

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
SEPTEMBER 7, 2010

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, NJ, was held on the above date with Mayor Roger Silva presiding. Members present were Charles Cain, Jr., Amy Gatto, Dr. Harvey Kesselman and Thomas Palmentieri. Also present were Edward M. Sasdelli, Township Administrator, Joan I. Anderson, Township Clerk, Robert S. Sandman, Township Solicitor, and Robert J. Smith III, Township Engineer.

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Meetings Law by posting a notice on the bulletin board in the municipal building and by e-mailing or faxing a copy of said notice to the Atlantic City Press, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place in the municipal building, Mays Landing, New Jersey at 6:30 P.M. on Tuesday, September 7, 2010.

A moment of silence for private reflection was observed.

Mr. Palmentieri moved, seconded by Dr. Kesselman, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Item 4.G, discussion of Frank A. Stewart Estate Grant to purchase two privately owned lots on Main Street be and is hereby deleted from the agenda; and

BE IT FURTHER RESOLVED that the term "release" in Item 8.S be changed to "return"; and

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

Item 8.A Insert the names of businesses:

1. Best Little Hair House in Jersey LLC - salon at 6039A Main Street
2. A Wireless - cellular devices/laptop & accessories sales in Consumer Square
3. Mays Landing Kumon Center - Tutorial services in Festival Mall
4. Rue 21, Inc. - retail apparel & accessories store at Hamilton Commons
5. Gold Exchange Stores II NJ, LLC d/b/a Gold Buyers America - precious metals buying business in Hamilton Mall

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

Adjournment to executive session - 6:41 p.m. (moved up from end of Agenda)

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that this meeting be adjourned to an executive session to discuss the following matter which is exempt from public discussion pursuant to the New Jersey Open Public Meetings Law:

1. Merrill vs. Verno litigation

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

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

Mr. Palmentieri moved, seconded by Ms. Gatto, that the meeting be reconvened in public session at 6:54 p.m.

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

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Confirmation of executive session

Dr. Kesselman moved, seconded by Ms. Gatto, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Township Solicitor, Robert Sandman, be and is hereby authorized to file a Post Judgment Motion in the matter of Merrill vs. Verno litigation.

RESOLUTION ADOPTED WITH MEMBERS CAIN, GATTO, KESSELMAN, PALMENTIERI AND SILVA VOTING "YES", NO MEMBERS VOTING "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

Presentation by Mayor

Mayor Silva presented the following Proclamation. Suzanne Smith accepted it on behalf of General Lafayette Chapter 2029 NJ of the Daughters of American Revolution.

MAYOR'S PROCLAMATION
CONSTITUTION WEEK
SEPTEMBER 17 -23, 2010

WHEREAS: It is the privilege and duty of the American people to commemorate the two hundred twenty-third anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, ROGER SILVA, by virtue of the authority vested in me as Mayor of the Township of Hamilton, in the County of Atlantic and State of New Jersey do hereby proclaim the week of September 17 through 23, 2010 as

CONSTITUTION WEEK

and urge all citizens to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Township to be affixed this seventh day of September in the year of our Lord two thousand and ten.

ATTEST:

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

Roger Silva, Mayor

Early public comment on agenda items not listed for public hearing

John Pucci commented on having difficulty getting paid work he recently did for a developer near the Mall and said that he has first hand knowledge that the excavator before him had difficulty getting paid and that some of the local professionals working on that mall had difficulty getting paid. Mr. Pucci asked if there was anything the Township could do before the performance bonds are released to protect the contractors that did the work necessary to get the guarantees released. Mr. Sandman explained release of performance bonds procedures are set forth in the Municipal Land Use Act and the Land Use and Development Ordinances of the Township; that the bonds are to protect the municipality for incomplete work or work that is improperly done and that they are not intended to protect subcontractors to get paid; and that those protections lie within the contract documents between the general contractor, owner or developer and subcontractor. He said he is unaware of any ordinance in this community that would permit the Township to not release or not partially release the performance bonds where the

developer has complied with what the Engineer considers the appropriate work and appropriate work schedule. Mr. Silva expressed his belief that Mr. Pucci was concerned about basins and whether the necessary investigation was done if the performance or maintenance bonds were being released. The Mayor said that he is sure Mr. Smith is very diligent in the inspection work. Mr. Smith said his recommendation would not be made if he wasn't satisfied with the work that was done. Mr. Sasdelli said four of the requests for performance guarantee releases on tonight's agenda are being denied for problems that Mr. Smith found. Mr. Sandman explained State Law provides for a contractor that hasn't been paid to file a construction lien against the project.

Aline Dix said didn't see any category for a part-time Police Records Clerk in the Teamster's Contract and she questioned why the salary was so high. Mr. Sasdelli explained the Staffing Plan approved by the Township Committee at budget time was to replace the retiring full-time Clerk with two (2) part-time Clerks at that salary. He explained tonight's appointment is a replacement for one of the part-time Clerks who resigned and that she was the next one on the list. Mr. Sasdelli explained it is not currently a Union title; that the hourly wage is what was approved in the Staffing Plan; and is the same as what the person they are replacing was paid. Ms. Dix commented on people needing work and said there are people who are willing to work for less than that and that she didn't think the salary should be this high with the town being almost broke. Ms. Dix asked if the appointment of the part-time Fire Sub-Code Inspector on an as needed basis meant they would be "on-call" and be called in periodically. Mr. Sasdelli said this goes back to the Township Committee asking for more efficiency in personnel. He said it is not a new position and explained Mr. Garton already works for the Township as a part-time Fire Prevention Inspector; he got Fire Inspector certification on his own initiative; he will work the same amount of hours but now when he goes out he will be able to do both Fire Protection and Fire Prevention inspections which are two different types of inspections; when Frank Primavera is on vacation or not here, Mr. Garton can do those inspections; and it is the same hourly rate that was previously set. Ms. Dix asked what the new job title will be. Mr. Sasdelli explained Mr. Garton is already the Fire Prevention Inspector and this appointment would make him also Fire Protection Sub-Code Inspector. Ms. Gatto said it empowers him to perform those inspections.

Red Light Cameras discussion

Mayor Silva explained this was tabled at the last meeting so the full Committee would be sitting when it was discussed. He said Mr. Cain had brought this to the forefront.

Mr. Cain thanked the Mayor for tabling it and giving the Committee Members time to read through the report. He thanked Mr. Sasdelli, Chief Tappeiner, Lt. Sorrentino and the police Traffic Unit for putting together such a comprehensive report. Mr. Cain said there is a lot of information in the report to digest and that the argument is made both for and against them in the report. He said he believes it is a good thing for Hamilton Township based on what he read in the report. Mr. Cain said if you looked at the two intersections being considered, according to the crash data, they have the highest number of accidents and injury related accidents in the entire township. He said he hoped everyone had time to look over the information. Mr. Cain said he supports it and believes it is the right direction for the Township to go.

Dr. Kesselman asked if it would only apply to one or two intersections in the entire township. Mr. Cain said that was correct and if the Committee moves forward with it they would be authorizing the bid process to pick a vendor. Mr. Sasdelli explained the township has to do two things (1) select a vendor and (2) make application to the D.O.T. and designate which intersections the Township wants them to look at. Mr. Cain said he understood the intersections would be based on the data in this report and the data collected by the vendor. Dr. Kesselman asked what intersections they were. Mr. Sasdelli said the intersections he and the Chief think have activity that would meet the application criteria are the lights at Wrangleboro Road and the Expressway entrance and at Leipzig and 322.

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Mayor Silva said the memo the Chief sent to Mr. Sasdelli on August 9th states the officers only conduct red light enforcement when there is a specific problem that needs to be addressed regarding red light violations which is infrequent. He said he didn't know that there was any data supplied to him as the Public Safety Liaison to call to the Committee's attention that there would be a need for red light cameras. Mayor Silva said he hasn't seen any history of running red lights in any statistics in any of the paperwork that has been generated. Mayor Silva said he is concerned about the burden it places on the Police Department. He said he didn't think this actually lessens manpower but it could increase the burden on them because, if he read the report correctly, more man-hours would be required for reviewing the videos. The Mayor said there are pros and cons on this. He said he knows D.O.T. is accepting applications but they are all on hold until D.O.T. reviews the data that was supposed to be reported to them after the first year operations so the Township doesn't know if these sites would be approved. Mayor Silva said he doesn't know that the Township has the data to support everything that would be necessary on the application. He said he thinks it is a question of how this is perceived. Mayor Silva said he was against it 2 years ago and is not in favor of it now.

Mr. Cain said that the beginning of that memo says the vendor will take the responsibility to do a study of the intersections to verify the statistics at their cost; they have to prove to D.O.T. that there is a history of red lights being run at those intersections; and the vendor will undertake that as part of the process. He said he also believes the Chief went on to say that the reason the Township doesn't currently do red light violations is because they don't have the manpower.

Ms. Gatto commented on having a couple of questions when the Committee originally talked about this. She expressed her appreciation to Mr. Sasdelli for the comprehensive packet and newspaper articles from around the region that she thinks present both sides of the issue. Ms. Gatto said the financial liability was the question that stood out to her even in the initial discussion. She said she didn't think any of the members dispute the desire to enforce law to the highest degree but she thinks they saw a financial liability in a program like this with having to pay the vendor but from the information presented she thought the revenue that would come in would pay for the financial liability. She said she asked Mr. Sasdelli what would happen if the township doesn't get that revenue and they still have the financial liability. Ms. Gatto said one of the articles said the vendor would forgive the liability if the revenue wasn't as estimated and that would likely be true in the Township's case. She said that Mr. Sasdelli's determination was that vendors would typically do that. Mr. Sasdelli said the Township would include that in the RFP process. He explained that was why the pre-survey period is so important because when the vendor knows they are on the hook for it they will make sure they pick an intersection that they feel has a high probability of a lot of violations because they don't want to be in the position of the tickets not covering their costs.

Mr. Cain said when you look at the data there are high accident rates at intersections just past these intersections and he believes that when if you bring one into compliance there is a potential to reduce it at the others.

Ms. Gatto commented on the story in the August 12th Atlantic City Press "Driver in Hamilton Township crash ran red light the police say" and that it was at one of the intersections being considered. She said she thinks it is worth applying for and worth investigation. Ms. Gatto said she didn't see any reason not to move forward if it fits and if the township has no financial risk which is her biggest concern. She said it won't hurt the township while the State is making a decision.

Mayor Silva asked if there have been any legal challenges to it in jurisdictions where it is currently in operation. Mr. Sandman said he would have to look into it. Mr. Palmentieri said he thought he read that there were. Mayor Silva said the most disturbing thing was that the conclusion of one of the reports was that generally after cameras were installed rear-end collisions increased and red light running crashes decreased. He asked if the township was trading intersection accidents for rear-end crashes. Mr. Cain said the same report said collateral damage was reduced substantially so it may increase some fender-benders but it will reduce higher impact

accidents that cause higher collateral damage and it will help prevent injury related accidents. Mr. Sandman said he was pleased to hear the content of dialog about public safety issues. Mayor Silva said it should be approached from a public safety standpoint not revenue generating. He said he doesn't believe the Committee should ever consider raising revenue on the backs of residents, visitors or shoppers that come to the community. Mayor Silva said if it is going to be installed it has to be looked at from a public safety standpoint. Mr. Sasdelli said the Solicitor brought this up the last time. He said there have been some cases and with some attorneys one of the "cons" seems to be that it takes a picture of the license plate not the person so the ticket is issued to the owner of the vehicle who may or may not have been the driver. Mr. Sasdelli said people came to court and said they weren't driving and asked why they got the ticket.

Mr. Sandman said it places the citizen at odds with what he considers their Fifth Amendment Rights. He said he is not a proponent for or against this and he hasn't studied it but he is a Constitutional Lawyer and there is something about it that doesn't sit right with him. He said he could research whether or not it has been challenged and report back at the next meeting. Mr. Sandman said he a member of and on the Board of Governors for the American Association for Justice which has a list service of about 1,000 lawyers and this topic is on the burner with them right now. Mr. Sandman said he was sure there will be challenges and there may have been some that failed but he doesn't know. Dr. Kesselman asked how it differed conceptually from going through a toll and they just take a picture of the license and you are going to get the fine. Mr. Sandman said he supposed it would be similar if it was challenged in municipal court but the person should not be required to testify, they should be able invoke their Fifth Amendment right and let the prosecutor's side carry the burden of proof. Dr. Kesselman said if someone who was given a ticket came to court and challenged it, they could assert they were not driving the car and he asked if the burden of proof was on them to prove someone else was driving their car and identify that person. Mr. Sandman said the burden of proof would be on the person who owned the vehicle to establish the proofs that he wasn't operating the vehicle but he would not have to say who was driving. He said this legislation was written as a "lets try it for a little while" pilot program. Mr. Palmentieri said it is a 5-year pilot program. Mr. Sandman said he can find out if it has been challenged or he can analyze it from a Constitutional standpoint and give the Committee his legal opinion.

Mr. Cain explained a notice of violation is sent in the mail to the owner of the car that has a picture of the vehicle, a picture of the license plate, and states the violation. He said it gives the individual a code number that they can use to go on the internet and view the violation as it occurred in real time. Mr. Cain said statistically they are not challenged, people come in and pay the fine and they don't get points. Mr. Sandman said the insurance company cannot surcharge you for that violation.

Mayor Silva said he read they need computer terminals for the prosecutor, the public defender and the judge for viewing the court proceedings and internet access is required. He asked Mr. Sasdelli if he had any idea what that cost would be. Mr. Cain said it says all records are kept off-site and held by the vendor. Mr. Sasdelli said that would be based on what the township put in the RFP and he would want as much of the onus put on the vendor as possible. Mr. Cain said the Committee will have an opportunity to review it because they have to approve a contract and if they aren't happy with the content of the contract at that point they simply won't approve it. Mr. Sandman suggested a Form of Contract be attached to the RFP.

Mr. Palmentieri said he applauded Mr. Cain for looking into ways to address the budget problem but unfortunately he is not a fan of doing it this way. He that the last time the Committee discussed it he listed about a half dozens reasons why he isn't in favor of it. Mr. Palmentieri said he would repeat all of them but the bottom line which he still feels strongly about is that he feels people want the Committee to cut spending, not find a way to take their money. He said the Committee can debate the merits of it from a safety standpoint or lack of a need for it and the mechanics of it but ultimately whatever money the Township gets out of it is coming out of people's pockets predominantly for very minor violations due to the fact 75%

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of the revenues come from not coming to a complete stop when turning on right on red, not for running the red lights. Mr. Palmentieri said the majority of the money comes from what he calls non-serious violations and he doesn't think people want that type of way used to balance the budget.

Dr. Kesselman asked for clarification of what the Committee would be voting on tonight. Mayor Silva said it depends on where the Committee wants to take it tonight. Dr. Kesselman said what he heard was that it is basically to submit an application to determine whether there is sufficient number of violations at those two intersections that would allow the Township Committee to put the cameras in if they chose to.

Ms. Gatto said she thought the Committee needed a vendor to review the application. Mr. Sasdelli referred to the second paragraph at the bottom of Lt. Sorrentino's memo, under application, and said they looked at how other municipalities do it. He explained said they contracted with a vendor and the vendor is required to prepare the application. Mr. Sasdelli said he thought the answer to the question was that the Committee would authorize him and the solicitor to prepare the RFP and the RFP would require the vendor to prepare the application and do the survey. Ms. Gatto said it is specifically hiring somebody else to continue this work. Dr. Kesselman said that would be the end result but the Administrator and Solicitor would just prepare the RFP with all the conditions mentioned. Mr. Sasdelli said he thinks that is the direction the Committee would go. Mr. Sandman explained it would require that a vendor be a contracted for an entire year in order to undertake the application process. Ms. Gatto said theoretically they are hired to handle it end to end and part of that is to do the application process. She said that if in the application process they deemed that those two intersections don't meet the criteria that would be the end. Dr. Kesselman said Department of Transportation will make the determination of whether they meet the criteria, not the vendor. Mr. Palmentieri said the vendor will determine if they meet their criteria and then after the State gets to review the application, they will determine if it meets their criteria. Dr. Kesselman agreed and said he thought someone said the current process is on hold anyway. Ms. Gatto said she didn't see any downside to moving forward because it is going to take a long time.

Mr. Sasdelli said to clarify Dr. Kesselman's point, Lt. Sorrentino reports that use of the cameras have been authorized in 22 jurisdictions in New Jersey; 15 of them have contracts; 6 of them are fully operational at this time; and the remaining 7 are still determining whether or not they will proceed and what vendor they will use. He explained that was in the first round and the State is not approving a second round until the D.O.T. Commissioner reports to the Governor how the pilot program is working. He said if the Committee is going to move forward, their action would be to authorize him and Mr. Sandman, in conjunction with the Police Chief, to prepare the RFP and the vendor would be competing for the whole ball of wax. He said he didn't think anyone would want to undertake the application if they didn't think they were going to get the whole thing.

Dr. Kesselman asked if the RFP would include the caveats Mr. Sandman stated earlier that insure there is no financial liability on the part of the Township, etc. and if they don't accept it, the Township won't get it and the Committee won't talk about the issue anymore. Mr. Sasdelli said he will push as much of the onus on them as possible.

There being no further questions, comments, or discussion, Mr. Cain moved, seconded by Ms. Gatto, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Solicitor and Administrator be and are hereby authorized to compile an RFP for a vendor and red light camera system at two intersections as deemed by the Administrator's and Chief's report.

RESOLUTION ADOPTED WITH MEMBERS CAIN, GATTO, AND KESSELMAN VOTING "YES", MEMBERS PALMENTIERI AND SILVA VOTING "NO", NO MEMBERS "ABSTAIN".

Authorization to execute agreement with Jersey Professional Management to coordinate recruitment & selection of Township Administrator

Mayor Silva explained this was tabled at the last meeting in order to have the full membership present when it was discussed.

Dr. Kesselman moved, seconded by Ms. Gatto, to approve the contract with Jersey Professional Management to conduct the search for Township Administrator position at a cost not to exceed \$9,500.00.

DISCUSSION ON THE MOTION:

Ms. Gatto said she thinks the Committee has a duty to the residents go through a fair, thorough, efficient and objective process to make sure they get a highly qualified candidate. She said she didn't think they will get a candidate as qualified as Mr. Sasdelli but they can strive high. Ms. Gatto said she thinks it needs to be done quickly because in her opinion the transition needs to happen directly with Mr. Sasdelli and not with an interim person because of the size of the town, all the things going on in the town all of the serious issues they are facing. She said she thinks this is the fastest, most efficient way to do this and it would be penny-wise/pound foolish not to.

Mr. Palmentieri said he didn't disagree with a lot of what Ms. Gatto said but the previously used system gave the Township its most qualified Administrator twice. He said it was efficient, unbiased and without the added expense of \$9,500.00. Mr. Palmentieri said he didn't necessarily have a problem spending the \$9,500.00 but his biggest issue is the timing. He said with the upcoming November elections there will be a lot of Administrators that will find the need to look for new jobs and the pool of qualified candidates would be significantly larger November than it will be before November. Mr. Palmentieri said that having gone through this several times over the past decade, his advice is to wait until mid or late November before starting to solicit applicants and not to make a decision on anybody before that because the pool of qualified, experienced Administrators is very small. He said there are only 560-ish in the entire state and the majority of them being in north Jersey and making more than the Township is capable of paying. Mr. Palmentieri said the number that meet the qualifications the Township sought when they hired Mr. Sasdelli and who would be interested in this town is very small. Mr. Palmentieri said the Committee needs the biggest pool possible and he didn't think that would be available until mid-to late November at the earliest.

Ms. Gatto said she disagreed with Mr. Palmentieri 100%. She said it is unfortunate that the time Mr. Sasdelli is leaving is around the election and in her experience in the business, interim never works and it is not the right idea. Ms. Gatto said they have to directly transition with Mr. Sasdelli and that means someone has to be hired fast. She said the best time to look for a job is when you have one. Ms. Gatto said she is sure people know who the slates of candidates are; whether or not they want to potentially want to work for them; and whether or not they are going to apply. She said she thinks the Committee has to move quickly and decisively.

Mr. Cain said he believes the Committee would expand its reach to candidates that would not apply to an ad in a trade magazine or other avenues by using a professional firm like JPM.

Dr. Kesselman said a professional firm also insures a degree of confidentiality. He said the Committee is talking about hiring a professional firm and Mr. Palmentieri is talking about the timing and they both have legitimate arguments. Dr. Kesselman said the Committee is talking about hiring a firm to conduct a search that isn't limited to the 560 townships in New Jersey. He wants to expand it to beyond New Jersey and there are people in other states who have actually run towns of similar size. Dr. Kesselman said there has been a chorus of support that the current Administrator is a first rate Administrator and he knows Mr. Sasdelli thinks this is the best course of action to pursue. He said if the Committee has the kind of respect for Mr. Sasdelli that they say they do, his opinion ought to matter and it does matter to him. Dr. Kesselman said he isn't familiar with this firm but Mr. Sasdelli is familiar with this firm. He said

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he is familiar with search firms because they use them in his field but not with this one. Dr. Kesselman said it guarantees confidentiality; usually gets a far larger pool; and this firm has a long, successful history of coming up with solid Township Administrators through out this region. He said that is why he put it on the agenda; he believes the Committee met in closed session on the issue and he doesn't understand the ambiguity now.

Mayor Silva said he didn't think there was ambiguity and didn't believe everything everyone on the dais says is right or wrong, it is an opinion thing. He said he isn't against using a search firm but he is a little reluctant to spend \$9,500.00 in this economy before exhausting other avenues. The Mayor said he has several letters of interest on his desk from people who are Administrators now. He commented on Ocean City having run a large ad in the paper for an Administrator when there was a change in politics and he is sure a lot of people applied for it. Mayor Silva said he would be in favor of running an ad in the paper and the League of Municipality and using this as a last resort if none of that worked. He said the Committee is trying to stop spending and he doesn't want to spend \$9,500.00 if they don't have to. Mayor Silva said that while he respected the opinions of Mr. Sasdelli, Dr. Kesselman, Mr. Cain and Ms. Gatto and Mr. Palmentieri, he still thinks they could advertise now and may get a list of candidates that fit the bill.

Ms. Gatto said it would concern her for the Township to do its own advertising, some up short and then have to spend an additional \$9,500.00. Mayor Silva said they don't know that they will come up short. Ms. Gatto said it is a potential risk and the Committee has to look at all of the risks. Ms. Gatto said it is not atypical or unusual to build the cost of the search into the new salary when you use a headhunter or search firm and she thinks the Committee has to look at that to come out cost-neutral in this and to have a qualified candidate in to transition with Mr. Sasdelli.

There being no further questions, comments or discussion, Mayor Silva called for a roll call vote on Dr. Kesselman's motion and Ms. Gatto's second for adoption of the following resolution:

Township of Hamilton Resolution

WHEREAS, the Township Committee of the Township of Hamilton have determined to retain a municipal recruiting service to assist the governing body for the purpose of interviewing, selecting and hiring a Township Administrator, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection, and;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, as follows:

1. That a contract be awarded to Jersey Professional Management, 23 North Avenue East, Cranford, NJ, without competitive bidding in accordance with the requirements for extraordinary, unspecifiable services of NJSA 40A:11-5(1)(a) of the Local Public Contracts Law because of the complexities of recruiting suitable candidates for key municipal and county government positions; the need for a thorough grasp of duties required of various public employees, special skills required to prepare job descriptions, and necessity to utilize an agency having substantial expertise, training and thorough knowledge of local municipal affairs as well as a proven reputation of recruitment of qualified employees for local government services.
2. Jersey Professional Management has been in existence since 1988, and for over 22 years has served over 300 New Jersey Municipalities, Counties and School Districts, and the principals are extremely knowledgeable in recruiting for local government positions

BE IT FURTHER RESOLVED that for the reasons indicated above and for the services to be provided, Jersey Professional Management shall be paid a sum not to exceed the amount of \$9,500, plus the direct cost of advertising the position of Township Administrator; as outlined in Jersey Professional Management's proposal letter dated July 27, 2010 and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute an appropriate agreement with Jersey Professional Management.

BE IT FURTHER RESOLVED that the Municipal Clerk shall publish a notice of the contract award in the official newspaper of the municipality as required by law.

ROLL CALL: CAIN	"YES"
GATTO	"YES"
KESSELMAN	"YES"
PALMENTIERI	"NO"
SILVA	"NO"

MRS. ANDERSON SAID THE RESOLUTION WAS ADOPTED THREE TO TWO.

MEMBERS COMMENTS WHILE CASTING THEIR VOTE:

Mr. Palmentieri said he was voting "no" on the motion as it is without the details he discussed.

Mayor Silva said he was voting "no" based on his comments that he is not in favor of spending that money until the Committee has exhausted all other avenues open to them. He said \$9,500.00 may not be a lot of money to some people in this day and age but it is an awful lot of money to him and he doesn't think the Committee should be spending it yet.

TOWNSHIP CLERK CERTIFICATION

This resolution was duly adopted by the Township Committee of the Township of Hamilton, Atlantic County, NJ at their regular meeting held on September 7, 2010

Certified by: _____
Joan I. Anderson, Township Clerk

Draft Ordinance Regulating Discharge of Firearms Within the Township

Mr. Cain said it was brought up by members of the public the beginning of the year pointing out that the Township has an ordinance that was written 40+ years ago and might need some addressing. He said that has been done over the last couple of months and asked Mr. Sandman to give an update of what has been accomplished.

Mr. Sandman explained the ordinance on the books is antiquated; it prohibits the discharge of a firearm; and is in a section that has seven other provisions that are patently unconstitutional. He said the first ordinance he drafted rescinds in large measure the Peace and Good Order portion of the general ordinances and was necessary in his opinion. Mr. Sandman said the problem the subcommittee had was that the discharge of firearms is controlled by the State and is preemptive. He explained preemption means that when the State takes action to regulate a particular thing or activity exclusively and exhaustively local government are preempted from taking action with respect to it but if the local action isn't contrary to the State action, it can provide additional safeguards under local legislation. Mr. Sandman explained the subcommittee tried to recognize the rights of people to hunt, target shoot and things the State lawfully permits provided it is done in a safe manner. He said a lot of what is in the ordinance is complicit with the State. Mr. Sandman said the Committee didn't have the final ordinance tonight because he has to check with the court to see what the fine and the effective date would be. He said if the Committee chooses to go forward with it he will put it in final form for the next meeting.

Mr. Cain said he, Mr. Palmentieri, the Solicitor, the Administrator and Chief of Police were the members of the subcommittee. He said the subcommittee was shocked to find out that arguably a firearm could have been discharged in the Hamilton Mall parking lot with the current ordinance.

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Mr. Sasdelli said one of the things the he and the Chief looked at was the practicality of enforcing it. He said when a police officer is sent to enforce an ordinance that was written in 1946 when the language was completely different, trying to explain what it does or doesn't say to residents. Mr. Sasdelli said he thinks this clears it up so it is understandable and makes it much easier to enforce. Mr. Sasdelli explained the action is to authorize the Solicitor to prepare the ordinance for introduction at the next meeting.

John Pucci had signed up to make early public comment on this item and agreed to wait until it came up on the agenda. Mayor Silva called Mr. Pucci to the microphone. Mr. Pucci said he is the resident that requested the antiquated ordinance be looked into. He congratulated Mr. Sandman on the wording in the proposed draft of the ordinance. Mr. Pucci said the present ordinance says "discharge of a weapon" and the Mr. Sandman's draft says "discharge of a firearm". He said the Second Amendment preserves the right for American Citizens to bear arms and there was a Supreme Court ruling earlier this year that Washington, DC cannot say you can't have firearms there so there is a right for Americans to have and bear firearms. Mr. Pucci said there is no registration requirement for guns in Hamilton Township. He said it would be hypocritical for the State to say he is allowed to hunt on his 25-acre property but he can't target shoot. Mr. Pucci said target shooting part of the Winter Olympic Biathlon Sport. He commented on target shooting at boardwalk arcades and there being there are turkey shoots and skeet shoots all across the country. Mr. Pucci said he agreed with certain safety parameters and recognizing property owners rights. He said you should not only be allowed to hunt on your own property, you should be allowed to target shoot on it. He said this township is the largest land mass in the state and he thinks some reasonableness can be in corporate in the ordinance to not only allow hunting but also the sport of target shooting with your own firearms on your own property.

Ms. Gatto moved, seconded by Dr. Kesselman, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Township Solicitor, Robert Sandman, is hereby authorized to prepare an Ordinance Regulating the Discharge of Firearms within the Township for introduction at the September 20, 2010 Township Committee meeting.

RESOLUTION ADOPTED WITH MEMBERS CAIN, GATTO, KESSELMAN, PALMENTIERI AND SILVA VOTING "YES", NO MEMBERS VOTING "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

Request for extension of County Municipal Open Space funding for Liepe Tract Development (OS-R-9-132)

Mr. Sasdelli explained the Committee previously applied for and received a \$400,000.00 grant through the County Open Space Program for development of the Liepe tract. He explained the Township doesn't actually have the funds it is just an allocation of them. Mr. Sasdelli explained the then-Mayor Charles Pritchard signed the contract and it expires October 28, 2010. He said due to economic conditions the Township was unable to complete the project and the letter from the County says if the Township wishes to pursue an extension of the contract term a formal request letter along with a municipal resolution authorizing the request should be done. Mr. Sasdelli commented on the Township being in a state of turmoil right now and said he doesn't think the Committee can make a determination by October 28th. He recommended the Committee apply for the extension and then they would have time to discuss if they want to use it for this (the Liepe tract development) or for something else.

Ms. Gatto said she agreed the Committee should apply for the extension particularly until they come up what its strategy looks like in terms of what they are spending money on, where they are spending it and keep the option open for reallocation.

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

WHEREAS the contract between the Township of Hamilton and Atlantic County for \$400,000.00 in funding from the County Municipal Open Space Financial Assistance Program, County file No. OS-R9-132, for the Liepe Tract Development will expire October 28, 2010; and

WHEREAS the Township does not have the funds necessary to construct the proposed Liepe football fields at this time due to the severe budget crisis; and

WHEREAS the Pinelands Commission review of the design plan showed several problems with drainage and T&E,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton hereby requests an extension of the contract term for its County Municipal Open Space Financial Assistance Program funding for Liepe Tract Development, County file No. OS-R9-132.

RESOLUTION ADOPTED WITH MEMBERS CAIN, GATTO, KESSELMAN, PALMENTIERI AND SILVA VOTING "YES", NO MEMBERS VOTING "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

Performance Evaluations

Dr. Kesselman said he asked for this to be on the agenda. He said it concerns supervisory and managerial employees and he knows there has been some movement towards having an evaluation system. Dr. Kesselman said he strongly urged this take place as soon as possible and that it be done on an annual basis. He said he thinks it is critical because it provides timely feedback to supervisory employees as to their performance and it sets specific goals that they are required to do. Dr. Kesselman said it is not so much for the sake of the Township; it is for the sake of how you manage the Township. He said he looked the form and it is sufficiently comprehensive that if it is implemented it will provide the kind of feedback he thinks is necessary to run a town of this size.

Ms. Gatto said the Township Committee started this process about 3 years ago in terms of getting the managerial house in order and more in line with corporate America rather than municipal America. She said when the process started the Committee came up with an organizational chart; reorganized town hall so it was more efficient; and gave people outside of the Police Department a sense of a chain of command because the Police Department chain of command was very evident but that was not so on the other side typically. Ms. Gatto said they saved \$72,000.00 as a result of that process by going through the salary ordinance and reworking positions. She said after that they went through a process of making sure they had written job descriptions and agreed to for all job titles. Ms. Gatto said she believed that process was nearly complete and Mr. Sasdelli said that was correct. She said that at that time the Committee said it would be hard to put performance evaluations in place when people don't have a clear understanding of their job title and responsibilities. Ms. Gatto said they found they could revisit the performance evaluation process they had in mind after the Strategic Planning Committee came out with the revised Township Vision and Mission and selected their four focus areas. She said the job description process will now be finalized and intermingled with the new vision, new mission, strategic focus areas and will put into place some core competencies they want the employees to demonstrate every day. Ms. Gatto said it is basic stuff that is pretty much done now on a day to day basis: good customer services and efficient work processes. She said it is really recognizing the people working, that they do it and get praise or support to develop in certain areas if they need it. Ms. Gatto said they are working on the process and hope to start it in January. She said they decided that would be the right time to start rather than any other kind of fiscal year. Mr. Sasdelli said the only addition to the centralized personnel system Ms. Gatto just ticked off was the Township has a JIF certified personnel manual and that they also set Police Department Accreditation as a goal which has been done. He said this was his shortfall. Mr. Sasdelli said there are 160 employees; about 90 of them get performance

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Evaluations. He said the Teamsters don't and a lot of the management don't and they should but he just didn't get to it yet. Mr. Sasdelli said the Committee wanted this done two years ago and it should have been done already. Ms. Gatto said she thinks it will come out better than they wanted now. Mr. Sasdelli said it will be tied into the Strategic Planning four themes that were identified and it will develop into goals for the managers. Ms. Gatto said Department Head and Division Head training is the other important thing that has to happen in conjunction with this. She said that if you have never done it before it isn't an easy task to do in the right way, in an unbiased way, in a fair way, and consistent across all employees and the way everybody is evaluated. Ms. Gatto said she offered her help with that by bringing her experience from companies she has worked and that she knows other have offered that same help. She said the process has been handed over to Mary Kelly to finalize and implement at this point and Mary will call on the Committee Members for help if she needs it.

Mayor Silva and Mr. Sasdelli said this was just an update and no action was necessary.

Inter-local Service Agreement with County for shared maintenance of Gaskill Park point area

Mr. Cain said he is very passionate about how the town looks and the conditions he sees there. He said he made certain commitments to do what he can as an elected official to see some of those things change. Mr. Cain said he is very excited about this from the standpoint that is an agreement that was struck with the help of the County Executive, the County Administrator, the County Planning Director, the County Engineer and County Director of Parks and Recreation. He said he was concerned about the deplorable condition at Sugar Hill, Main Street and the bulkhead for years and prior to running for office. Mr. Cain said to him it is the gateway to Main Street and the focal point for thousands of visitors going through it on the way to the shore. He said the intersection has been neglected and he thinks something has to be done as a Township. Mr. Cain said he is ashamed that wasn't done sooner. Mr. Cain said he thinks something has to be done to let people know the Township has a beautiful downtown and this is a way to do that. He said it is in the beginning and they have an agreement with the County. Mr. Cain explained this wasn't about Gaskill Park and said the County does a very good job of maintaining it. He said the area is neglected because there is a jurisdictional problem with County ownership, Township ownership and State ownership and when the grass isn't cut everyone points in another direction. Mr. Cain said the plan he put together with the help of Mr. Sasdelli, Mr. Morley and Mr. Sartorio is for the Township to take over the maintenance of the area from in front of the fence to the old Sugar Hill Circle in a triangle form. He said the sidewalk that was put over the bridge to the park on Old Egg Harbor Road is impassable because grass and trees have grown into it. Mr. Cain said that is the area being talked about and that it is very small but has a huge impact. He explained the process that will move forward provided the Committee gives its approval this evening is that they have received donations from a landscape engineer who is donating his time to help with the design plan; donations for a marquee sign to go there; it is all being done without using Hamilton Township taxpayer money; and the only thing the Township will have to do in return is cut the grass once everything is complete. Mr. Cain said he is excited about it; that he believes it needs the attention it is about to get; and he hopes the Committee Members see it the same way.

Mayor Silva said he didn't think he completely understood what Mr. Cain said about three people owning it and asked if it is the point or all of the related property around it. Mr. Cain said it is the point only. He said there are 5 areas that need attention and they discussed each of them and what could be done to with mitigate maintenance of the islands. Mr. Cain said the State does nothing with them but that doesn't mean the Township shouldn't clean up its own entranceway. He said they discussed what could be done to minimize maintenance of the area - once or twice application of something. Ms. Gatto asked if that meant putting in rocks instead of grass. Mr. Cain said that was correct. He commented on the area between the two bridges being extremely overgrown and said the landscape engineer will work with the county's landscape engineer to figure out what can be done to make it virtually maintenance free. Mr. Cain said the Township wouldn't be

assuming responsibility for the sidewalks because the State just put them in but the Township will have to take over the sweeping and grass clipping daily maintenance of the sidewalks and curbing.

Dr. Kesselman referred to the map attached to the memo and asked for clarification that they were talking about the areas marked 1, 2, 3, 4, and 5. Mr. Cain the deal that was struck was for area 1 and the County is going to work with their point person at the State to help the Township get permission to clean up the other areas. He said area 1 is the only one the Township currently has permission to do.

Mayor Silva asked if doing this changed any of the Township liability issues at the area and if the Township was assuming something they didn't incur before by taking on maintenance. Mr. Sandman said if the Township did it in a way that created a dangerous situation it was possible. Mayor Silva said he knew the State hasn't been concerned about maintaining a lot of its property. He commented on state property on Route 50 and in a lot of the islands as you come to the end of Cologne Avenue being overgrown. He said there is a lot to be taken care of and he didn't know that the Township will get the level of cooperation from the state that they will get from the County. Mr. Cain said the Township has to try because the conditions are deplorable. He said it is the gateway to downtown Mays Landing; that it needs attention; and the Township should be giving it right now.

Ms. Gatto said Mr. Cain did a great job working with the County and that it is nice to see this kind of partnership. She said that she is in favor of beautifying the entranceway and there are other areas that she thinks the Township has their eyes on. Ms. Gatto said she thinks that kind of momentum needs to be continued. She said she is glad to see the County is paying attention to the County Seat and helping to invest in the entranceways to the County Seat. Ms. Gatto said she would like to see the inter-service agreement expanded as it moves forward and suggested that if the Township is taking on maintenance in some areas the County could take on maintenance in others. She said one of the areas is the War Memorial Park that is right next to the County Court house and you can see the line right where their lawnmower stops. Ms. Gatto said it made sense to her and goes along with the work smarter, not harder, mentality. She said she is definitely in favor of moving forward with this and the potential opportunities to expand the inter-local agreement.

Mr. Cain said one of the problems on Main Street is parking and that their discussion went further to get assistance from the County to help identify parking up and down Main Street and make use of it. He said several areas were discussed the Township has received permission to use some of the County's parking if they feel it is necessary as they move forward and look at Main Street as a whole.

Mr. Sasdelli asked for clarification that it would be Items 1 and 2 in the executive summary. Mr. Cain said it would also be Item 3 because the County said they would take that responsibility.

Mr. Cain moved, seconded by Dr. Kesselman, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that an Interlocal Service Agreement with the County of Atlantic be entered into for shared maintenance of the Gaskill Park point areas identified as Items 1, 2 and 3 in the executive summary.

RESOLUTION ADOPTED WITH MEMBERS CAIN, GATTO, KESSELMAN AND SILVA VOTING "YEA", NO MEMBERS VOTING "NO", MEMBER PALMENTIERI "ABSTAINED" ON ROLL CALL VOTE.

MEMBERS' COMMENTS WHEN CASTING THEIR VOTE:

MR. PALMENTIERI explained he abstained because he believed the effort is a good one and the area can certainly use improvement but his concern is that with the budget problem and complaints over the years of grass not being cut on Township property, the Township will be absorbing more responsibility for doing what it failed to be able to keep up with with its previous larger staff. He said he didn't know that this was the right time and if it was practical at this point.

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MAYOR SILVA said he was voting yes because he likes Inter-local Service Agreements from the standpoint that they seem to be the way to go; he believes this will open the door to other things the Township is looking at in trying to negotiate with the County; there are many other areas that could be put on the list and dealt with over time; he agrees the Members would like to see the entrance to the community beautified and this may do it based on all the things he heard tonight.

Discussion of a Frank A. Stewart Estate grant for purchase of two privately owned lots on Main Street was deleted as part of the Agenda Late List actions.

Public Hearing/Adoption - Ordinance #1674-20

Mayor Silva read the title of the Ordinance. Mr. Sasdelli said the ordinance came from the Planning Board with unanimous recommendation. He explained it was introduced two meetings ago and the enhanced notification and advertising procedure was used on the advice of Solicitor.

Mayor Silva opened the hearing to the public.

There being no questions or comments on the Ordinance, Ms. Gatto moved, seconded by Dr. Kesselman, that the public hearing be and is hereby closed.

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

Dr. Kesselman moved, seconded by Mr. Cain, that the following resolution be adopted.

WHEREAS Ordinance #1674-2010 was introduced and passed first reading on August 2, 2010 and duly advertised in the Atlantic County Record; and

WHEREAS a copy of the Ordinance and official notice of the public hearing date, time and place were mailed to all property owners within 200' of the affected zoning area by regular mail and by certified mail, return receipt requested on August 17, 2010; and

WHEREAS the public hearing has been held as advertised and closed,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1674-2010 be and is hereby adopted.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN".

ORDINANCE NO. 1674 -2010

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 203, DEVELOPMENTAL ORDINANCE, OF THE CODE OF THE TOWNSHIP OF HAMILTON, ATLANTIC COUNTY, STATE OF NEW JERSEY, AND AMEND THE TOWNSHIP ZONING MAP

WHEREAS, the Mayor and Township Committee of the Township of Hamilton have determined that it is in the best interests of the residents of the Township to amend and supplement the Hamilton Township Developmental Ordinance in order to advance the recommendations of the 2006 Master Plan Reexamination Report and to encourage development of non-residential projects in the Township; and,

WHEREAS, Township Committee has solicited the input of the Planning Board regarding amendments to uses permitted in the Industrial Business Park (IBP) Zoning District.

NOW, THEREFORE, BE IT ORDAINED by the Township of Hamilton, County of Atlantic, State of New Jersey, as follows:

1. Amend Chapter 203 of the Code of the Township of Hamilton (aka the Developmental Ordinance)

- A) Amend Article IX, Commercial Districts, by deleting §203-75.1, "Planned recreation and entertainment complexes in the Industrial Business Park District and/or the A-Industrial Business Park District" in its entirety.

B) Amend Article X, Industrial Business Park, as follows:

- 1) Amend §203-77. to read “Principal and accessory uses.
- 2) Amend §203-77.A., “Principal uses and buildings” , as follows:
 - (1) through (13) - unchanged
 - (14) Hotels and Conference Center Hotels, subject to the provisions of §203-186.2
 - (15) Restaurants
 - (16) Restaurants, Carry-out
 - (17) Restaurants, Quick Serve.
- 3) Amend §203-77.B., “Accessory uses and buildings.”, to incorporate the following:
 - (4) Snack bars
 - (5) News stands
 - (6) Parking decks and garages
 - (7) Office space, provided that it is accessory to the operation of the principal use.
- 4) Amend §203-79, “Additional standards”, subsection F to read as follows:

F. Any use within this district which abuts a nonindustrial district shall conform to the buffer separation provisions established in §203-169.C. If the buffer separation required by §203-169.C cannot be provided the buffer strip shall comply with the Enhance Buffer system provisions of §203-81.E.(6).
- 5) Amend §203-81., Landscaping, to insert the following as new subsection (6):
 - (6) Enhanced Buffer System (EBS) shall be required in areas where the setback between building, structures or activity areas is reduced and shall be located in areas where existing trees, shrubs and other vegetation is inadequate due to necessary clearing and supplemental plantings, berms and/or fencing are required to provide an adequate buffer to adjacent uses. The EBS shall include a combination of berms, and/or fences, along with additional landscaping plant materials.
 - a) The berms shall be composed of lightly compacted soil with stability measures adequate to retain stable soil structure and prevent erosion and shall conform to the following specifics:
 1. Minimum height: 4 feet
 2. Minimum top width: 5 feet
 3. Maximum slope: 3H: 1V
 - b) The fence shall be a minimum of six feet in height and be a solid fence or a freestanding / retaining wall, which shall be of a decorative material with chain link fences being prohibited.
 - c) The EBS shall contain landscaping plant materials which, at maturity, provide semi-opacity from the ground to a height of six feet and intermittent visual obstruction from a height of six feet to a height of 30 feet. The clustering of plant materials is encouraged to achieve a more natural appearance and the plantings shall conform to the following specifics:
 1. Evergreen trees shall be a minimum of 10 feet in height at time of planting, double staggered.
 2. Deciduous trees shall have a minimum of a four inch caliper and be a minimum of 16 feet in height at time of planting, double staggered.
 3. Shrubs shall be a minimum of twenty four inches at time of planting as required.
 4. Minimum planting width of 32 feet.

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- 6) Insert the following as new sections 203-86.1, Recreational Overlay District, and 203-86.2, Hotels and Conference Center Hotels.

§203-86.1 Recreational Overlay District

- A. Intent. The intent of this district is to create an area within the Hamilton Township Industrial Business Park that permits the appropriate development of indoor and/or outdoor recreational facilities. The Recreational Overlay District is comprised of the properties known as Lots 37 through 41 in Block 994 and Lots 28 and 33 through 39 in Block 991.
- B. Permitted Uses. The principal permitted uses within the Recreational Overlay District shall be as follows:
 - (1) Aquatic facilities, indoor and outdoor, such as, but not limited to swimming pools and clubs, man-made canoe/kayak chutes, waterslides, wave pools, etc.
 - (2) Amusement arcades utilizing advanced virtual reality technology.
 - (3) Basketball, racquetball, tennis and/or volleyball courts and other similar facilities.
 - (4) Baseball and softball batting cages and similar small-scale facilities, but not including full-sized playing fields or stadiums.
 - (5) Bowling alleys.
 - (6) Golf driving ranges, miniature golf courses and similar small-scale facilities.
 - (7) Health clubs/Spas/Exercise facilities.
 - (8) Hockey facilities, including but not limited to ice hockey rinks, field hockey and street hockey courts.
 - (9) Retail commercial uses, provided they are accessory to a permitted use.
 - (10) Skating facilities, such as ice skating, roller skating or roller blading.
 - (11) Soccer facilities, Indoor only.
 - (12) Sports medicine and rehabilitation clinics
 - (13) Virtual reality target ranges for sporting clays, trap and skeet and related uses, provided the use is only virtual reality in nature.
- B. Accessory building & uses
 - (1) Any accessory use or building contained in §203-77B.
 - (2) Any additional use listed as permitted in §203-186.1B, provided that the secondary or tertiary use is compatible and harmonious with the principal use of the facility; and that no more than three (3) of the listed principal uses shall be permitted on the site without prior approval of the Planning Board.
- C. Area & Bulk Requirements. Development within the Recreational Overlay District shall be subject to the following bulk and area standards:
 - (1) Minimum lot area: 1 acre
 - (2) Minimum lot width: 200 feet minimum roadway frontage
 - (3) Building coverage: 30% maximum
 - (4) Minimum setbacks: Perimeter setback of 40 feet.
 - (5) Building Height: 45 feet
 - (6) Building length: No building shall exceed 100 feet in length without providing a bermed landscaped area for every 100 feet of building length. Such bermed landscaped area shall not be less than 30 feet long, eight to ten feet wide and three to four feet high at its center.
 - (7) Distance between buildings: 40 feet.
- D. Buffers. All proposed use within this district shall provide the minimum buffer separation provisions contained in §203-169.C. If the proposed development cannot meet the buffer provision in §203-169.C, an Enhanced Buffer System (EBS) conforming to §203-186.E(6) shall be utilized.

E. Parking and circulation requirements.

- (1) Off-street parking shall be in accordance with §203-60.
- (2) Parking may be provided within the front and side yard setback areas provided that an intensely landscaped buffer area, a minimum of 15 feet wide is provided.
- (3) Parking lots shall conform to the design standards set forth in Article XII, §203-122B, "Parking lot and driveway standards".

F. Landscaping.

- (1) Perimeter buffering shall consist of natural vegetation, supplemented as needed by new plant material such as shade trees, evergreens and shrubs.
- (2) When natural vegetation exists in the buffer areas, it shall not be cleared.
- (3) All areas not covered by buildings, parking areas or pedestrian walkways shall be landscaped.

G. Signs. All signs shall comply with the sign standards established for the IBP District, set forth in Article XIII, §203-144 shall apply.

H. Lighting. All proposed lighting shall conform with §203-83.

I. Other Regulations.

- (1) An Environmental Impact Statement conforming to the standards established in §203-79A, shall be submitted as part of the site plan package.

§203-86.2 Hotels and Conference Center Hotels

A. Purpose. Hotels and Conference Center Hotels shall be permitted in the Industrial Business Park district and the A-Industrial Business Park district subject to the following provisions:

B. Minimum Requirements:

- (1) Minimum parcel size: 15 acres.
- (2) Maximum building height:
 - a. Roofline height: 60 feet
 - b. Parapet height: 65 feet
 - c. Accessory structural elements and projections (e.g. elevator equipment structures, mechanical equipment, vents, etc): up to 15 feet above the roofline height provided that:
 1. The total area occupied by all accessory structural elements shall not exceed 15% of the roof area; and
 2. All accessory structural elements shall be setback a minimum of 15 feet from the building edge.

C. All other applicable provisions of the district shall apply.

2. Repealer. All Ordinances and parts of Ordinances of Hamilton Township heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

3. Severability. If the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance, or other ordinance enacted together with this Ordinance shall be judged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of same and, to this end, the provisions of each section, subsection, paragraph, subdivision or clause of this Ordinance, and of the ordinances reenacted together with this Ordinance, are hereby declared to be severable.

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4. This Ordinance shall take effect upon final passage, adoption and publication in manner prescribed by law.

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NJ

ATTEST:

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

ROGER SILVA, MAYOR

ROLL CALL: CAIN "YES"
GATTO "YES"
KESSELMAN "YES"
PALMENTIERI "YES"
SILVA "YES"

ORDINANCE NO. 1674-2010 INTRODUCED AND PASSED FIRST READING ON AUGUST 2, 2010.
ORDINANCE NO. 1674-2010 ADOPTED ON SEPTEMBER 7, 2010.

Mr. Cain thanked the Planning Board Members that formed a subcommittee to recommend the ideas. Dr. Kesselman thanked Wayne Choyce and Harry Bilicki, sub-committee members who were present tonight, for their hard work.

Introduction of Ordinance #1675-2010

Mayor Silva read the title of the Ordinance. Mr. Sasdelli said the Land Use Committee and Mr. Sartorio recommended this because the supply on hand ran out. He explained the Township is required by law to sell the emblems to commercial businesses and that the fee in the Township's present Ordinance is \$10.00 but they now cost the Township \$20.00 and the Township wants to recover their cost.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1675-2010 be and is hereby introduced and passed on first reading and the Township Clerk is hereby authorized to advertise same in the September 13, 2010 issue of the Atlantic City Press for a public hearing to be held in the municipal building, Mays Landing, NJ at 6:30 PM on Monday, September 20, 2010.

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

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NJ
ORDINANCE #1675-2010

AN ORDINANCE TO AMEND ARTICLE IV, 170-22 OF CHAPTER 170 OF THE TOWNSHIP OF HAMILTON CODE ENTITLED FIRE PREVENTION, TRUSS EMBLEMS.

WHEREAS, the Fire Official is required to have Truss Emblems available for sale to members of the community pursuant to terms and provisions of P.L. 1991, c.188; and

WHEREAS, the Fire Prevention Office has had to order additional Truss Emblems in order to comply with P.L. 1991, c.188; and

WHEREAS, the purchase price for Truss Emblems has increased since the Ordinance was last updated; and

WHEREAS, the Township Committee of the Township of Hamilton deems it appropriate to increase the cost for Truss Emblems to rectify the current price deficiency and allow for future increases in the municipal cost of Truss Emblems,

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hamilton that:

SECTION 1. Chapter 170, Article IV, 170-22 be and is hereby amended as follows:

**ARTICLE IV
Truss Emblems**

170-22. Availability to community; cost.

In accordance with the terms and provisions of P.L. 1991, c.188, approved July 2, 1991 and effective January 6, 1992, the Fire Official for the Township of Hamilton shall have available truss emblems in the form approved under the Uniform Fire Safety Act and issued through the Department of Community Affairs. The aforesaid truss emblems shall be available for sale to members of the community at an amount of money to be established by the Fire Official, not to exceed the sum of \$30 per emblem.

SECTION 2. Repealer. All Ordinances or parts of Ordinances of the Township of Hamilton heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. Severability. If the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of same and, to this end, the provisions of each section, subsection, paragraph, subdivision or clause of this Ordinance are hereby declared to be severable.

SECTION 4. Effective date. This Ordinance shall take effect upon final passage, adoption and publication as prescribed by law.

ATTEST:

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

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

ROGER SILVA, MAYOR

ROLL CALL: CAIN "YES"
GATTO "YES"
KESSELMAN "YES"
PALMENTIERI "YES"
SILVA "YES"

ORDINANCE #1675-2010 INTRODUCED AND PASSED FIRST READING ON SEPTEMBER 7, 2010.

C. Richard Tunney Inc. bid for new Plenary Retail Distribution License

Mr. Cain asked if it could be done by the end of the year. Mr. Sandman said it is more incumbent on Mr. Tunney with the A.B.C. that the Township Committee. He explained there is a very short period of time under the RFP for Mr. Tunney to submit his 12-page application to the A.B.C. and it takes time because they do a criminal and civil background investigation. Mr. Sandman said he can't speculate because he has never done one before but strict time limits for performance by the successful bidder and very strict time limits for closing once the A.B.C. approved issuance of the license were built into the RFP.

Consent Agenda: Ms. Gatto said she wanted to recognize Mr. Smith for his work because she didn't think the Committee had seen as long a consent agenda as tonight's in a while. She said she thinks it shows the diligence Mr. Smith is putting into each thing and every dollar before the Committee releases or doesn't release anything particularly when it comes to drainage basins which are a priority with the Committee.

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

WHEREAS the Township Committee authorized the creation and sale of a new Plenary Retail Distribution License by a sealed bid process; and

WHEREAS the notice for receiving of sealed bid proposals at 2:00 PM on Thursday, August 19, 2010 for the purchase of aforesaid newly created Plenary Retail Distribution License was duly advertised in the Atlantic County Record, the Press of Atlantic City, and on the Township website; and

WHEREAS the bid offer of \$175,000.00 submitted by C. R. Tunney, Inc. was the only bid received; met the minimum bid requirement; and contained all of the required documents,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the \$175,000.00 bid offer of C. R. Tunney, Inc. for purchase of the newly created Plenary Retail Distribution License be and is hereby accepted.

RESOLUTION ADOPTED WITH MEMBERS CAIN, GATTO, KESSELMAN, PALMENTIERI AND SILVA VOTING "YES", NO MEMBERS VOTING "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

Following the vote on the foregoing resolution, Mr. Cain thanked Mayor Silva for bringing this opportunity to the attention of the Committee.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following Business Registration Licenses are hereby approved:

1. Best Little Hair House in Jersey LLC - salon at 6039A Main Street
2. A Wireless - cellular devices/laptop & accessories sales in Consumer Square
3. Mays Landing Kumon Center - Tutorial services in Festival Mall
4. Rue 21, Inc. - retail apparel & accessories store at Hamilton Commons
5. Gold Exchange Stores II NJ, LLC d/b/a Gold Buyers America - precious metals buying business in Hamilton Mall

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

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

WHEREAS, application for renewal of the following Inactive Plenary Retail Consumption License was accepted by the Township Committee of the Township of Hamilton for filing on June 21, 2010 with no action to approve or deny the renewal of said licenses pending receipt the required Tax Clearance Certificate; and

WHEREAS, the required Tax Clearance Certificate has been received,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following Inactive Alcoholic Beverage License is hereby approved and issued for the period July 1, 2010 through June 30, 2011; and

BE IT FURTHER RESOLVED that the license certificate shall be retained in the Township Clerk's Office until said license is reactivated at its present location or another site approved by the Township of Hamilton:

PLENARY RETAIL CONSUMPTION LICENSE:
TOM AND DEB INC. 5341 MAYS LANDING ROAD ADDRESS FOR MAILING PURPOSES ONLY:
0112-33-021-007 MAYS LANDING, NJ 08330 P.O. BOX 485
LINWOOD, NJ 08221

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

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

RESOLUTION RATIFYING PUBLIC LAND SALE

WHEREAS the Township Committee of the Township of Hamilton has determined the following lands are of no use for public purposes and are not needed for public use; and

WHEREAS said lot does not meet the minimum lot size for the zone in which it is located all contiguous owners were notified by certified mail, return receipt requested, of their right to prior refusal to purchase said parcel by the sealed bid process pursuant to Ordinance #1670-2010 and no bids were received; and

WHEREAS said lands were advertised for sale at public auction in accordance with statute in such case made and provided (N.J.S.A. 40A:12-13); and

WHEREAS at a public auction held on August 4, 2010 an offer of Six Thousand Eight Hundred (\$6,800.00) Dollars was made by Vanyda Xayaphachan whose address is 7376 Black Horse Pike, Mays Landing, NJ 08330; and

WHEREAS no higher bid was offered,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the offer Six thousand Eight Hundred (\$6,800.00) Dollars made by Vanyda Xayaphachan for the following described parcel of land be and is hereby accepted and the sale of same to her is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

BLOCK/LOT NUMBER	LOT SIZE	LOCATION
663/5	6.80 +/- acres	Scranton Avenue

SPECIAL CONDITIONS IMPOSED: PURCHASER IS ADVISED THE SUBJECT PROPERTY IS SUBSTANTIALLY MAPPED AS WETLANDS

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcel to Vanyda Xayaphachan, 7376 Black Horse Pike, Mays Landing, NJ, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the July 21, 2010 and July 28, 2010 issues of the Atlantic County Record copies of which were distributed to the public at the time of sale and all bidders acknowledged in writing that they had read and understood same.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that final settlement and release of claims in the U.S. Homes vs. Hamilton Township litigation is hereby confirmed.

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

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton has no objection to NJDOT approval and/or issuance of a permit to Hamilton Township Soccer Club for a coin drop to be held at the Wrangleboro Road/322 jughandle on October 30, 2010.

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

September 7, 2010

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton has no objection to NJDOT approval and/or issuance of a permit to Mays Landing Muckdogs Baseball Club for a coin drop to be held at the Wrangleboro Road/322 jughandle on November 6, 2010.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the easement for Atlantic City Electric Company installation and/or maintenance of utilities for the new communications tower to be constructed on Block 711, Lot 1.01 as shown on ACE WR#5586984 be and is hereby approved.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that American Southern Insurance Company bond #B98808-021313, in the amount of Twenty-six Thousand Nine Hundred Twenty-two Dollars (\$26,922.00) is hereby accepted as the performance guarantee for driveway construction by Dorothea and Robert Von Suskil (Fernas Estates Subdivision Bl. 1121, Lots 2, 3.01, 3.02 and 3.03).

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Baker Residential of PA, LLC request for reduction of Travelers Insurance Company bonds #104354108, #10435489, and #104354190, performance guaranteed for Phases I, III, and IV of their Victoria Pointe (formerly Deerfield) project respectively is hereby denied as recommended by Robert J. Smith III, Township Engineer, said bonds having previously been reduced to 30% pursuant to NJSA 40:55D-53e and no further reductions will be recommended until final release of the performance guarantee.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that reduction of Travelers Casualty & Surety Company of America bonds #104354192 and #104354191, performance guarantees for Phases V and VI of Baker Residential of PA, LLC, Victoria Point project, is hereby authorized d as follows as recommended by Robert J. Smith III, Township Engineer, dated August 23, 2010:

- (1) Phase V bond #104354192 reduced from \$210,229.08 to \$147,564.78
- (2) Phase VI bond #104354191 reduced from \$160,4551.83 to \$120,289.74

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

September 7, 2010

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that release of Bond Safeguard Insurance Company bond #5016207, performance guarantee for Decathlon Construction Co., Inc. extension of Scranton Avenue project (Block 661/Lot 28) is hereby authorized contingent upon the developer posting the following maintenance guarantees as recommended by Robert J. Smith III, Township Engineer, dated September 1, 2010:

- (1) 4-year stormwater management system maintenance guarantee in the amount of \$5,443.20.
- (2) 2-year all other improvements maintenance guarantee in the amount of \$6,380.10.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that release of the \$3,176.48 being held in escrow as the stormwater management system maintenance guarantee for Knebles Auto Service Center (Block 979/Lot 5) is hereby denied as recommend by Robert J. Smith III, Township Engineer in letter dated August 25, 2010 due to uncompleted punch list items.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that release of American Southern Insurance Company bond #B98808-01447M, the maintenance guarantee for non-stormwater system components of Quality Modular Homes extension of Maryland Avenue (Block 535/Lot 2.01) is hereby denied as recommended by Robert J. Smith III, Township Engineer, in letter dated August 26, 2010 due to uncompleted punch list items.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Bond Safeguard Insurance Company bond #5007879A, the stormwater management system maintenance guarantee for Future Properties LLC extension of Pine Street is hereby authorized to be released effective September 18, 2010 as recommended by Robert J. Smith III, Township Engineer in letter dated August 25, 2010.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that release of Fidelity & Deposit Insurance Company of Maryland bond #8797994, the stormwater management system maintenance guarantee for IHOP Restaurant is hereby denied as recommended by Robert J. Smith III, Township Engineer, in letter dated August 26, 2010 due to uncompleted punch list items.

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

September 7, 2010

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following Raffle Licenses are hereby approved:

- 1) #2010-11 for Cologne Volunteer Fire Company Ladies Auxiliary on-premises draw 50/50 raffle to be held October 9, 2010.
- 2) #2010-12 for Cologne Volunteer Fire Company Ladies Auxiliary on-premises draw Chinese Auction raffle to be held October 9, 2010.
- 3) #2010-13 for Shore Memorial Health Foundation casino night to be held on October 16, 2010.
- 4) #2010-14 for St. Vincent dePaul Home School Association off-premises draw raffle to be held on September 24, 2010.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that pursuant to Chapter 159 the following item of revenue be inserted in the 2010 municipal budget with off setting appropriations:

Title of Revenue: Safe & Secure Communities Program \$60,000.00
 Title of Appropriation: Safe & Secure Communities Program \$60,000.00

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that receiving of sealed bid proposals for the following projects is hereby authorized with the date and time for receiving said bids to be determined by the Township Administrator, Township Clerk, Township Engineer and Director of Public Works:

- 1) Township Municipal Building basement structural repairs.
- 2) Township Municipal Building roof replacement
- 3) FY2010 NJDOT Municipal Aid Project - Improvements to West Jersey Avenue Section 1.
- 4) FY2009 NJDOT Municipal Aid Project - Reconstruction of New York Avenue Phase 3 (Bidding by Churchill/Inspections by Remington Vernick Walberg

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

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

RESOLUTION OF THE TOWNSHIP OF HAMILTON, COUNTY
 OF ATLANTIC, STATE OF NEW JERSEY, AUTHORIZING THE
 INSTITUTION OF AN IN REM FORECLOSURE

WHEREAS, the Tax Collector of the Township of Hamilton has prepared an In Rem tax foreclosure list and has certified the same to the governing body; and

WHEREAS, it is the desire of the Mayor and Township Committee of the Township of Hamilton to institute In Rem tax foreclosure proceedings against the properties which were set forth in the list attached hereto; and

WHEREAS, it is not only in the best interest of the Township to institute said proceedings, but also is a duty of the governing body; and

WHEREAS, the institution of said In Rem proceeding will result in revenue to the Township of Hamilton either by a redemption of the subject properties or their foreclosure and resale by the Township of Hamilton,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, as follows:

1. That the Mayor and Township Committee of the Township of Hamilton do hereby authorize the institution of In Rem tax foreclosure proceedings in regard to the properties set forth in the list attached hereto.

2. That a certified copy of this resolution be forwarded to the Tax Collector of the Township of Hamilton and the attorney for the Township of Hamilton.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that return of Bond Safeguard Insurance Company bond #MB50316181, the maintenance guarantee for non-stormwater system components of Homewood Estates Liberty Oaks project is hereby authorized.

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

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

Resolution by the Hamilton Township Committee
to Apportion Tax Lien on Block 1122, Lots 15.14 and 15.04

Whereas, the Homewood Estates Homeowner's Declaration and Covenants, Restrictions & Easements in relevant part states that if the Homeowner's Association (HOA) does not pay the taxes on the two drainage basin lots (Block 1122, Lots 15.04 and 15.14), then a "lien shall be placed upon all other lots in the development collectible as any other unpaid real estate tax" and,

Whereas, two Tax Title Liens #09-00186 and #09-00187 for unpaid 2009 and 2010 real estate taxes on the two drainage basin lots have been issued by the Tax Collector, and

Whereas, in the absence of a payment from the HOA for the drainage basin taxes, the individual landowners (11 of them) shall share equally the cost of the outstanding liens and,

Therefore be it resolved that pursuant to NJSA 54:5-59, the Tax Collector is authorized to apportion the delinquency on the aforementioned two lots equally amongst the 11 landowners in the Homewood Estates development. Those 11 Block and Lots are listed below:

<u>Block</u>	<u>Lot</u>
1122	15.01
1122	15.02
1122	15.05
1122	15.06
1122	15.07
1122	15.08
1122	15.09
1122	15.10
1122	15.11
1122	15.12
1122	15.13

Any landowner who pays their portion will be considered redeemed, any landowner who fails to redeem their individual apportionment of the delinquency will remain in delinquency.

The amount due on the above two basins through Dec 31, 2010 is:
Block 1122, Lot 15.04 = \$578.93
Block 1122, Lot 15.14 = \$125.78

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Therefore, each landowner owes \$64.06 cents and will be considered redeemed through Dec 31, 2010 upon payment to the Tax Collector. All payments must be received by the Hamilton Township Tax Collector on or before December 15, 2010. This resolution shall not change or affect, in any way, the obligations and responsibilities that are set forth in the Homewood Estates Homeowners' Declaration and Covenant, Restrictions & Easements.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that receiving of sealed bid proposals for the supply and delivery of hot mix asphalt for the Weymouth Volunteer Fire Department with funding to come from Ordinance #1631-08 is hereby authorized, date and time for receiving said bids to be determined by the Township Clerk and Finance Departments.

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

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton has no objection to the New Jersey Division of Alcoholic Beverage Control approval and/or issuance of a special permit to the Mays Landing Lakers Cheerleading Booster Club for a beef and beer event to be held at the V.F.W. Post 220 building on September 25, 2010, beer only to be dispensed.

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

Personnel

Ms. Gatto asked if there was a salary range for the part-time Police Records Clerk hourly rate and what the bottom of it was. Mr. Sasdelli said there is a range; that the bottom is not \$13.85; and that he didn't know what it is off the top of his head. He said the range might be \$12. To \$15. Mr. Sasdelli said there was a reason why Ms. DeLorenzo ranked third on the list and explained the Township tries to balance getting the lowest pay they can get and having a qualified person when dealing with Police Records that are reports that attorneys use in court and the officers testify to. He said he and the Chief feel this is the best deal. He said there were other people who would take the job for less money but they didn't feel they had the skill set that Ms. DeLorenzo has. Ms. Gatto said that she is okay with it then.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Lizbeth DeLorenzo be and is hereby appointed to fill the part-time Police Records Clerk vacancy at \$13.85 per hour effective September 15, 2010, not to exceed 20 hours per week.

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

Dr. Kesselman moved, seconded by Mr. Palmentieri, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that John Garton be and is hereby appointed part-time Fire Protection Sub-Code Inspector on an as needed basis effective August 30, 2010 at his current rate of \$21.73 per hour, for additional duties to be performed on his current work schedule.

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

Dr. Kesselman moved, seconded by Mayor Silva, that the resignation of Jennie C. Ayres from the Recreation Advisory Board effective August 26, 2010 be and is hereby accepted with regret.

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

Following the vote, the Members of the Township Committee thanked Ms. Ayres for her service.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the minutes of the July 6, 2009 meeting be and are hereby approved and adopted as published.

RESOLUTION ADOPTED WITH MEMBER GATTO, PALMENTIERI AND SILVA VOTING "AYE", NO MEMBERS VOTING "NAY", MEMBERS CAIN AND KESSELMAN ABSTAINED DUE TO NOT BEING MEMBERS AT THE TIME.

Dr. Kesselman moved, seconded by Mr. Palmentieri, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the minutes of the August 16, 2010 meeting be and are hereby approved and adopted as published.

RESOLUTION ADOPTED WITH MEMBERS CAIN, KESSELMAN, PALMENTIERI AND SILVA VOTING "AYE", NO "NAY", MS. GATTO ABSTAINED DUE TO NOT BEING PRESENT AT THAT MEETING.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that all properly executed and approved payrolls and bills be and are hereby ordered paid, the bill list total being \$4,849,837.97 as of September 2, 2010.

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

Reports

Mr. Sasdelli reported on the Governor's newly instituted Best Practices Local Government Check List that was issued to all municipalities. He explained it is something the Township never had before and the 4th quarter State Aid payment is contingent on getting it completed. Mr. Sasdelli said the Township has until October 1st to respond and that is a very short time frame. He explained there are 88 questions on it and the Township has to comply with 76 of them to get 100% of the 4th quarter payment. Mr. Sasdelli said he and Mr. Tuthill have made that a top priority. He said #6 asks if the municipality participated in any kind of Strategic Planning Process and they can answer yes to that and to the question of whether there is ethics training. Mr. Sasdelli said it is fortunate that the Township does practice good government and if there are any warts are very small when you look at the community. He said the 4th quarter State Aid payment is worth \$135,000.00 and that he and Mr. Tuthill will do their best to get 100% on it. Mayor Silva asked if there was any way of having known this was coming. Mr. Sasdelli said there was a Local Finance Notice way back saying there would be best practices that the municipality would have to comply with and that a check list would be coming out but it didn't say what they were. He said he thinks the bigger message being sent is that this is what future state aid is going to be tied to. Mr. Sasdelli said there are 88 questions spread out over 7 different categories.

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Mr. Sasdelli reported the Solicitor and Tax Collector are diligently moving forward on the In Rem Foreclosure list. He said there were 19 on last year's list and this year there are 77. Mr. Sasdelli said it ties into what Committeeman Palmentieri referred to earlier about residents' ability to pay.

Mr. Sandman reported he has retained the services of a Title Company to do the searches for the foreclosures and he is poised to do it right away. He said the key is to get the judgment before the end of the year so those properties come off the tax rolls and make it that much less that has to be reserved for uncollected taxes next year. Mr. Sandman said he got the list tonight and will start on it tomorrow. He commented on there being hundreds of properties on the list in previous years when he was involved and said it saddened him that there are 77 this year but it is relatively small compared to what the Township used to be faced with in his experience. Mr. Palmentieri said there is a larger number of line items on the tax rolls now. Mr. Sasdelli said there are 17,000 line items.

Mr. Sandman reported on the continuing efforts being made with respect to drainage swales. He commented on the Members all seeing the letter dated August 17th that he sent to John Rosenberger and Rob Cooper, the solicitors for the Planning and the Zoning Boards, and said he attached to it the best set of documents he has seen and which provides the fullest protection. Mr. Sandman said he suggested it was the Township Committee's recommendation that any future Planning or Zoning applications would follow that sample. He reported Mr. Rosenberger sent it to the engineering firms for each of the Boards saying "here is Sandman's letter; here is the attached documents; and this should be incorporated from now on into the review process". Mr. Sandman said he thinks that will eliminate the possibility of the Township becoming the owner of a failed drainage swale or basin in the future. He said he didn't know who authored the documents but whoever it was, they were a very fine lawyer. Mr. Sandman said that the problem has been solved at least on a going forward basis. He said Mr. Smith has done a terrific job on the 12 or 13 that have been identified with problems. Mr. Sandman commented on hearing today that Timber Glen is going to be conforming and said that is a good thing. He said that his roll in the future with respect to that is now over. He said that his roll with respect to the ones that are problems and are not fixed and made right will remain. Mr. Sandman said he thinks they have come a long way in resolving that problem and commented on the difference in how he wanted to do it and how Mr. Smith wanted to do it and said Mr. Smith's way worked real good.

Mr. Sandman reported he provided a copy of the opinion of Judge Valarie Armstrong, the Assignment Judge in this district, with respect to the Merrill vs. Michelle Verno and others lawsuit filed by the former Hamilton Township Prosecutor on behalf of two of his clients. He commented on the suit having gotten a fair amount of publicity because of the nature of the assertions in it. Mr. Sandman explained Michelle Verno, the current Township Prosecutor, was named a defendant in it and it was asserted that you couldn't get a fair trial in this Township because she was not subject to the same restrictions as a County Prosecutor. He said Judge Armstrong disagreed with that. Mr. Sandman explained another of the allegations was that you couldn't get a fair trial in this Township because of the way Municipal Judges are appointed, including the Township's judge. Mr. Sandman said that was offensive to him as the Chief Legal Counsel for this Township and he believed it was offensive to the Committee Members as well. Mr. Sandman reported he filed a motion to dismiss the complaint under Rule 462 and explained that under that Rule the Judge is obligated to accept the facts as plead to be true and to accept any inference that flows from those facts. He said he filed the motion under that Rule, knowing it was a very heavy lift because of the standard of review. Mr. Sandman said Judge Armstrong issued a 28 page opinion granting the motion he had filed despite the standard of review required by her and said it is a thorough, comprehensive analysis of the claims. He said he felt good about this and wanted to read some quotes from the opinion: (1) *To say there was impartiality, lack of impartiality or independence of the courts is patently without merit and contrary to well established case law* (2) *The plaintiffs facial challenge to the constitutionality of the Statute by which judges are appointed is without merit* (3) *The plaintiff's assertion that their rights are violated because municipal prosecutors lack ethical oversight is*

patently without merit (4)The plaintiff's complaint which asserts that municipal judges are subservient to the executive branch and consequently the plaintiffs and all individuals similarly situated in the State of New Jersey cannot obtain an impartial hearing before a free and independent judiciary is a meritless indictment of every municipal judge in the State of New Jersey. Mr. Sandman explained the significance in this case is that if here were an adverse decision the criminal justice in the municipal system would come to a screaming halt; there would be no such thing as a second offense DWI; any defendant on a payment plan in this municipal court for any driving violation of any kind would no longer be obligated to pay; he could envision the lines of people suing for the fees back that they paid within the last year because of the alleged unconstitutionality of how the judge was appointed; and every municipal court in New Jersey would be shut down until the legislature reacted and the lawyers challenges were complete. Mr. Sandman said he is particularly proud of this because they didn't just prove you can get a fair trial in this town and the township has a good Prosecutor, but they saved every town in the State of New Jersey. Ms. Gatto and Mayor Silva thanked Mr. Sandman for his work and Dr. Kesselman said it was great work.

Mr. Smith said he had hoped to report he had reviewed the functioning of few more drains but hurricane Earl didn't drop the rain as expected. He said they are waiting to see how a few of the basins function after the next rain event. He commented on a significant amount of work on the Wexford Lane basin but he would like to see a significant rain event so he can evaluate its performance. He reported sending an e-mail to Timber Glen and they responded that they will start cleaning out the infiltration area and work on or about September 20th. He said he hasn't forgotten the Committee's request to get a comprehensive plan for the overall system and requested that in the e-mail also.

Mr. Smith reported he is following up on a lot of stormwater system and non-stormwater maintenance guarantees for several of the projects. He said he will continue to follow up on the basins once there is a rain event suitable for evaluating them. Mayor Silva said the Committee appreciated all the work Mr. Smith has done on the basins and thanked him for it.

Dr. Kesselman reported the four strategic themes articulated by Strategic Planning Steering Committee that the township will pursue in order to meet its vision and the names of the subcommittees chairs and members for each one: Fiscal Vitality chaired by Lorraine Granese with members Aline Dix, former mayors Charlie Pritchard and Bruce Strigh and Amy Gatto; Safety chaired by former mayor John Sacchinelli with members Roberta Boney, Vince Corso, John Percy, Frank Tomasello and Weymouth Fire Chief John Carrigan; Smart Growth chaired by Charles Cain with members Wayne Choyce, Maureen Gallagher Bugdon, Bill Mangels, John Pucci, Bruce Strigh; Quality of Life chaired by Rodney Guishard with members Jennie Ayers, Roberta Boney, Jim Kerrigan and John Kurtz. Dr. Kesselman explained part of the balanced score card approach is to identify the primary stakeholders within the community and said after some discussion it was clear they are the residents and taxpayers because taxpayers are not always residents. He said how they view the issues is what the subcommittees are going to come up with as part of their strategy map. Dr. Kesselman said the subcommittees will develop objectives, activities, metrics and expected outcome for each of the areas so when the Township does have money they ought to know where the money is going and when they don't have money they can quickly prioritize things. He said one of the reasons for the personnel evaluation for supervisors becomes so important now is that it is not only their personal goals but there are township-wide goals and if your area doesn't fit within one of these areas you should look in the mirror because you want to be sure what you are doing is consistent with what the township determines are its strategic themes and where they want their strengths to be. Dr. Kesselman said he received a number of calls from municipalities that haven't begun strategic planning after receiving the Best Practices document. He said the fact that Hamilton Township is ahead who appointed the Strategic Planning Committee and everybody that has been part of it. Dr. Kesselman said in addition to the 120 who were at the Town Hall meeting, they had 20 very active, experienced, bipartisan people who are part of the Committee. He said if you are not currently on a subcommittee it doesn't mean you won't be because part of their charge is to expand it as their discussions continue. He said

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he thinks as they go through the process they will want a little more time because they will want input from other people but when they are done it will provide the benchmark for the Master Plan and all the other things the Township wants to pursue in the future.

Mr. Cain said it was great to see that a lot of individuals that were involved at the meetings in the beginning stayed involved and are now members of the Steering Committee and subcommittees. He commented on the diversity and history of the people on them. Mr. Cain reported Wayne Choyce is co-chair of the Smart Growth subcommittee and said their first meeting was exciting. He said he thought the make up of their committee was diverse and that there were a lot of different points of view. Mr. Cain said he thought a good job of balancing the committees was done and he thinks that is why it will be a success in the end. He said they decided to set series of goals and have started discussing them. Mr. Cain said that as they set the goals they will ask individuals with diverse talents to join them and help them find ways to achieve those goals. He said they agreed to meet once a week and they feel the process will take until the end of the year. Mr. Cain commented on the township size of the township, the commercial area, downtown his passion for Main Street and having to have his committee keep him on track because the Township is 115 square miles. He said he believes really great things will come out of all of the subcommittees.

Mr. Cain reminded the public to be careful because school is open.

Mr. Palmentieri said it was great to see a written response from Timber Glen about the work on their basin but it would have been better if it was done earlier. He commented on the amount of work the Township did in Hamilton Walk and said he doesn't want that work ruined or contaminated by run-off from Timber Glen's lack of work and fixed basins. Mr. Palmentieri said he wants to continue to push Timber Glen to make sure they stay on the schedule they gave the township.

Mr. Palmentieri said Leipzig Avenue is still a mess between the Pike and Almond Street and nothing has been done and there has been no response from the owners. He said he almost got hit again by someone trying to avoid the bumps without looking to the side. He asked if there was anything the Township can do. Mr. Sandman said the only thing the township can do is follow up what the Police Department did recently. He reported getting a call from a representative of the race track telling him that a police officer came there to tell them that they thought the condition of the road was bad and causing problems. Mr. Sandman said the representative of the track was upset because she knew he was having discussions with Mr. Nehmad the attorney for the track for a long term solution to the problem and was going to report back to the Township Committee when he got some definitive answers. He said the track wrote letters saying they thought it was inappropriate and he spoke to the Chief and it has been worked out. Mr. Sandman said they are on notice of a dangerous condition from a liability standpoint. He said there is no legal ability for the township to go in as government and fix it. Mr. Sandman said the Township can try to compel them to do it but there is no case law that says that because it is not a public right of way. He said he is willing to try to expedite the process and see if he can get some interim repairs done. The Mayor said they don't deny the conditions Mr. Palmentieri and the Committee have talked about exist and asked if it was something of a financial nature. Mr. Sandman said he didn't think they agreed or denied it exists. He said when a patrolman sees a car do something to avoid it as Mr. Palmentieri said, the Chief will do what he has to and put them on notice. He said that is exactly what has happened. He said he would try to get a plan for a temporary situation from them. Mr. Sandman commented on his guess that it was a financial situation but said he isn't privy to that.

Mr. Palmentieri referred to the action authorizing a request for an extension for the County Open Space money. He said the extension has to be approved and the County is asking for some kind of status report. Mr. Palmentieri said he thinks it would behoove the Committee to at least have some conceptual plans on what they are going to do with the money in order to strengthen the application for an extension and not lose the \$400,000.00 and that the Committee should begin discussing how they plan to spend it so they can say they have plans since it has to be approved. Ms. Gatto asked if

Mr. Palmentieri wanted it discussed at a Public Works of Finance subcommittee meeting. Mr. Palmentieri said he didn't think it was a Finance matter. Dr. Kesselman asked what it was originally earmarked for. Ms. Gatto and Mr. Palmentieri said it was for improvements at the Liepe Tract. Mr. Palmentieri said it would be good to submit some idea of what the Committee intends it for.

Ms. Gatto commented on the County Inter-local Agreement memo and the stack of Business Registration applications that the Committee continuously has in their packs and wondering if the Township could reach out to the Vocational School. She said when they had the strategic meeting with all the tax collecting entities for recreation, they talked about looking for service oriented projects and she thinks there is a way to electronify the Business Registrations so an applicant can follow it through the process because it has to be checked off by the zoning officer, fire inspector, electrical inspector, construction official and the Township Committee. She said she thinks it would be cool to be able to apply on line, see your application status and she thinks it sounds like a good project for the Vocational School. She said the other thing they talked about but she hasn't followed up on is leveraging those students for videotaping the Township Committee meetings and the Planning and Zoning meetings. Ms Gatto said they expressed an interest in doing that and having a need for media type projects. Ms. Gatto said she thought it would be a win-win situation as an inter-local agreement. Mr. Sasdelli asked Ms. Gatto if the township would be paying them when she talked about shared services for videotaping the meetings. Ms. Gatto said they would do it as a service learning project, it is hands-on experience and the students would get credit for it. She said it frustrates her every time she sees a copy for each business registration with all those signatures and then the members recycle them.

Ms. Gatto reported the Township Clerks office came up a way to manage the Boards and Commission applications, availability and open slots and coming up with a shared folder for all the Committee Members to look at on a regular basis. She said she thinks it will be really helpful. Ms. Gatto said Steve in IT has a new program that will be coming out soon called share point. She said she used it in her previous employment and it is an awesome tool for making things more efficient for keeping records and file sharing.

Ms. Gatto reported Oakcrest High School is having its 50th year celebration this whole school year. She said she is on the planning committee for it and if any is interested their next meeting is in the Oakcrest High School Library at 6 o'clock on September 14th. She said the opening ceremonies for this will be from 3-6 PM on October 24th and asked anyone who knew of any alumni to get the word to them.

Ms. Gatto reported Shawn McCarthy who was one of her classmates died after running a marathon over the weekend. Dr. Kesselman gave the arrangement details and an overview of his life.

Mayor Silva invited everyone to the 9-11 remembrance services will be held at Hess School this year on September 11th.

Public Comment

Rodney Guishard said he thought the discussion of the red lights was very thorough but he hoped that whether or not it contributes to public safety would be looked at in the final analysis. He said it is a very inefficient fund raiser because a substantial portion of it goes to the administration of the lights. He commented on reading about hundreds of cameras looking at people in New York City and around the country and said he wouldn't want to see the Township add to that unless it really contributed to safety.

Mr. Guishard said one of the things that wasn't mentioned regarding the Administrator is that potentially 40% of the Township Committee won't be decided until sometime after November. He said that is one reason for postponing a final decision and one way to do it is to utilize the staff they have. Mr. Guishard said it is conceivable to him that the Township has people sufficiently capable of keeping things going for a two month period.

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Mayor Silva thanked Mr. Guishard for his comments. Mr. Cain said the statement that the majority of the money from the lights goes to another entity was inaccurate. He said the majority of the money comes into the Township coffers. Mayor Silva said so much more will come out in the discussions as it moves forward and an ultimate decision is made.

Aline Dix said there is an ordinance requiring final paving in developments when 75% or 90% of the final COs are issued and suggested that be checked on because some developments may be overdue.

Ms. Dix referred to NJSA 40A:11-23.1c regarding entering into a contract with people who want off-duty police and this entity. She said she understood it to mean that if John Doe wanted traffic control on Route 50, they make a proposal to the police department, the police department investigates it and a contract is entered into for an amount of money for officers and it is the precursor to any money coming in. She said she believes the Committee needs a legal opinion from Mr. Sandman on what it meant regarding line item allowance for estimated total cost associated with traffic control. Ms. Dix said it appeared that every cop was assigned to the Regal theatre for the melee that was posted on face book for all to see leaving the rest of the town uncovered. She suggested the Sheriff be called for that and anyone out after curfew be put on their bus, brought to town hall; parents be called and let them sit on the bus until they are picked up. Ms. Dix said if the Committee will ask Mr. Sandman for a legal opinion she would hand in the paper she had on the statute. Mr. Sasdelli said Ms. Dix knows this was public comment, not the inquisition. He said she should make a public comment, not put the Township Committee on the spot to give her an answer she wants today. Ms. Dix said she is the only one the word inquisition is used on and the people in the back of the room were quite offended the last time Mr. Sasdelli did it. Mr. Sasdelli said it is because the Township has had two audits by a Ford Scott, a CPA, and never been written up for what Ms. Dix is bashing the officials for. Mayor Silva said Ms. Dix points were well taken but he doesn't believe the township police force would leave the community unprotected based on the comments she made. Ms. Dix said that is what was on face book but that isn't what she is talking about. She said she called DCA where the book she referred to came from and e-mailed the Chief on August 27th. She said it has nothing to do with the audit or auditor, it is whether the township is complying with that law. She asked when she could find out if the Committee was going to get a legal opinion. Dr. Kesselman asked Ms. Dix for the sheet of paper she was talking about. Ms. Dix said she knows what she is going to do if the Committee isn't going to do what she believes they need to do. Mr. Silva thanked Ms. Dix for her comments. Ms. Gatto said she knows the Chief is looking into the Regal occurrence, lessons learned, and how to be thoroughly prepared for those types of instances and asked if Ms. Dix question could be included in the investigation. The Mayor said he is sure the Chief took that into consideration.

John Pucci said he supports taping Planning and Zoning Board meetings. He asked when the Discharge of Firearms was coming back. Mr. Sandman said it will be introduced September 20th. Mr. Pucci asked when proposed ordinances are put on the internet. Mrs. Anderson said it will go to the IT person to be posted as a pending ordinance and if it passes it will go on right after that as an adopted ordinance, sent to General Code, codified and put in the Township Code book and on General Code website as part of our Code.

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

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

Ms. Gatto moved, seconded by Dr. Kesselman, that this meeting be adjourned.

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

ATTEST:

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