer Fire Company (Reliance Hose No. 1) as recommended by its Chief.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Bradley Burke be and is hereby approved for membership in the Cologne Volunteer Fire Company as recommended by its Chief.

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

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

RESOLUTION AUTHORIZING LOCAL EXAMINATION OF THE MUNICIPAL BUDGET

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Hamilton has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2008 budget year,

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

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

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

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Holly Gilbert be and is hereby approved for membership in the Township of Hamilton Rescue Squad as recommended by its Chief.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that it has no objections to the N.J.D.O.T. approving and/or issuing permits to the Vietnam Veterans of America Chapter 825 for coin drops to be held at the Wrangleboro Road/322 jug-handle and the Borders Book Store corner of Wrangleboro Road on June 7 & 8, 2008 and on September 6 & 7, 2008.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that regular employee status is hereby granted to Helen Staino, Tax Collection Clerk 1, effective April 18, 2008, her probation period having been completed.

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

Mr. Silva moved, seconded by Ms. Gatto, that the resignation of Jonathan Moratelli, Truck Driver/Laborer 1, effective April 18, 2008 is hereby acknowledged.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Carrie Darminio is hereby granted a medical leave of absence without pay (FMLA) effective April 16, 2008 through May 2, 2008.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the minutes of the April 7, 2008 meeting are hereby approved and adopted as published.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that all properly executed and approved payrolls and bills are hereby ordered paid, the bill list total being \$1,663,574.02 as of April 17, 2008.

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

Reports

Mr. Sasdelli reported the Engineer had a change order for \$16,200.00 to resolve the unfinished sidewalk situation at the corner of Main Street and Lenape Avenue. Mr. DePasquale explained Feriozzi, the contractor for that project, is a concrete company so it is cheaper for them to do a temporary restoration in concrete than asphalt. He explained it will be broken up later because environmental testing and things of that nature have to be done. Mr. Sasdelli said that "later" could be 5 years from now.

Mr. Nickels said the temporary restoration would make it safe.

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Mr. Silva asked if it would be completed before the Hometown Celebration. Mr. DePasquale said he believed it would be done quickly. Mr. Sasdelli explained Feriozzi is the existing contractor so it can be done as a change order to the original contract. He said the County has already given their approval and that he recommended the Committee move forward on it. Mr. Silva asked if this would be the end of Contract 1 except for when and if they dig it up again. Mr. DePasquale said anything done after this would not be Feriozzi's contract. He said Mr. Gasko is getting a grant from DEP for that. Mr. Sasdelli said the Township's contract will be closed and any other problem the owner has with DEP is their problem.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that a change order to the Main Street/Mill Street Improvement Contract in the amount of Sixteen Thousand Two Hundred (\$16,200.00) Dollars be and is hereby authorized for installation of a temporary concrete sidewalk in front of the Antique Store on Main Street which shall include pumping rainwater out of tanks, filling with 3/8" diameter stone, sub-grading the sidewalk area, installation of 2" of temporary concrete on the Main Street side only, backfill and clean up of the sidewalk area along the Lenape Avenue side.

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

Mrs. Anderson asked Mr. DePasquale for a regular change order form it. Mr. DePasquale explained this is still Churchill's job so they will have the paper work. Mrs. Anderson asked Mr. DePasquale to ask them to get the specific change order to her as soon as possible for the minutes. He said he had another contractor look at and they would have been more expensive and that it is easier to do it under a contract that is still open.

Mr. Lafferty reported both bond companies for Horizons at Woods Landing have been put on notice and Bond Safeguard already assigned Harris-Beach of New York as counsel on it. He said he requested a meeting with them within two weeks. Mr. Lafferty said they will come down with on-site engineers. He said Mr. DePasquale and Remington Vernick did a great job of updating the deficiencies in conjunction with the Churchill studies and that the engineering work was sent to them today.

Mr. DePasquale reported he will meet with Mr. Sasdelli tomorrow to go over a host of issues. Mr. Sasdelli said it includes road opening permits.

Mr. Gaskill reported receiving a lot of good, positive comments from the citizens in Clover Leaf Lakes about the playground project. He said the fence is up now. Mr. Gaskill said it looks very nice and has been a great project. He thanked Ms. Gatto for her participation in it and asked her to take that back to the Rec Commission.

Mr. Gaskill reported that in the first 3 months of 2007 the Township paid the former solicitor \$49,000.00 and in the first 3 months of 2008 only \$24,510.39 was paid to the new solicitor for a savings of \$24,501.00. Mr. Gaskill expressed hope the trend continues and thanked Mr. Lafferty for the fine work his law firm is doing.

Mr. Nickels reported he received a letter in February from a couple in the Clover Leaf section about dead or dying trees along the fence going down Route 322. He said Mr. Sasdelli sent a letter to the state it and the couple got a copy of that. Mr. Nickels said that Mr. Silva called today to tell him that there was a plethora of new trees being planted along Clover Leaf Drive. He thanked the gentleman who brought it to his attention and encouraged the public to bring it to the Committee's attention when they feel they have something that needs to be addressed.

Ms. Gatto offered to serve as a liaison to strike a partnership with the Merchants' Association and attend their meetings to start looking at what can be done for next year's Hometown Celebration if the other members had no objections. Mr. Gaskill said that was a good idea and Mayor Pritchard said it is part of her department anyway.

Ms. Gatto thanked the MLAA for letting her throw out the first pitch at the Little League game.

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Ms. Gatto said Project Graduation is a great program at Oakcrest High School that keeps the kids inside from 11pm to 5am on graduation night in an effort to curtail drinking and drunken driving. She said they are looking for donations of cash, food, prizes and manpower. Ms. Gatto asked that anyone willing and able to help to let her know.

Ms. Gatto asked the members to respond to the e-mail she sent them on an element of the sponsorship program.

Mr. Silva thanked Mr. Gaskill for the budget compromise he brought forth tonight. Mr. Gaskill said good government in action is give and take. He said it was not done in closed session, it was all out in the open and everyone knows how the Committee Members feel. He said it was accomplished the right way and he thinks it is a good sign for this Township Committee.

Mr. Silva thanked Cologne, Laureldale and Cardiff fire companies for their response to the fire at the Fairways over the weekend. He said there was fear because the homes are very close but the fire companies protected the house from falling. Mr. Silva said he didn't think that it was fortunate that the fire occurred, but he did think it was fortunate that it occurred at the time it did so the responders could move throughout the Township as fast as they did. He said they have to face the same things the Committee looks at in terms of gridlock and how to get around things. Mr. Silva asked the Police Lieutenant and the Laureldale Chief to express the Committee's thanks to the others who were not present tonight.

Mr. Silva agreed with Mr. Nickels about the shrubbery replacement along Clover Leaf Drive and thanked him for bringing attention to it. He said that the Clover Leaf area is coming together nicely with that and the playground.

Mr. Silva said he was taken back by how few people voted in school election when 57% of their taxes in this community go to schools. He said less than 800 voted last week. Mr. Silva commented on not knowing if they attend School Board meetings. Ms. Gatto said she was the only one from the public at the Regional School budget hearings but many more attend the local Board meetings. She agreed that it is sad that more people don't vote or go to the school budget meetings. Ms. Gatto said quarterly meetings with the schools are being set up to discuss shared services. Mr. Silva said he thought the schools are a very viable resource. He commented on hearing people complain but they do not go out and vote.

Mayor Pritchard reported that the people that are being sprayed for gypsy moths should have received letters containing all the precautions, dos and don'ts by now. He said it will be done between early May and early June. The Mayor suggested that anyone who thinks they are in a spraying area and didn't receive the letter contact Ingrid Perez. He said the spraying site map is on the Township website.

Mayor Pritchard reported the Planning Board has gone through four very, very long meetings that went to about 11:30 on one particular application and there is no end in sight. He thanked the Board Members and said they are very dedicated. The Mayor said there are more applications coming that will probably be just as difficult. Before opening the public comment portion of the meeting, Mayor Pritchard asked the public not to get into specifics about one particular project because he and Mr. Nickels sit on the Planning Board.

Public Comment

Aline Dix commented on the 250th anniversary of Mays Landing celebration in 1960 and the kind events that were held during the year. She said it went on for months, not just one day like the Hometown Celebration is and that she asked Charlotte Ripley to list what she can remember about it. Ms. Dix expressed her opinion that a Tri-centennial Committee should be authorized and appointed to start making plans for the 300th anniversary celebration in 2010. Mr. Gaskill said he was 11 at the time and was very proud that the Mays Landing Fire Department won the raft race. Mr. Nickels suggested anyone who hadn't seen the movie "Waiting for Guffman" watch it. He said that it would give a pretty good blue print for what something like this should be.

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Ms. Dix questioned where the fence gates at the Clover Leaf playground were. Ms. Gatto said there are two entrances, one of them on Sweetgum. Mr. Gaskill said he believed that she was correct. Mr. Silva said the Public Works entrance is on Pinehurst and he believes the other one is on Sweetgum.

Ms. Dix referred to the Mr. Silva's comment about the quick response time to the Fairways fire and said that the Township has no place to site a fire station because things weren't done the way they should have been over the past decade. Ms. Dix said Egg Harbor Township has 5 fire companies and 9 fire stations. She said Galloway has a few fire companies and more stations. Ms. Dix described a station as a building where a fire truck can be parked with turnout gear where people from the east side of the Township could go to get a truck on the road. She urged the Mayor to pick someone to look for property in the eastern side where a fire station could be built. She said it could be as small as 100'x100'. Mr. Sasdelli asked Ms. Dix what was wrong with the response time. Ms. Dix said the comment was that it was because of the time the fire happened which was a little after midnight. She said her comment was meant to show why something needs to happen and not a criticism of what happened. She said the middle of the day gridlock is the issue and it could have taken half an hour and a whole lot of houses could have been lost. Mr. Silva said the fire Chiefs are looking into a needs assessment and Ms. Dix's point was well taken.

Ms. Dix commented on the work she has done on tax refunds for six months, one of which added tonight and said there are a few people she can't find. She expressed concern about refunds being applied to the current owners of properties that were sold three times and it isn't their money. Ms. Dix cited a property in Victoria Crossing that Ms. Ha sold to Mr. Tran in October of 2003 and is now owned by somebody else as an example. She said there are several others and she will try to give Mr. Sasdelli a list of the blocks and lots, deed dates and year of overpayment so it can be determined whether it is the current owner's money or someone else's. She said that, if the Committee agreed that it might be somebody else's money, she thought they need a resolution to cancel it and move it to surplus so the money will be there for people if they show up in the future and won't be given to the wrong person. Mr. Sasdelli told Ms. Dix to continue to bring him the lists and as long as the Auditor blesses it they will be processed. Ms. Dix said she hoped a policy is in place that will stop this and that when duplicates come in they will go right back out to the title company. Mr. Sasdelli said he already had the audit exit interview and that was heavily looked at and a lot of measures were put in place.

Bruce Strigh said a petition is being circulated that reads: ***"We the undersigned being residents, voters, taxpayers, concerned and interested parties in Mays Landing Village, Clarktown, Forest Walk, Riverview Estates, Whispering Woods, Somers Point Road and surrounding neighborhoods, holding dear the rural, peaceful, natural, quiet setting that has brought us to reside, raise our families, retire and otherwise enjoy our homes vociferously request the repeal of Hamilton Township Ordinance 1584-2007 which amended the Developmental Ordinance to include such changes as to allow unprecedented increase in building height limit from 45' to 90', greatly diminish buffers and setback, greatly reduce impervious ground coverage and other permitted uses that in their totality will permanently destroy the quality of life in Hamilton Township. Therefore, we respectfully petition the Planning Board and Township Committee in accordance with municipal regulations and statutes in an expedited commitment repeal said Ordinance that was passed in a manner that failed to notify and reach out to affected residents for meaningful input on said Ordinance"***. Mr. Strigh said that about 175 signatures were gotten on it in one afternoon so it isn't just him that is asking for the repeal of that Ordinance. He said that they aren't talking about any specific application that is or may come before the Planning Board. He said he was sure the Committee Members read the Ordinance and amendments that will greatly affect the quality of life, not just in his neighborhood, but in all those surrounding areas if those permitted uses are brought to fruition. Mr. Strigh commented on the Township Committee sending him to the Planning Board and said he got blank stares when he made his request to them and he didn't get anywhere. Mr. Nickels disagreed and suggested they were probably glassy-eyed after sitting through the 4 hour Wal-Mart hearing. Mr. Strigh said he talked to the Planning Board Chairman and he was going to have the Planning Board attorney look into it but when he called the office today there was no response from Mr. Rosenberger. He said that he is back with the petition and putting the ball back in the Township Committee's court. Mr. Strigh said he hoped it wouldn't be passed off to a lawyer because he thought everyone is

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big enough to do things themselves occasionally. He said he hoped that the Committee would put the wheels in motion to repeal the Ordinance mainly. He said sometimes the Board Members don't read the Ordinances and don't appreciate what they are passing without criticism. He said he hoped, based on the merits of the ordinance only, the Committee would do something proactive to move it forward to give the residents a chance at a public hearing where they can voice their concerns about the Ordinance and how it is going to affect them. Mr. Strigh said Township Committee Members are elected officials and have the power to move forward with this. He said it is not a public hearing on an application; it is an ordinance and an idea on permitted uses that will greatly impact their neighborhood. Mr. Strigh commented on talking with Mr. Nickels earlier about other projects like NASCAR, the power plant, Cabbala's and said he hoped that sooner or later the Planning Board and elected officials will get the message that the people don't want this stuff. Mr. Strigh said he wasn't suggesting it was done intentionally to deceive. Mr. Nickels said Mr. Strigh was diligent well over a year ago on particular applications within the Industrial Commission and he commended him for being a true advocate for the area where he lives. He said he heard what Mr. Strigh said the other night and saw the stares from some members who were on the Planning Board before and some that are new. He said they know that an applicant is rumored to be coming forward but they haven't seen anything so far. Mr. Strigh agreed that it hasn't come before the Board yet. He said he doesn't know if there is law or statute that says when an ordinance can be appealed but if the Committee is trying to separate the Ordinance and the application that is exactly what they are doing. Mayor Pritchard said they are waiting for Mr. Rosenberger to reply and he has to do research first. Mr. Nickels said Mr. Rosenberger is very good and will do it. Mr. Strigh said he understood that but he thought that the Township Committee, by its action can ask the Planning Board.

Mr. Lafferty explained for the benefit of newer Township Committee Members the 2 mechanisms whereby the Developmental Ordinance can be changed are: (1) the Planning Board makes a recommendation to the Township Committee and they act on it or (2) the Township Committee can develop an Ordinance they are comfortable with but they have to submit it to the Planning Board for a 35 day review period. He said thought everyone had to understand the process that took place with regard to this amendment. Mr. Lafferty gave a summary of events leading up to adoption of the amendment and said the Planner and Planning Board made a recommendation to the Township Committee and the Township Committee acted on it.

Mr. Nickels asked if the right step to consider it again would be for the Planning Board to review it and recommend to the Township Committee. Mr. Lafferty said that if the Township Committee wanted to suggest a change they could make a change but it has to be sent back to the Planner and Planning Board for a 35-day review period. Mr. Nickels said a lot of people were at those meetings and a lot of concerns were raised so it was not done in the dark. Mr. Strigh said he never suggested that it was. Mr. Nickels said there a process that adapts the letter of the law and a process that adapts the spirit of the law. He said he thought the letter of the law was followed but he doesn't agree that the spirit of the law was followed. Mr. Strigh agreed. Mr. Nickels expressed his opinion that with a project of some substance it is in the applicant's best interest to make their case, not only to the people in the 200' buffer zone but also to the people in the particular area. He said there is no question that an applicant that has yet to come before the Planning Board has talked about building a project in Mays Landing for the past few years without addressing some of the concerns. Mr. Nickels said he thought Mr. Cain's traffic concerns make more sense than height (building). He said he thought it was important for the Township Committee, in the long term, to make people of the Township feel comfortable with the elected and appointed boards and to have faith in government that nothing is being done in the cloak of darkness or behind somebody's back even if they have to sit through another Wal-Mart. Mr. Nickels said his personal opinion would be to move forward and review it but he can't guarantee it. Mr. Strigh said Mr. Nickels is only one member of the Committee and of the Planning Board. He commented on coming to the Township Committee, to the Planning Board and back again. Mr. Strigh said he wished he could request and get some satisfaction from one of them to at least initiate it (review). He said they might come up with the same result. Mr. Nickels said he thought Mr. Rosenberger got Mr. Strigh's request. He said he has great confidence in Mr. Rosenberger and that he is one of the finest Planning Board attorneys he has ever seen. Mr. Strigh agreed. He said he can't control what is on the Planning Board agenda but he knows 2 people who may have some input and if the Board Committee won't initiate something, he hoped something would be on the next Planning Board

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agenda. Mr. Nickels said Chairman Dahl took notes and he knows Mr. Dahl spoke with the Solicitor after the meeting. He again said he thought it was important in the long term that the confidence in the elected officials and the Boards be re-established and if that involves taking a step or two back, he would be for it.

Mr. Strigh said he would like to hear a motion to send the Ordinance to the Planning Board for them to review. He said it would send it to them for review and possible repeal. Mr. Strigh said it would then come back to Township Committee; there would be a public hearing on it again; and the residents of the surrounding communities might be a little more informed and come out. He said people for and against it would be heard; everyone would have a little clearer idea of the impact it will have on them; the Committee could decide whether or not it should be passed and whether or not it is something the residents want. Mr. Nickels said he thought that was fair.

Mr. Nickels moved that the Township Committee ask the Planning Board to make a review Ordinance #1584-2007.

MOTION DIED FOR LACK OF A SECOND.

Mr. Silva asked how that differed from how the Planning Board would entertain an application. Mr. Strigh said that it is because the current permitted uses do not require any variances and the people disagree with the permitted uses. He said that if the Ordinance went back to the Planning Board and a recommendation for repeal comes back, everyone can clearly look at the permitted uses and some may be approved and some may not. Mr. Strigh said there are now 28 permitted uses and named the 90' height limit, equestrian facilities and bowling alleys as examples. He said the uses could be discussed and it would come back for another public hearing and give everybody an opportunity when they are more informed.

Ms. Gatto asked for clarification of what the Planning Board was waiting for from Mr. Rosenberger. Mr. Nickels said Mr. Strigh is asking the Township Committee to formally request the Planning Board to take a review step on that Ordinance. Mr. Lafferty explained it is a request, not a submission of a revision, and the Board is not bound to consider it or act within the 35-day period. Mayor Pritchard said review time is needed because there are a lot of new professionals.

Mr. Strigh said no body is asking that all the rules be thrown out, the petition says "according to municipal and State Statutes". Mr. Sasdelli said he thought Mr. Strigh was asking the Committee to throw all the rules out because it is very dangerous to make public police when only one side of the story is heard. He said the Committee wasn't prepared to hear this tonight because it was not on the agenda. Mr. Sasdelli said the process on the Ordinance started November 9, 2006 and didn't finish until May 11, 2007. He said it was 6 months and entailed 5 public sessions. Mr. Sasdelli said the property hadn't been sold in 30 years. He said the Planning Board made a Master Plan Amendment that said the property hadn't been sold; it was obviously unmarketable the way it was; they wanted to add the permitted uses to make it more marketable, sell it, put it back on the tax rolls and have a tax ratable; there was a public hearing and it was approved 9-0. Mr. Sasdelli said on January 4, 2007 the Planning Board recommended the amendment for Planned Recreation Development to be added. He said there was a public comment period and it passed 7-1. Mr. Sasdelli said it came to Township Committee and was introduced January 16th. He said there was a public comment period and it passed 5-0. Mr. Sasdelli said there was a public hearing on February 5th and it passed 4-0. Mr. Sasdelli said it was sent to the Pinelands Commission for certification; Pinelands had a public hearing on it April 25, 2007; and the Director said "it complies with the Comprehensive Management Plan standards for municipal master plans and land use ordinances". He said he wasn't saying whether the Township Committee should do it but he didn't like overtones that the Township tried to hide it or sneak something through. Mr. Sasdelli said it is an Industrial Park and something is going to go there whether it is Magic, Federal Express, a drug rehab center or a hospital. He said He said he wanted it on the record before the Committee made their decision that it was done to make it marketable so every dollar that can be raised from a ratable won't have to be raised from the rest of the taxpayers. Mr. Strigh said he didn't care what Mr. Sasdelli said because he has lived here 50 years and others moved here to enjoy where they live. He said he never said it wasn't done according to statute and law. He commented on having been a Township Committee Member, a Planning Board Member and a resident. Mr. Strigh said people try to put a lot of faith in government and

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he thought this just cruised through. He said he wasn't criticizing but sometimes you have to step back when reality strikes like it is now. Mr. Strigh commented on Mr. Nickels saying that when the public thinks they got a bad deal the Committee can go back and review it. He said he thought the residents got a bad deal and it might have been a different story if they knew what the outcome would be. Mr. Strigh said he is asking that the Committee, through the process, look at it again and see if it is what the residents live around it really want.

Ms. Gatto commented on this not being on the agenda and said that, in the spirit of following the process, she thought it would behoove the Committee to table Mr. Nickels' motion and put it on the next agenda for formal discussion. She said that way it is advertised and people on either side will know it is up for discussion and can comment, either early or late. Mr. Nickels asked if Ms. Gatto was taking the Planning Board out of it. She said she was asking for Mr. Nickels' motion to be tabled so people would know the Committee was discussing the possibility of sending it to the Planning Board for them to look at. She said she knew that was bureaucratic but the point was made that it wasn't on the agenda. Mayor Pritchard said an opinion from Mr. Rosenberger would be gotten in the meantime.

Mr. Nickels said there was a motion and another one to table it. He asked if the motion to table needed a second. Mr. Lafferty said a second was needed on the first motion. No second being made, Mrs. Anderson explained the first motion died for lack of a second.

Mr. Silva asked if this opened doors for legal challenges and expenses. Mr. Lafferty said he didn't think the Committee was exposed to anything. He said the motion was for the Township Committee to ask the Planning Board to look at this issue again. He said that isn't any formal legal action; it isn't a proposal being sent to the Planning Board under the 35-day rule or anything of that nature; the Committee is just asking the Board to listen to Mr. Strigh and revisit the issue. Mr. Lafferty explained the Planning Board is semi-autonomous and the Township Committee can't control their timeliness perspective. Mr. Silva said he understood it was slated to be on their agenda but they had certain issues to straighten out before it came back to them.

Mr. Nickels said the Planning Board has been mired in the Wal-Mart hearings for 4 meetings and they have at least 2 more coming. He said if this was put up as a discussion item, it could be an hour or a 2-minute discussion, or they could say they liked what they did and move on and it would come back to the Township Committee. Mr. Nickels said the Committee did this with the Fairways Ordinances that had been passed. Mr. Lafferty said that was a taxation issue, not a Municipal Land Use issue. Mr. Nickels said he may love the application and wouldn't say anything about its merits now because there is no application. He said faith in government and its boards has to be restored and the way to do it is by taking a step to the side to allow something like this and allow the people to be heard. He said if that isn't the will of the majority of the Committee, so be it.

Mr. Strigh said that when permitted uses are virtually anything you can think of without variances it is not good on that postage-stamp size piece of property and he didn't think it was appropriate for where it is located in the Industrial Park. The Mayor said some were. Mr. Strigh said there are more uses than are reasonable and he wasn't talking about an applicant. He said he has a problem with the permitted uses, set-backs that went closer to the property lines and all the things in the Ordinance. Mr. Strigh said when he went to the Industrial Commission about an application because he was told an updated version was going to be presented there, they said he was the first visitor they had seen in years. He said he wanted to ask some questions when it came to public comment but when he raised his hand the attorney said it wasn't a public hearing and they wouldn't take questions. Mayor Pritchard asked if that was before or after this Ordinance was passed. Mr. Strigh said it was after it was passed. Mr. Silva said hardly anyone ever came to Industrial Commission meetings when he was on it. He said people only get involved when it threatens them but in reality they should be involved all the time because it is their neighborhood and community. He said he respects what Mr. Strigh is doing as a neighbor. Mr. Silva said he thought the Committee is looking for justification in terms of what this will do and let the Planning Board take its course. He said it is a good and well balanced Board. Mr. Strigh said that sometimes, regardless of the intent, you are trapped if certain permitted uses went through without knowing what the end would be because no variances would be needed. He said the problem with the Ordinance is it greatly expanded the permitted uses in the Industrial Park.

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Mr. Sasdelli said Mr. Strigh's point was that even if the Planning Board wouldn't be able to curtail something even if they wanted to if it is a permitted use. Mr. Strigh said the Planning Board will have a tough time turning down a permitted use when the governing body passed them. He said they can't say that even though it's permitted, they thought about it a little more. He said that is why not only the Boards but the residents also should have a chance to voice their opinion on what should or should not be permitted. Mr. Strigh said it won't stop an applicant from asking for a variance and then there would be a public hearing on it.

Charles Cain complimented the Committee on the budget they passed.

Mr. Cain said he didn't think anyone said that they believe anything was done underhandedly; he said it is frustration. He commented on the difficulty he has being involved because he owns a business and has small children. He commented on people working shift work having difficulty being involved and said that 2" strip (a legal ad) in the back of the paper doesn't do anything. Mr. Cain said he got a notice about gypsy moths but he didn't get any notice on changing the permitted uses in the Industrial Park from 13 to 28 and the building height from 45' to 90'. He said that is the point and the people want the opportunity to be heard now. Mr. Sasdelli said he wasn't endorsing or taking a position with the Ordinance. He said he was just trying to establish for the record and the Committee's benefit that the reasons why it was done were to try to increase the marketability and ratables; it is an industrial park not open space; and the goal of government is to put a ratable in there. He said that whether or not the reasoning was sound and whether or not it should be revisited is up to the Township Committee. Mr. Cain said 90' tall in the center of Mays Landing is big. Mr. Silva said there are 150' to 200' water towers in the Township and that Mr. Cain once lived near one. Mr. Cain said they are an eyesore. He asked if there was a time period when you have to go from a volunteer to a paid fire department with putting up a structure of that size. Mr. Cain said an application was made for \$900,000.00 grant for a fire truck that should be able to handle a structure of that but if they don't get it the taxpayers will have to buy a fire truck if they are allowed to build a 90' structure. The Mayor and Mr. Nickels said Wheaton's is about the same size. Ms. Gatto said the Township has two ladder trucks now that could handle it. Mr. Sasdelli said that the increase in ratables of that magnitude would make the Township revisit the fire apparatus and fire protection. Mr. Cain said he is concerned about ratables too. He said he understood the option on that property is about \$30,000.00 an acre. Mr. Cain said he brought up before when comments were made that they couldn't sell the property that it isn't listed with MLS. He said you wouldn't know the Park land is for sale unless you ride by it. Mr. Cain said an applicant that may or may not be coming before the Planning Board released a 16-page document that states he was happy to report to his investors that his bank appraisal was that it would come in at about \$40 million for land value only. He said he thinks it is a bad deal for the residents of Hamilton Township because that land value is a whole lot more than \$30,000.00 an acre with the change of uses that allow structures of that magnitude. Mr. Cain said he could assure the Committee that the land value where Black Horse Commerce Center is building 45' hotels is a lot more than \$30,000.00 an acre. He said this is a bad deal for Hamilton Township if it goes through. Mr. Cain said that the Land Use Ordinance says a report should have been prepared and given to the Township Committee prior to them voting on that Ordinance. He said he didn't see anything in the minutes of a single question being asked by a Committee Member on an ordinance of that magnitude. Mr. Cain asked if they had proper knowledge of what they were voting on. Mayor Pritchard said he was on Township Committee then and had just come off the Planning Board the previous year so he was very familiar with what was being proposed. He said there was nothing to question at that point in light of no opposition. He said two other Committee Members were serving on the Planning Board at that time. Mr. Lafferty said the report Mr. Cain talked about is when the ordinance originates at the Township Committee and sends it to the Planning Board and they have 35 days to formulate a report and send it back to the governing body. He explained it wouldn't be sent back to the Board for another report this change originated at the Planning Board in conjunction with the Planner and they recommended the Township Committee make that change to the Ordinance. Mr. Cain said the fact that an option was put on the property prior to the Ordinance being passed still needs to be revisited because it means the taxpayers are not getting their fair share on the value of the property. He said he is sure that when a use such as that was put on the property, the land value is much, much higher than what the option is. Mr. Cain said he thinks the public should have another opportunity to talk about it.

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Mr. Strigh asked if a decision was made about putting it on an agenda. The Mayor said the decision wasn't made yet.

Ms. Gatto said that when looking at the Hotel Motel tax was suggested the Committee was provided with the public comments that were made when it was previously discussed and before she can decide if the Ordinance should be brought back for discussion, she would like to see what the public comments were on it and what the options on the property were before the Ordinance. The Mayor said it was to be a discussion item at the next meeting and for a recommendation at that point. He said the Committee should have information from the Planning Board Solicitor by then to consider as to legal ramifications.

Ms. Gatto moved, seconded by Mr. Nickels, that formal discussion of what the Committee wants to do with Ordinance #1584-2007 be put on the next agenda.

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

Mr. Sasdelli said Mr. Cain brought up a good point that he hadn't thought of before. He said he is going to talk to the Industrial Commission Chair and Secretary because if the land was put under contract for one price given the original 13 uses and the Committee changed the permitted uses and that increased the value of the property but it was still sold under the original value. Mr. Silva said he opposed the sale initially because he felt the price was too low. He said when they came back with the additional uses it opened the door to raise the price beyond what Summit was paying. Mr. Silva said he believes Magic Sports is paying \$30,000.00 an acre and they were given 24 months from when they get their approvals to settle. He said if they don't get their approvals, they don't own the land. Mr. Silva explained the Commission refused to sell them the land because they didn't want them to be a speculator in the event they didn't get their approvals because the land belongs to the residents of the community. He said Mr. Cain was right, it could bring more but he isn't sure there is a market right now. Mr. Silva said it may be that there will be a great market in the Industrial Park if Magic Sports doesn't go through. Mr. Strigh said the time line is important because it isn't the same piece of property. Ms. Gatto said that is why she wants the history of what happened in the past.

Mr. Cain asked if there is a point when the fire company can no longer be volunteer. Mr. Sasdelli said there isn't, it is public policy. He said it is up to the fire chiefs and elected officials as to when they can no longer respond to emergencies and they have to put paid people on.

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

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

There being no further business to come before the Township Committee for action tonight, Ms. Gatto moved, seconded by Mr. Nickels, that this meeting be and is hereby adjourned.

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

ATTEST:

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