

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
OCTOBER 4, 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, Colin Bell, Township Solicitor and Robert J. Smith III, Township Engineer.

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice of the meeting on the bulletin board in the municipal building and by e-mailing or faxing a copy of said notice along with the agenda of this meeting to the Atlantic City Press, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place in the municipal building, Mays Landing, NJ at 6:30p.m. on October 4, 2010.

A moment of silence for private reflection was observed.

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 following items be added to the agenda of this meeting for consideration and action to be taken thereon tonight:

8.A Insert names of businesses:

1. Magda Love's Cleaning - home office at 170 Canterbury Court
2. Linda's Nails - manicure/pedicure/waxing services at Consumer Square

8.E(3) License #18-2010 Oakcrest H. S. Band Parents Assn. on premise draw raffle October 24, 2010 in conjunction with O.H.S. 50<sup>th</sup> Anniversary Celebration.

BE IT FURTHER RESOLVED that Item 8.I be corrected to read Fidelity & Deposit Company of Maryland Bond #9877994

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

There were no executive session confirmations to be made.

Early public comment on agenda items not listed for public hearing

Cheryl Fetty said she this needed to be done and anything the Committee could do to enforce certain things and codes for rental properties would be greatly appreciated. Mayor Silva thanked Mrs. Fetty for her comments.

Consideration of a Rental Inspection Ordinance

Dr. Kesselman explained he asked for this item to be on the agenda for discussion and perhaps disposition to where it needs to go so it can be fully vetted. He said this issue has been ongoing for a long time; that Russ Bongiovanni brought it to the Township Committee several times; and it came up a number of times at the Strategic Planning Committee meetings. Dr. Kesselman commended the Braggs for their proposal that asserted the need for rental inspections and a process for moving forward with it if the Committee decides to go in that direction. He explained Township can assume the responsibility or go with a private entity assuming the responsibility. Dr. Kesselman said the Committee Members have the information on towns in the region and county that have an ordinance of this nature. He said it has proven to be very successful in a number of fronts without the detrimental impacts and concerns that were talked about in the past. Dr. Kesselman said he wasn't necessarily asking for any approval of it tonight; he was asking the Committee to discuss and maybe move it into a venue where a final determination can be made in the near future.

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Mayor Silva said they all agree that something has to be done sometime but the question is where, when and how. The Mayor asked Dr. Kesselman if it should be referred to one of the Strategic Planning Subcommittees. Dr. Kesselman said he thought it could be the Quality of Life or Smart Growth Committee but it might be better suited to Smart Growth because of the other items that Committee has been working on. He commented on the work being done by the Smart Growth Committee and said their minutes will soon be up on the website. Dr. Kesselman said he thinks this type of ordinance is consistent with the way the Smart Growth Committee is going and recommended it be referred to them.

Mr. Cain said the issue was raised at the Smart Growth Committee. He commented on being contacted by a tenant who has several small children because the Gas Company shut off the gas to a triplex. Mr. Cain said that he passed it on to the Subcommittee Members and they think it may be an area they might want to delve into and pursue further. He said he thinks the Subcommittee would be amenable to taking on the task and that they could come up with something that will be palatable to everyone to protect residents, neighbors, landlords and tenants. Mr. Cain said the evidence provided to Township Committee shows there is a need for it. He said the State does it on a regular basis for HUD and Section 8 homes and what they find would lead one to believe it is an issue that should be investigated to see if there are tenants living in unsanitary conditions.

Dr. Kesselman said the Braggs used Brigantine data which is smaller in size than Hamilton Township but has a similar number of rental units. He said the data shows it is a very useful rental ordinance; it is not hugely profitable but it insures the rental units are safe and sound for those who live in them; and it helps the overall value of the property. Dr. Kesselman said he thinks the Smart Growth Committee is the right venue for this if they accept it and the Township Committee supports it.

Mr. Cain said he thinks the Township Committee has a duty to the neighbors of the rental units to investigate it. He thanked Lisa Hedrick and Mr. Sasdelli for their guidance and for going the extra mile to investigate and help out the tenants he spoke of with their problem. Mr. Cain read the following list of agencies and phone numbers that tenants can contact for assistance: Atlantic County Health Department 645-5935; NJ Division of Consumer Affairs 343-2376; NJ Tenants Organization 201-342-3775; Legal Services 609-348-4200. He said the Smart Growth Committee will take on the task.

Mayor Silva thanked Dr. Kesselman and Mr. Cain for bringing this forward. He said the number of rental units is staggering and could be even higher as economic times get more difficult. The Mayor said he thinks it is a very worthwhile endeavor from the public safety and public health point of view. Mayor Silva asked if Mr. Bragg was on the Subcommittee. Mr. Cain said Mr. Bragg was invited tonight to participate and has accepted. The Mayor thanked Mr. Bragg and said he appreciated it.

Public hearing/Adoption - Ordinance #1676-2010

Mr. Sasdelli explained the ordinance was introduced and advertised and this is the public hearing; the old ordinance was from 1946 and was difficult to administer and even more difficult to enforce. He explained the Ordinance Mr. Sandman and Mr. Bell drew up more closely fits with the State Statute; it allows people to continue to shoot if they have the proper distances and buffers; and it won't interfere with hunters because it mirrors the State Hunting Laws. He said the Peace and Good Order Ordinance was so old it still had phrases that said it was illegal to dress in clothes of the opposite sex and had a lot of other inappropriate references in it. Mr. Sasdelli said he would defer to Mr. Bell on the technical questions.

John Pucci asked if "a government or privately owned park" in Section 1, #5, needed to be defined or if it was self-explanatory as to what exactly a government or privately owned park is. Dr. Kesselman said he thought it said "privately owned recreational facility". Mr. Bell said it is within the definition of a place of public assembly and is self-explanatory in a dictionary definition of a park. Mr. Pucci said he was comfortable that it is understandable. Mr. Pucci referred to Section 4, #6 of the exceptions and asked if the person technically needed the written permission if the owner

was with them or if the law provided for that exception that they wouldn't need to have the written permission in their pocket. Mr. Bell said the law says "the written permission of the owner in hand" so the safest thing to do is have written permission with you. He compared it to having a permit to carry a hand gun, you have to have the permit with you. Mr. Pucci asked if it should say "unless the land owner was present". Ms. Gatto said it was a question of how the person would prove in the middle of the woods that they are the land owner. She said it would be better to have the note. Dr. Kesselman explained his comment was made because he thought Mr. Pucci was referring to a clause further down. Mr. Pucci said he was told last year that he couldn't fire a gun on his property because of the old ordinance and how it was interpreted. He said this ordinance is under the Township ordinance side but Chapter 203, the Township Land Use Ordinance, specifically says firing ranges are prohibited. Mr. Pucci said he believes he and Mr. Palmentieri were on the Planning Board when they looked at it and the belief was that it was for a commercial firing range facility. He said it was misunderstood or interpreted differently than what the Township Committee is trying to do with this ordinance. Mr. Pucci suggested it be looked at and changed or whatever the Township Committee is comfortable putting on record that if somebody sets up a target in their yard and adheres to this ordinance they wouldn't be prosecuted because it was considered a firing range. Mr. Bell said it is really up to the Planning and Zoning Board to decide what the Land Use Ordinance means and that he couldn't tell the Committee today what a firing range is under that ordinance. Mr. Bell explained there are a lot of regulatory provisions in the Criminal Code Title 2.C that have to do with firearms and 2.C 58-3.1 refers to firing ranges. He said a firing range is defined in gun regulatory provisions as being operated by a licensed dealer; by a law enforcement agency; by a legally recognized military organization, rifle or pistol club that has a copy of its charter on file with the superintendent of the State Police and updated every so often. He said that would probably assuage some of Mr. Pucci's concerns.

Mr. Sasdelli said he didn't think adoption of the Ordinance needed to be held up tonight because the Committee isn't going to define it for the Planning Board. He said the Township Committee knows what they mean and the most important thing about any ordinance is enforcing it; the Chief of Police is here; the Police are the ones who will respond to calls for service and need to understand what the Committee means by firing range versus a hay bale set up and somebody shooting into it. Mr. Sasdelli said he thinks the ordinance will work and if it doesn't the Committee can amend it and define a firing range in the future. Mr. Pucci said he didn't intend to hold up the ordinance because he wants it passed but the Planning Board Chairman told him they can't take recommendations from the public, they have to come from the Township Committee. He suggested the Committee consider and send a definition of a firing range back to the Planning Board. Ms. Gatto said the Committee might be able to send a memo to the Planning Board if the ordinance passes suggesting that they take into consideration bringing any thing they have in the Land Use law to match this new ordinance. Mr. Sasdelli said to keep in mind that the Planning Board is reviewing applications for uses, not activities; they look at uses when something comes before them and if someone is proposing a firing range, that is a little different than someone wanting to do an activity on their property. Ms. Gatto said they define the uses through the Master Plan so if they know what is in this ordinance and the intent of the Committee's ordinance via a memo and they can bring any plan documents up to snuff as needed.

Mr. Palmentieri said the intent of the Land Use Ordinance Mr. Pucci referred to involved non-permitted land uses for different zones and focused on commercial uses, not private activities. He said that would further speak in favor of the activity of a person being different than the Land Use Non-permitted Use as land usage from a commercial standpoint.

There being no further questions or comments on the ordinance, Ms. Gatto moved, seconded by Dr. Kesselman, that the public hearing be closed.

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

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

WHEREAS, Ordinance #1676-2010 was introduced and passed first reading on September 20, 2010 and was duly advertised in the September 22, 2010 issue of the Atlantic County Record for a public hearing to be held thereon on October 4, 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 #1676-1010 be and is hereby adopted.

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

ORDINANCE # 1676 - 2010

**AN ORDINANCE REGULATING THE DISCHARGE OF FIREARMS WITHIN THE TOWNSHIP OF HAMILTON**

SECTION I. PURPOSE.

To establish regulations controlling the discharge of firearms within the boundaries of Hamilton Township, Atlantic County and to establish penalties for the violation of this regulation.

SECTION II. DEFINITIONS.

1. Firearms.

Any rifle, shotgun, revolver, pistol, hand gun, muzzle loader, and black powder rifle or any other similar mechanism by whatever name known which is designed to expel a projectile through a gun barrel by the action of any explosive, gas, compressed air or spring.

2. "Hand Gun".

Means any pistol, revolver or other firearm capable of being concealed on a person.

3. Rifle.

Means a weapon designed or re-designed, made or re-made, and intended to be fired from the shoulder and made or re-made to use the energy of an explosive in a fixed, metallic cartridge to fire only a single projectile through a rifled bore.

4. Shot Gun.

Means any weapon designed or re-designed, made or re-made, and intended to be fired from the shoulder and made or re-made to use energy of the explosive in a fixed shot gun shell to fire through a smooth bore either a number of balls shot or a single projectile for each single pull of the trigger.

5. Place of Public Assembly.

A "place of public assembly" is a government or privately-owned park; place of worship; elementary or secondary school; school playground; public library; government-owned or privately-owned recreational facility; a fair ground. A place of public assembly shall include all property associated with the place, such as a parking lot or grounds of a building (See illustration below).

6. Building.

A structure as defined by N.J.S.A. 23:4-1, et seq. and the applicable provision of the New Jersey Administrative Code.

7. Shopping Mall and Centers.

This shall include, but is not limited to, the Hamilton Mall; the Festival Mall; the Hamilton Commons; any commercial establishment which contains four or more retail stores open to the general public. This shall include all malls or shopping centers which are approved and constructed after the effective date of the adoption of this Ordinance.

8. Boundary Lines.

This means the outermost division lot line, as shown on the official tax map, upon which lot and/or lots a structure or parking lot has been constructed (See illustration below).

SECTION III. DISCHARGE OF FIREARMS.

1. No person shall cause the discharge of a firearm within 450 feet of any building.
2. No person shall discharge a firearm across any municipal, county or state highway within Hamilton Township.
3. No person shall allow or cause the discharge of a firearm within 450 feet of the boundary line of any place of public assembly.
4. No person shall allow or cause the discharge of a firearm within 450 feet of the boundary line of any shopping center or mall contained within the Township of Hamilton or any that shall be developed after the date of the enactment of this Ordinance.

SECTION IV. EXCEPTIONS.

A person may discharge a firearm closer than 450 feet to a building if and only if:

1. The person is a police officer within the scope of his duties and consistent with all practices and procedures governing the police department.
2. When necessary to protect life.
3. To kill a dangerous animal that is threatening harm to a person.
4. Solutes by firing squads at Military funerals.
5. Discharge of blank cartridges in a musical or theatrical performance, parade or sporting event.
6. That person has written permission of the owner of the land in hand.

SECTION V. PENALTY.

Any violation of this Ordinance shall be punishable by a fine not less than \$100.00 nor to exceed \$300.00 for the first offense and not less than \$300.00 nor to exceed \$1,500.00 for any second or subsequent offenses.

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**SECTION VI. SEVERABILITY.**

If a Court should hold that part of this Ordinance is invalid, the invalidity does not affect other parts of the Ordinance.

**SECTION VII. EFFECTIVE DATE.**

This ordinance shall take effect immediately upon final passage and publication.

ATTEST:

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

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

\_\_\_\_\_  
ROGER SILVA, MAYOR

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

ORDINANCE #1676-2010 INTRODUCED AND PASSED FIRST READING SEPTEMBER 20, 2010.  
ORDINANCE #1676-2010 ADOPTED OCTOBER 4, 2010.

**ILLUSTRATION: For Section II, Clause 5, and Clause 8.**

Owner of place of public assembly owns Lots 2, 3, 4, 6, 7 and 8. The boundary line and/or the outermost boundary line is the division line between Lots 1 and 2 and Lots 5 and 6.

Lot 1	Lot 2	Lot 3	Lot 4
	<u>Play</u>	<u>Ground</u>	
Lot 5	Lot 6	Lot 7	Lot 8

Boundary Line

Public Hearing/Adoption - Ordinance #1677-2010

Mr. Sasdelli explained this ordinance is to repeal old ordinances that are no longer constitutional.

There being no further questions or comments on the Ordinance, Mr. Cain moved, seconded by Dr. Kesselman, that the public hearing be closed.

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

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

WHEREAS, Ordinance #1677-2010 was introduced and passed first reading on September 20, 2010 and was duly advertised in the September 22, issue of the Atlantic County Record for a public hearing to be held thereon on October 4, 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 #1677-2010 be and is hereby adopted.

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

ORDINANCE # 1677 - 2010

**AN ORDINANCE REPEALING ARTICLE I AND ARTICLE II OF CHAPTER 228 OF THE GENERAL ORDINANCES OF HAMILTON TOWNSHIP ENCAPTIONED "PEACE AND GOOD ORDER", REPEALING SECTIONS 228-1 THROUGH AND INCLUDING 228-12**

WHEREAS, Chapter 228, encaptioned "Peace and Good Order", Sections 228-1 through and including 228-12, shall be and are hereby repealed and therefore are declared null and void;

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

Ordinance Chapter 228-1 through and including Chapter 228-12 shall be and is hereby repealed.

This ordinance shall take effect immediately upon final passage and publication.

ATTEST:

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

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

\_\_\_\_\_  
ROGER SILVA, MAYOR

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

ORDINANCE #1677-2010 INTRODUCED AND PASSED FIRST READING SEPTEMBER 20, 2010.  
ORDINANCE #1677-2010 ADOPTED OCTOBER 4, 2010.

Mr. Sasdelli explained Ordinance #1678 will lower the fees for OPRA copies.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1678-2010 be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the October 6, 2010 issue of the Atlantic County Record for a public hearing to be held thereon in the municipal building, Mays Landing, NJ at 6:30 p.m. on October 18, 2010.

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

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TOWNSHIP OF HAMILTON  
ATLANTIC COUNTY, NJ  
ORDINANCE #1678-2010

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 167, SUBSECTION 167.1.A AND ARTICLE IV OF CHAPTER 167, SUBSECTION 167-10.B OF THE TOWNSHIP OF HAMILTON CODE ESTABLISHING FEES PURSUANT TO N.J.S.A. 47:1a-1 ET SEQ. AS AMENDED

WHEREAS, on September 10, 2010 Governor Chris Christie signed into law Assembly Bill 559 and Senate Bill 1212 amending N.J.S.A. 47:1A-5.b establishing the fee a municipality may charge for duplication of a government recorded embodied in the form of printed matter; and

WHEREAS, Chapter 167-10, Article I Entitled Police Department Fees and Article IV Entitled Tapes, Transcripts and Copies of the Township Code, Subsection B establishing the Fees for photocopies must now be amended to comply with the Legislation enacted by signature of the Governor on September 10, 2010,

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

SECTION 1. Pursuant to N.J.S.A. 47:1A-et seq. (OPRA Law) as amended, Chapter 167 of the Township Code Article I Entitled Police Department Fees Subsection 167-1.A is hereby amended to read as follows:

**167.1 A. Pursuant to N.J.S.A. 47:1A-1 et seq. as amended (OPRA Law) the fee for printed copies of Police Department public records shall be as follows:**

- (1) Five cents (\$0.05) per letter size page or smaller.**
- (2) Seven cents (\$0.07) per legal size page or larger.**
- (3) If the Township can demonstrate the actual cost for duplication exceeds the foregoing rates, the Township shall charge the actual cost of duplicating the record. Actual cost shall be the cost of materials and supplies used to make a copy of the record but shall not include the cost of labor or other overhead expenses associated with making except as provided in subsection c of N.J.S.A. 47:1A.**
- (4) Access to electronic records and non-printed material shall be provided free of any charge except for the actual cost of any needed supplies.**

SECTION 2. Article IV Entitled Tapes, Transcripts and Copies Subsection 167-10.B, is hereby amended to read as follows:

**167.10.B The fee for printed copies of public records shall be as follows:**

- (1) Five cents (\$0.05) per letter size page or smaller.**
- (2) Seven cents (\$0.07) per legal size page or larger.**
- (3) If the Township can demonstrate the actual cost for duplication exceeds the foregoing rates, the Township shall charge the actual cost of duplicating the record. Actual cost shall be the cost of materials and supplies used to make a copy of the record but shall not include the cost of labor or other overhead expenses associated with making except as provided in subsection c of N.J.S.A. 47:1A.**
- (4) The fee for computer disc copies shall be twenty-five cents (\$0.25) each.**
- (5) Access to electronic records and non-printed material shall be provided free of any charge except for the actual cost of any needed supplies.**

SECTION 3. Repealer. All Ordinances and parts of Ordinances of the Township of Hamilton heretofore adopted that are inconsistent with any provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. Severability. If any section, paragraph, subsection, clause, phrase, sentence or provision of this Ordinance is declared by a Court of Competent Jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.

SECTION 5. Effective date. This ordinance shall take effect immediately upon final passage and publication as required by law.

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

ORDINANCE #1678-2010 INTRODUCED AND PASSED FIRST READING OCTOBER 4, 2010.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1679-2010 be and is hereby introduced and passed on first reading and the township Clerk is authorized to advertise same in the October 6, 2010 issue of the Atlantic County Record for a public hearing to be held thereon in the municipal building, Mays Landing, NJ at 6:30 p.m. on October 18, 2010.

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

ORDINANCE # 1679 -2010

**AN ORDINANCE TO AMEND AND SUPPLEMENT  
ARTICLE II, §167-6A OF THE  
HAMILTON TOWNSHIP CODE  
ENTITLED "DEVELOPMENT FEES"**

WHEREAS, the Township of Hamilton, by and through the Governing Body, requires the posting of administrative fees, as is set forth in Article II, §167-6A of the Code of Hamilton Township; and

WHEREAS, the New Jersey State Legislature have enacted a Statute permitting municipalities from exempting certain individuals and entities from the payment of administrative fees; and

WHEREAS, the Municipal Land Use Act, N.J.S.A. 40:55D-8(c), was amended by State Legislative Act to permit municipalities to adopt an ordinance to exempt charitable, philanthropic, fraternal and religious organizations from paying any fees charged to an applicant for review of an application for development; and

WHEREAS, the Township has duly adopted an Administrative Fee and Escrow Deposit Ordinance under the authority of the Municipal Land Use Act; and

WHEREAS, the development fee and specifically, administrative fees section of the Ordinance (§167-6A) requires the posting of administrative fees with any applications to the Zoning Board of Adjustment, the Planning Board or the Township Committee; and

WHEREAS, the Township Committee deems it in the best interests of its residents to exercise the authority issued in N.J.S.A. 40:55D-8(c) to allow for the aforesaid exemption to charitable, philanthropic, fraternal and religious organizations of the payment of the administrative fee (§167-6A), which is separate and apart from the review escrows (§167-6B).

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NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Hamilton, County of Atlantic and State of New Jersey, that Article II, §167-6A shall be amended and supplemented to provide the exemption.

NOW, THEREFORE, BE IT FURTHER ORDAINED AND ENACTED that the Township Committee amends the aforesaid Ordinance as set forth herein below.

SECTION 1. All charitable, philanthropic, fraternal and religious non-profit organizations holding a tax exempt status under the Federal Internal Revenue Code of 1954 (26 U.S.C. §501(c) or (d) from the payment of administrative fees, as is required herein. The exemption, as granted herein, is specific only to Ordinance §167-6A and shall not affect the requirements of the balance of the development fees ordinances including, without limitation, the obligation to post review escrows, as provided in §167-6B.

SECTION 2. Repealer.

All Ordinances or part 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 effect 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 immediately upon final passage, adoption and publication, as prescribed by Law.

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

ORDINANCE #1679-2010 INTRODUCED AND PASSED FIRST READING OCTOBER 4, 2010

Repairs/Maintenance of Township-owned Fire Apparatus Bid No. 2010-2

Mr. Sasdelli said this is from of the success stories from the Fire Study. He explained there use to be 5 different contracts because each company had their own contract but they got together and went out to bid for one contract. Mr. Sasdelli said the price is significantly cheaper; there will be better control with one voucher system; and they will all use the same person. He said this is the second year it has been done.

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

WHEREAS the following bid proposals for Heavy Duty Diesel Truck Repairs/Maintenance of Township-owned Fire apparatus, Bid No. 2010-2 were received on August 18, 2010;

<u>Name</u>	<u>Bid Amount</u>
Fire Apparatus Repair 55 Benson Avenue Hamilton, NJ 08650	Base bid: \$80.00 per hour
Cleggs Garage Ind. 200 Woodland Avenue Egg Harbor Township, NJ 08234	Base bid: \$80.00 per hour
Malachi's Heavy Truck Repair 750 W. Delilah Road Pleasantville, NJ 08232	Base bid: \$85.00 per hour

and

WHEREAS, the Hamilton Township Fire Chiefs have reviewed the above bid proposals and recommended that the bid from Malachi's Heavy Truck Repair, 750 W. Delilah Road, Pleasantville, NJ 08232, be accepted,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, that the bid proposal of Malachi's Heavy Truck Repair, 750 W. Delilah Road, Pleasantville, NJ contract for Heavy Duty Diesel Truck Repair and Maintenance of Township owned Fire Apparatus (Bid #2010-02) on an as needed basis for a 12 month period effective October 5, 2010 and with two (2) twelve (12) month extension options be and is hereby accepted.

BE IT FURTHER RESOLVED that funding shall be from the 2010 Operating Expense appropriations and future year budgets upon their adoption.

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

Following the vote on the previous resolution, Ms. Gatto asked if it could be moved to the Reorganization Agenda so it could be taken care of annually as a standard item. Mrs. Anderson explained the bid was for one year on an as needed basis with two (2) one (1) year options for extension. Ms. Gatto said she knew that but it seemed odd that it is in October. Mr. Sasdelli explained the Local Public Contracts Law has specific time periods but it will be synced with Reorganization the next time if they can.

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. Magda Love's Cleaning - home office at 170 Canterbury Court
2. Linda's Nails - manicure/pedicure/waxing services at Consumer Square

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.

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF HAMILTON,  
COUNTY OF ATLANTIC, STATE OF NEW JERSEY,  
AUTHORIZING THE CANCELLATION OF 2010 TAXES

WHEREAS, there appears that Mr. Richard Pearse, owner of Block 698 Lot 6, has been granted a 100% tax exemption from the Tax Assessor; and

October 4, 2010

WHEREAS, taxes were assessed against this property that now must be cancelled due to this exemption; and

WHEREAS, 2010 taxes must be cancelled on the above Block and Lot number in the amount of \$2,074.26,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the Tax Collector be authorized to cancel 2010 taxes in the amount of \$2,074.26 on the above Block and Lot number due to the Tax Assessor granting total exemption.

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

RESOLUTION OF THE TOWNSHIP OF HAMILTON,  
COUNTY OF ATLANTIC, STATE OF NEW JERSEY,  
AUTHORIZING THE CANCELLATION OF 2010 TAXES

WHEREAS, there appears that Block 1132.13 Lot 83, Block 1132.15 Lot 18 and Block 1132.17 Lot 53 were deleted by the Tax Assessor for the year 2010; and

WHEREAS, these Block and Lot numbers were incorporated into the larger open space lots in this subdivision; and

WHEREAS, the 2010 taxes must be cancelled on the above Block and lot numbers in the amount of \$12.45,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the Tax Collector be authorized to cancel 2010 taxes in the amount of \$12.45 on the above Block and Lot numbers due to the Tax Assessor deleting these line items for the 2010 tax year.

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

RESOLUTION OF THE TOWNSHIP OF HAMILTON,  
COUNTY OF ATLANTIC, STATE OF NEW JERSEY,  
AUTHORIZING THE CANCELLATION OF 2010 TAXES  
AND REFUND OF TAXES PAID

WHEREAS, there appears that Annetta Reiser owner of Block 1070 Lot 116 C0116, had been granted a 100% tax exemption from the Tax Assessor; and

WHEREAS, taxes were assessed against this property that now must be cancelled due to this exemption and taxes already paid on this property must be refunded; and

WHEREAS, 2010 taxes must be cancelled on the above Block and Lot number in the amount of \$1,581.26 and a refund must be made to First American Real Estate Tax Service in the amount of \$790.63 for taxes already paid on this account,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the Tax Collector be authorized to cancel 2010 taxes in the amount of \$1,581.26 and refund \$790.63 to the Mortgage Company on the above Block and Lot number due to the Tax Assessor granting total exemption.

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

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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 Hamilton Township Police Department is hereby authorized to sell at public auction the following abandoned or unclaimed vehicles at 10:00a.m. on October 29, 2010 in accordance with to N.J.S.A. 39:10A-1 and Chapter 276-15 of the Township of Hamilton Code, Subsections C, D and E.

**Lot 1 of 1: Minimum bid: \$ 45,000.00**

Year	Make	Model	Color	VIN	Title type
<b>American Auto 3113 Rt. 50 Mays Landing, NJ 08330 (609) 965-2900</b>					
1994	Lexus	ES 300	Beige	JT8GK13T0R0068556	Auction
1992	Toyota	Corolla	Grey	2T1AE91A7NC156728	Auction
1999	Buick	Century	White	2G4WS52M5X1615087	Auction
2003	Mitsubishi	Lancer	White	JA3AJ26E73U080814	Auction
1999	Saab	93S	Grey	YS3DD58N0X2008464	Auction
1987	Ford	F-150	White	1FTCF15Y1HNB17004	Auction
<b>Dirkes Auto, LLC 6935 Black Horse Pike Mays Landing, NJ 08330 (609) 625-1718</b>					
1992	Ford	Explorer	Green	1FMDU34XXNUE02182	Auction
2001	Saturn	L30	Maroon	1G8JW52RX1Y517198	Auction
1996	Nissan	Sentra	Green	1N4AB41D7TC735929	Auction
<b>E&amp;T Auto Body 6553 Harding Highway Mays Landing, NJ 08330 609-625-0568</b>					
1996	Honda	Motorcycle	Yellow	JH2PC2503TM507361	Auction

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 10:00a.m. on October 13, 2010 is hereby confirmed at the time and date established for receiving sealed bid proposals for Reconstruction of New York Avenue, Phase 3.

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

Ms. Gatto moved, seconded by Mr. Palmentieri, that the following raffle licensed be and are hereby approved for St. Vincent DePaul Home School Association:

- 1) #16-2010 for an off-premises draw raffle to be held on November 13, 2010.
- 2) #17-2010 for a Chinese penny auction to be held on November 13, 2010.

BE IT FURTHER RESOLVED that Raffle License #18-2010 be and is hereby approved for Oakcrest High School Band Parents Association on-premises draw raffle to be held on October 24, 2010 in conjunction with the school's 50<sup>th</sup> anniversary celebration.

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 NO. FEMA #1-2010**

**A RESOLUTION ADOPTING THE ATLANTIC COUNTY MULTI-JURISDICTIONAL PRE-DISASTER HAZARD MITIGATION PLAN AS REQUIRED BY THE FEDERAL DISASTER MITIGATION AND COST REDUCTION ACT OF 2000.**

WHEREAS, President William J. Clinton signed H.R. 707, the Disaster Mitigation and Cost Reduction Act of 2000, into law on October 30, 2000.

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WHEREAS, the Disaster Mitigation Act of 2000 requires all jurisdictions to be covered by a Pre-Disaster Hazard Mitigation Plan to be eligible for Federal Emergency Management Agency post-disaster funds,

WHEREAS, Atlantic County Government has applied for grant funding, received funding and developed a multi-jurisdictional Pre-Disaster Hazard Mitigation Plan for Atlantic County, and it's participating municipal jurisdictions, and

WHEREAS, the Township of Hamilton is within the Atlantic County, and

WHEREAS, the Township Committee of the Township of Hamilton is concerned about mitigating potential losses from natural disasters before they occur, and resolves to execute the actions in the Plan, and

WHEREAS, the plan identifies potential hazards, potential loses and potential mitigation measures to limit loses, and

WHEREAS, the Township Committee has determined that it would be in the best interest of the community as a whole to adopt the Pre-Disaster Hazard Mitigation Plan as it pertains to the City, therefore

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HAMILTON, THAT:

The Atlantic County Multi-jurisdictional Pre-Disaster Mitigation Plan be adopted to meet the requirements of the Disaster Mitigation and Cost Reduction Act of 2000.

This Resolution shall be effective on the date it is adopted.

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

**RESOLUTION ADOPTED OCTOBER 4, 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 First National Bank of Elmer letter of credit #358, the non-stormwater management system maintenance guarantee for Guy Tunney/Alienation LLC Woods at Makepeace subdivision (Block 864/Lot 8) is hereby denied due to uncompleted punch list items as recommended by Robert J. Smith III, Township Engineer, dated September 22, 2010.

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

Ms. 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 Company of Maryland bond #8797994, stormwater management system maintenance guarantee for IHOP Properties Inc. store #4699 (block 1134, Lot 9.02) is hereby authorized subject to the following conditions as recommended by Robert J. Smith III, Township Engineer, dated September 28, 2010:

- 1) IHOP Properties Inc. must fund or otherwise guarantee a maintenance and inspection program for said stormwater management system for a ten (10) year period in a fashion acceptable to the Township; and
- 2) IHOP shall identify in the program the entity charged with responsibility for annual inspections and completion of any necessary maintenance and the method to finance the program.

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 release of the Travelers Insurance Company bonds accepted as non-stormwater management system maintenance guarantees for Baker Residential Victoria Crossing project set forth below is hereby denied due to uncompleted punch list items as recommended by Robert J. Smith, Township Engineer, dated September 27, 2010:

<u>Bond number</u>	<u>For</u>	<u>Amount</u>
105125413	Cates Road	\$ 8,026.65
105125719	Springton Circle	36,763.81
105125443	Hilltop Circle	22,146.82
105125625	Glendale Circle	22,406.47
105126897	Cranberry Drive/Penn Oaks Lane	37,083.34
105126917	Victoria Crossing Drive	53,385.10
105126928	Pine Knoll Circle	17,770.37
105126930	Westover Circle	22,598.53
105126940	Regents Circle	26,116.63
105127046	Jamestown Circle	20,943.55
105127155	Northridge Drive Phase 5A	31,066.19
105127168	Northridge Drive Phase 5B	11,807.82
105127170	Camelot/Charleston Circle/Countryside Lane	38,595.65
105126193	Summit Circle/Red Bank Drive	29,211.82
105127197	Tryens Drive Phase 8	20,668.50
105127199	Tryens Drive Phase 9	114,708.91
105127204	Victoria Crossing Recreation Area	42,591.51

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 RESOLVED by the Township Committee of the Township of Hamilton that the minutes of the September 20, 2010 regular meeting and executive session are hereby approved and adopted as published.

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

Ms. Gatto moved, seconded by Mr. Cain, that approval and adoption of the minutes of the September 7, 2010 executive session be tabled until October 18, 2010.

MOTION CARRIED 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 all properly executed and approved payrolls and bills are hereby ordered paid, the bill list total being \$2,449,177.61 as of September 30, 2010.

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

Reports

Mr. Sasdelli reported the Chief Financial Officer and Auditor certified the Township met 76 of the 88 items on the State Best Practices Check List check list. He explained this was a new requirement and that was due by October 1st and it was submitted on September 28th. Mr. Sasdelli said that qualified the Township for 100% of its \$135,000.00 fourth quarter state aid payment. He said the Township obviously couldn't comply with 76 of the 88 in the three weeks they had to respond. Mr. Sasdelli said it (compliance with 76 items) is a reflection of Township Committee's oversight and policy making function coupled with the Department Heads and Division Chiefs implementing it on a day to day basis. Mr. Sasdelli explained the 76 things

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were already being done by the Township and they just checked boxes because the Township has police accreditation, finance audits, and were upgraded on our bonds. He said many of those things were already completed because of things done on a day to day basis. Mr. Sasdelli commented on being able to check 76 of the items without ever having seen that check list before and said they want to get 88 out of 88 next time. Mayor Silva asked that the Committee Members be given a list of the items that couldn't be checked. Mr. Palmentieri said some of the items were not applicable to this Township. Mr. Sasdelli said 6 of them didn't apply to the Township because it doesn't have a water utility, sewer utility or a garbage district. Mayor Silva asked if Mr. Sasdelli thought the State was going to put this into effect at the beginning of next year. Mr. Sasdelli said he thinks they are going to say if the municipality doesn't do sound management practices, why should they give them State Aid and that the governing body will see more of it, not less. Ms. Gatto said it sounded like the ones that need to be improved on for next year are probably well suited for somewhere in the strategic planning processes. Mayor Silva said that is why he asked for the list and then maybe they could move some of them in there. Dr. Kesselman asked what the minimum score was to get the full allotment this year. Mr. Sasdelli said it was 76. Ms. Gatto asked if the Township will hear how they compared to other municipalities. Mr. Sasdelli said he didn't know; this was new; and it came out in August without any warning. He commented on the Township Committee being criticized and questioned at meetings about certain things and said comparatively speaking a lot of towns will not be able to answer yes to 76 of the items. He said overall the problems the Township has are miniscule compared to what some of its sister and brother towns have to deal with.

Mr. Sasdelli said the Committee directed him and the Department Heads to look for all alternative revenue sources other than taxes and reported the Public Works, under the direction of Mr. Morley and Mr. Tilley, ran another GovDeals auction that ended Friday night; they made \$50,066.00; and it is unanticipated revenue. Mr. Sasdelli said that GovDeals works great and they are going to continue doing it.

Mr. Sasdelli reported Jersey Professional Management informed him that at least 12 to 15 of the 31 applicants for the Administrator Position meet the education and experience qualification requirements the Committee asked for in their ad. He explained that in the next phase of the process, the applicants identified by the Committee will get questionnaires to fill out and the Committee will get the questionnaires back to evaluate.

Mr. Sasdelli commented on being directed to move forward on the job description book and evaluations. He said the Township has a job description for every position title including the Township Committee and it incorporates the four themes from the Strategic Planning operation. Ms. Gatto asked if it was on the share drive for employees to access at any time. Mr. Sasdelli said the book is done but he doesn't know if it is on the share drive yet. Ms. Gatto asked if it will be on there soon. Mr. Sasdelli said "yes".

Mr. Sasdelli reported receiving a press release from Department of Transportation about halting of funding for all D.O.T. projects, including local aid projects. He said the Township has some local aid projects and that he asked the Engineer if any of the Township's ongoing projects will be affected by the freeze if it isn't reversed. Mr. Smith said they would be. He explained New York Avenue Phase 3 is one of the Township's two D.O.T. Trust Fund ongoing projects and that he anticipates receiving bids for it on October 13th and awarding the contract on October 18th. He explained D.O.T. permits the township to apply for 75% reimbursement up front once a contract is awarded but from what he read in the press release, the funding mechanisms aren't in place so the Township won't be able to apply for the up-front reimbursement unless the Legislature takes care of the bond issue. Mr. Smith explained West Jersey Avenue is the other on-going project and said that is a little further down and hopefully it won't be an issue when that contract is awarded. Mr. Sasdelli said the Township may not want to award the contract if they don't know if they are going to get the 75%. Mr. Smith commented on discussing with Mr. Sasdelli this morning that they should see what the situation is before making a determination on the award. He said he thinks the bid specs require the bid prices to remain in place for 60 days so the township has 60 days to award the contract. He said the

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problem is that construction will have to be put off until the spring if they have to wait the 60 days.

Mr. Smith reported he has been keeping an eye on some of the drainage basins now that there has been some rain and said that when he went to Wexford Lane this morning the basin was dry. He said he will continue to monitor it because it was one of the biggest problems.

Mr. Smith reported he anticipates having the municipal building roof replacement, the basement structural repairs and the steps/front wall repairs projects all out to bid within the next 30 days.

Mayor Silva asked Mr. Smith where the township stands with Timber Glen given the fact they still haven't started anything (on their basin) and the water is high. Mr. Smith said he went there before tonight's meeting and the water in the area adjacent to the tennis courts is pretty high; there is some water in the pipe that goes to Lombard Street; and there was no water coming into the Hamilton Walk basin. Mr. Smith said he hasn't gotten a status report from them yet but he will check with them again tomorrow. Mr. Smith said the problem is there is water in the infiltration area and that will preclude them from doing the work they need to do to get it function properly. Mr. Smith said he has absolutely no idea of what delayed them from coming in and working on it while it was dry.

Mayor Silva said the basin in front of Olive Garden is another area of concern that presents as large a problem and more towards public safety. He asked Mr. Smith if there was any response to the correspondence he sent them asking what they have been doing in terms of maintaining those basins. Mr. Smith said he got a response from their attorney indicating they are working with the Pinelands Commission because they want to establish some pad sites in front of Chili's. He said he believes Pinelands will preclude them from proceeding with that development until they deal with the drainage issues. Mr. Smith said they are having some difficulties agreeing on the elevation of seasonal high ground water but they are going to deal with it as they move forward with development of the pad sites. Mayor Silva questioned what Mr. Smith anticipated as a time frame given the history of response from Trenton which seems to take a long time. He commented on winter coming and the chance of an ice condition occurring there. The Mayor said the road is beginning to suffer damage. Mr. Smith said there is no chance of anything being done soon with their development because they still have to get Pinelands approval and he doesn't believe they have filed an application with the Planning Board yet. Mayor Silva asked if there was anyone at any department in Trenton that the Township could contact to alert them of the condition they should be aware of. Mr. Sasdelli said the performance and maintenance bonds have been long expired and it is privately owned. He said he didn't know what the legal remedies are but Mr. Bell, Mr. Sandman and he will review it because it is on 322 which is a State road. Mr. Sasdelli said they will use whatever legal remedies they have to see if they can compel some action. He said the Township has to put officers there when the water breaches because it floods 322 and then there are expenses and public safety issues.

Mr. Cain said he is in favor of allowing Mr. Sandman to move forward to compel Timber Glen to get moving and to do whatever he can through legal means to make that developer correct his problem. He said it has been discussed at every Township Committee meeting and the residents are going to suffer again. Mr. Sasdelli said Mr. Bell was taking notes and they will find out what those steps are.

Mayor Silva commented on talking about the bond for Oak 'N More at the last meeting and asked if anything had transpired since then and if it was at the expiration date yet. Mr. Smith said he sent the applicant a letter what the status was as requested by Mr. Sandman and he has gotten nothing back. Mayor Silva asked what the deadline was. Mr. Smith said he thought it was in November. The Mayor said he didn't want to run out of time and asked Mr. Smith to keep it at the forefront. Mr. Smith said he will.

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Mr. Sasdelli said the developer the Township is struggling with who said they were going to start work (on their basin) on September 20<sup>th</sup> and still hasn't started wants a large tax reduction on his property and is one of the largest pending tax appeals. He said the two things aren't connected but it is ironic that the Township is asking him to improve his property so it doesn't flood neighboring residents and his response is that he wants his taxes lowered. Mr. Palmentieri said the Timber Glen situation started at the beginning of the summer and they went through the hottest, driest summer in memory all the while saying if it didn't happen now the fall rains would come and it wouldn't be done until next year. He said it is at that point now and he agrees with Mr. Cain that the Committee should do whatever they can to get whatever they can done now because it is quickly going to become a problem into next summer because of the rainy fall, frozen winter, rainy spring and it will be June before it is time for them to do something again.

Mr. Palmentieri said the Township lost another \$315,000.00 to the State through a 22% increase in the pension contributions and that brings it to well over \$1 million the State has taken from the township in the past 12 months. Mr. Sasdelli said it was \$1 million before this so it is now \$1.3 million. Mayor Silva asked what the state said the health benefits increase would be. Mr. Sasdelli said the township doesn't have the final number yet but he thinks it will be between 9% and 12%. He said that is also a \$2.5 million line item. Mr. Palmentieri said that will be another quarter-million dollars.

Ms. Gatto congratulated the Merchants' Association and the Time Capsule Opening Committee for a great job at the Fall Festival on Saturday. She commented on going to the Cologne Fire House the same day for their 50<sup>th</sup> anniversary celebration. Ms. Gatto said they had a very nice ceremony and congratulated them on it. She said ribbon cutting for Cedar Creek High school was also held that day and that she heard it is a beautiful school. Ms. Gatto commented on hearing that everything went well with all three (high) schools opening this year and she congratulated the Greater Egg Harbor School District on it.

Ms. Gatto reported seeing a memo from Frank Tomasello about the Zoning Board looking into doing their RFP through a paperless process. She commented all those who got the RFPs knowing how back-breaking it was to carry them home to review. Ms. Gatto said she thinks it is a fantastic way to go and she hopes the Township Committee considers it when they get ready to start that process for 2011.

Ms. Gatto said she wanted to talk about the community and civic organizations in town trying to keep the events that are the heart and soul of the town going. She said Mr. Kurtz shared some feedback with her from the Hometown Celebration and other events the Merchants take on. Ms. Gatto said she reached out to Emergency Management Coordinator Bob Mattle to see if there was a greater role the Emergency Management Team could take on in facilitating and planning the emergency resources the community organizations need to access when planning an event and trying to make it easier and a little more organized with all the entities they need to work with including the Township. Ms. Gatto said she thinks they are finding things in the State that can be leveraged in terms of traffic control and things like that. She said she thinks there is some potential there to help the organizations keep the events going and bring down the costs. Ms. Gatto said they will keep looking into that.

Ms. Gatto reported receiving information over the weekend that the Halloween Parade is cancelled at this point. Ms. Gatto said it is one of her favorite events; she knows families and especially kids look forward to it; and it is disheartening. She said she made some phone calls in a desperate attempt to make the event happen. Ms. Gatto said she spoke to Dr. Kesselman who is liaison with her for special events. Ms. Gatto said she thinks that from the long term perspective the Quality of Life Strategic Committee could look at how to make it happen year after year with private and public partnership. She asked Mayor Silva for permission to form an Ad Hoc Committee of interested residents she thinks can be pulled together to try to make the parade happen in the next 27 days. Mayor Silva said he agreed with Ms. Gatto's comments but appointing of an Ad Hoc Committee should be by consensus of the entire Committee, not him alone. Mr. Cain said these are

the type events that make this a community and asked what time frame they would be up against for road closures. Mr. Sasdelli said he didn't think that was a problem because most of them are County roads. He commented on the Township always having paid for it and said it was easy when the taxpayers paid for it. Mr. Sasdelli said the Celebration of Public Events budget was taken from \$30,000.00 to zero so taxes on the public wouldn't have to be raised. He explained the Committee passed the Special Events Ordinance and said that if user groups wanted to have these functions they could and they have to raise the money. Mr. Sasdelli said Mr. Kneble called and asked what they had to do and the Ordinance was administered which was a \$500.00 security deposit; pay for police \$3,700.00; pay for Public Works \$800.00. He said Mr. Kneble said the organization can't do that and that is why they aren't having the Parade. Mr. Cain said he wanted to make sure that they wouldn't be up against a deadline that is already past and that they still have time to get road closure permits. Mr. Sasdelli said he thought they do. Dr. Kesselman asked who issued the road closure permits. Mr. Sasdelli said the County issues them for Main Street and the Township does it for the local roads so he doesn't think either will be a problem. Dr. Kesselman asked who get its them. Mr. Sasdelli said the Mrs. Giberson is the contact point and she has contacts at the County. Dr. Kesselman referred to the figures Mr. Sasdelli gave and said it is about \$5,000.00. Mr. Sasdelli explained the \$3,700.00 was to cost to pay for traffic control and he thinks it was \$810.00 for public works. He said they don't know if they will get Sheriff's Officers but the cost for police might go down if they do. Mr. Sasdelli said they get the \$500.00 security deposit back as long as there is no damage to property. Dr. Kesselman said it would be a moot point if the Township was doing it. Mr. Sasdelli explained the Special Events Ordinance only kicks in if a user group is doing the project. Ms. Gatto said she is not proposing the Township take it back on because she thinks enacting the Special Events Ordinance was the right thing to do. She said the Township Committee made the very hard decision years ago that the Township just couldn't do it anymore. Ms. Gatto said her proposal was that the Township be a proponent and facilitator of the available resources in town to try to make the event happen. Dr. Kesselman said he understood that but somebody or some entity that does or does not put down the deposit has to be on record at some point. Mr. Sasdelli said they would also have to be the applicant for the road closing permit. Mayor Silva said he thinks the key is that the resources Ms. Gatto spoke of will go ahead with what they want to do. The Mayor said Ms. Gatto had agreement from the other members to move ahead. Ms. Gatto said the names she and Mr. Kurtz spoke of (for the Ad Hoc Committee) they would include: Mr. Kneble, Bob Mattle as Emergency Management Coordinator, Dave Wigglesworth, Jennie Ayres, Maureen Gallagher-Bugdon and Randy Lafferty.

Mr. Cain said the Merchants' Association did an incredible job of the Fall Festival this year and Bob RaVell did an incredible job with the time capsule opening. He commented on Mr. RaVell's family being part of it when the capsule was buried 50 years ago. He said it was a great community event.

Mr. Cain commented on the amount of attention being placed on drainage basins that the public hears about as the Committee goes through things but when they talk about the consent agenda Mrs. Anderson has taken the liberty of making sure that it says in big bold letters non-stormwater management system maintenance guarantees on every agenda so the Committee is apprised that it doesn't have anything to do with stormwater management. He said it made the Committee Members' job a little easier and they appreciate it.

Mr. Cain reported attending the ground breaking ceremony for the new St. Vincent dePaul Church. He said the was a possibility of merging it with Egg Harbor Township at one time but the Parishioners stood up and let their voices be heard. Mr. Cain said they had the opportunity to witness the ground breaking. He said it will seat 800 and should be completed by next year. Mr. Cain said he appreciated the effort put forth by Father Ted and the Parishioners to keep that church and its 100 year history in Hamilton Township.

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Mr. Cain reported the Smart Growth Committee has met several times since the last Township Committee meeting and they are trying to stay focused on certain areas. He said he is proud of its members, what they are uncovering, and the recommendations coming forth. Mr. Cain said they will meet again this Thursday morning in Conference Room A. He said they are moving into the area of Code Enforcement and he believes that is when the rental ordinance will be discussed in detail.

#### Public Comment

Harry Rogers, Morningside Drive, the major obstacle facing the Halloween Parade was but Mr. Sasdelli is the same obstacle that held up the fireworks; money for the police. Mr. Rogers said he didn't think there is anything preventing the police from donating their time or taking less than full-time and/or plus overtime to facilitate these community events. He said the people in public works and people on the board (Township Committee) took cuts but there were not cuts for the police. Mr. Rogers said they took a 1½% cut for medical benefits but got a 1½ or 2% raise so it netted out to almost no change. Mr. Rogers said he thinks the time has long since passed for the township to develop an Auxiliary Police Department; a farm team for the police department; people who can get the basic certifications so they can direct traffic and handle these type of events in the \$15.00-\$20.00 an hour range as opposed to the upwards of \$50.00-\$60.00 range he heard mentioned by the Committee and Mr. Sasdelli. He said he has spoken to several Township Committee Members about this privately for quite some time but he doesn't hear it being repeated anywhere and he thinks it is time to say in public that Hamilton Township needs an Auxiliary Police Department. He said it has worked well in other municipalities in this County. He commented on growing up in Brigantine and said it worked very well there. He said they handled low impact duties that come up. Mr. Rogers commented on hearing the different traffic duties that have to be performed by uniformed people in Hamilton Township. He said they cost a fortune and people say the Gas Company is paying for it but we are all paying for it. Mr. Rogers said the major impediment to the fireworks and parade is the full cost of the police. He said when everyone else is working for free, contributing their time and money, there is one segment who doesn't contribute anything to the effort. Mr. Rogers said he was saying this with the full knowledge that there was a police contingency present. He commented on having said before that it seems people only show up in mass at occasional meetings when they are here to protect their rice bowl or piece of the pie. Mr. Rogers said he thinks it is time for some proactive action on an Auxiliary Police Department and that benefit would accrue to the township as a whole and particularly the budget process. Ms. Gatto asked to respond to some of Mr. Rogers' comments because she has been talking to Mr. Sasdelli about some of those topics. She said she didn't think it was fair to say the police didn't take any cuts. Ms. Gatto said everybody made sacrifices last year; they will continue to make sacrifices; and are trying to work together. She said that before Mr. Rogers came in she mentioned she was working with Mr. Mattle, the Emergency Management Coordinator, to look into some options to reduce the cost of police and find other ways to facilitate emergency resources particularly when it comes to traffic control. Ms. Gatto said she believes the Garcia Law prevents the police from donating man-hours and they can't perform their job function without getting paid for it. Mr. Bell said it starts getting into liability issues. Ms. Gatto commented on having to look into alternatives and said Mr. Sasdelli brought to their attention the idea of a Traffic Control Officer. She explained it is a recently introduced title for a salary ordinance at the State level that the Township could potentially bring into its salary ordinance; train the resources; and have those types of officers doing traffic control at a much lesser price. Ms. Gatto said she asked Mr. Sasdelli to look the Police Explorer Program and into other municipalities that were doing it. She said the problem is the Township isn't hiring these days so to have a pool is odd but certainly not an idea that should go un-researched. She said she has been speaking to Mr. Sasdelli about these things and Mr. Sasdelli has been corresponding with Chief Tappeiner. Ms. Gatto said the Committee doesn't want to see any of these events go away. She said this is the first year with the ordinance so they are seeing the pains and trying to be proactive in remedying them but solving it long-term isn't going to happen in the next 30 days. She said that is why she wanted to look at the parade, segregate it, make it happen; and then look at it long-term. Dr. Kesselman suggested that this was an

opportunity for the Township Committee to reach out to the Safety Committee of the Strategic Committee and have them work with the Township Committee on it. Mr. Sasdelli said that can be done. He said he wanted to say on the record that the Police gave up furlough days and their clothing allowance. Mr. Sasdelli said it isn't as much as some would like but it was something that was equivalent to what the other folks gave up. He commented on having a memo from Chief Tappeiner and Officer Wade Smith and said they have already looked into the Traffic Control Officer and into using Specials to augment the force but you can't have all volunteers out there. He commented on someone just being killed at the 4-H and said these are intersections. Mr. Sasdelli said they are looking at ways to try to bring down the costs for the community events from Traffic Control Officers that would be part of the Police Department but wouldn't have law enforcement power and using Specials. He explained the Township only has two special officers now and they are both full time in the Court. Ms. Gatto said she believed they also talked about expanding the role of Fire Police and using them. She said the Committee hears Mr. Rogers but it takes time to get all those things going. Mr. Cain said Mr. Rogers has spoken to him and to other Township Committee Members regarding this; they do listen; it was unfortunate Mr. Rogers didn't have the benefit of the memo the Committee received this evening; and it is unfortunate that things move slowly in government but the Committee is doing the best they can. Mr. Cain said every comment made by the public is listened to and investigated but it isn't always reported on. He assured Mr. Rogers the Committee and Mr. Sasdelli look into every comment made.

Cheryl Fetty asked if the Park would be decorated for the holidays this year because last year they were lead to believe it wouldn't be. Mr. Sasdelli said they were never lead to believe it wouldn't decorated. He explained there is a difference between the tree lighting ceremony which is a user group event that the Township is not sponsoring and decorating the Park. He said the Township is decorating the Park. Mrs. Fetty said the tree lighting ceremony has always been sponsored by the Historic Commission which is an arm of the Planning Board so it is a Township entity, not a private one. Mr. Sasdelli said whatever they did last year worked fine. Mrs. Fetty said the Historic Society is a non-profit group and they begged to get hot chocolate and cookies donated for the event. Ms. Gatto said replacement of Christmas decorations was cut from the budget. Mr. Sasdelli said this is where you will see privatization because the Public Works is down from 37 employees to 29. He explained quotes were solicited and a private electrician will install the lights in the Park; Public Works people won't be there on over-time and weekends. Mrs. Fetty said the Park has been neglected and it always looked beautiful until this summer.

Mrs. Fetty said she hopes they find a way to have the Halloween Parade. She said her daughter was upset because the grandchildren enjoy it. Mrs. Fetty said that as a taxpayer she didn't see a problem with the Township paying for it or why the Township can't keep the events going from their taxes. Ms. Gatto said that even if the Committee wanted to do it they don't have the ability to raise that money.

Mrs. Fetty said she is a member of the Historic Society and they don't have the money to pay the \$500.00 fee for use of the Park. She said some of the members paid it. Mrs. Fetty said she could see making some fly-by-night pay it but they are a local non-profit. Mr. Sasdelli clarified that it is not a fee, it is a security deposit that goes back to the organization after the event as long as they leave it in the same condition as they found it. Mrs. Fetty said the problem will be getting rid of the trash but Aline Dix is helping her with it.

Mrs. Fetty said there are 11 homes on her street but one has been boarded up for 10 or 12 years. She said 5 of the homes on her street rentals and three of them are multiple rental units. Mrs. Fetty said people on her street deal with a lot of stuff and the Committee has to do something to help them because their quality of life is in the gutter. She said she hoped whatever the Committee did they would get the rental inspection ordinance together and start enforcing it. Mrs. Fetty said the property maintenance ordinance has been on the books since 2005 and isn't enforced. She said maybe the Committee would put the ordinances together and do something because she is tired of waiting for enforcement.

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Robert Campbell, Sr., Lewis Drive, said he knows a number of police who offer their services for things like coaching in the ball clubs. He said he thinks they do a great job and that they should be kept involved in the activities in the township. Mr. Campbell said he was sure that half, if not all, of the police would volunteer if not for insurance rules, state rules, and county rules.

Mr. Campbell commented on the Veterans' Board taking over the July 4<sup>th</sup> activities about 15 years ago when volunteers in the groups that were running celebrations in the community dried up as far as money was concerned. He said they raised \$17,000.00 within 6 months; did the whole thing; and it didn't cost the Township a dime. Mr. Campbell said the Board raised \$8,500.00 within 7 weeks recently to build a memorial for deceased veterans with the help of a lot of people like Mr. DeFeo. He commented on talking with the Rotary today and said they told him it was \$6,700.00 to run the Halloween activities; \$3,800.00 for police, plus trophies, cupcakes, other things they bought and some additional expenses. Mr. Campbell said he was sure the Veterans' Board could have raised the \$3,800.00 for the police and that the Rotary could have picked up the rest. He said he is sure there are a couple of boards in the township that could help and volunteer to do some of these projects including the fireworks, parade and other things. Mr. Campbell said he was concerned because the Veterans' Board was told that they could not accept money for additional activities because they were a municipal organization working under an ordinance. He asked if the Board raising money for the Board those kinds of activities would be considered improper. Mr. Campbell said Mr. Sasdelli told him Board that. Mr. Sasdelli said he didn't remember saying it in that context. He said they raise money all the time. Mr. Campbell said they do but they have a separate checking account under the American Legion which is all donated money. He said he wondered if that could be expanded. Mr. Sasdelli said Mr. Campbell is very good at parsing his words and he thinks the context of their discussion was that they have to live within their Charter. He said every group has a Charter so he probably flipped open the Code Book to the Charter and Purpose of the Veterans' Board and said to Mr. Campbell, the Historic and Rec boards, that you have to live within and operate within the boundaries of your Charter. Mr. Campbell said that is exactly what Mr. Sasdelli said to him. Mr. Sasdelli said that is different than saying "you can't raise money". Mayor Silva suggested Mr. Campbell stop in Mr. Sasdelli's office and go over everything in detail with him. He said he thought Mr. Campbell's points were as well taken as they have been from everybody else and that everybody gets the message. Mr. Cain suggested Mr. Campbell reach out to Ms. Gatto. Ms. Gatto said she would have no problem taking any money Mr. Campbell wanted to give for the Halloween Parade. Mr. Campbell said it wasn't the money, it was the activity and work they can do to potentially raise the funds.

Mr. Campbell said there are a lot of real bug-a-boos in the rent maintenance ordinance and he will be sending the Committee some recommendations on it.

Aline Dix said donors should make their checks to the Mays Landing Rotary just like they did last year and then it isn't fund raising by the Veterans, the Rec Board or anybody else's Board. Ms. Dix commented on hearing the Atlantic City Public Safety Director on the radio following the Air Show thanking all the police from other departments who volunteered to help with the Air Show. She said if other places can volunteer she can't see why we can't and she suggested someone find out exactly what the Director of Public Safety meant. Ms. Gatto said she believed the officers volunteered but the township had to pay them and Hamilton Township took the stand that they wouldn't do that. Ms. Dix said she was just repeating what she heard on the radio and it isn't volunteer if you get paid. Ms. Gatto said she was correcting misinformation because the (volunteer's) Township did pay them.

Ms. Dix commented on talk about drainage basins and said the other public improvement under the developer's control is paving the roads. She said she was looking for a report tonight in response to the question she asked about a month ago on the status of developments where the roads aren't paved and how it is being handled. She said one of the things people talked to her about when she was in Misty Pines in 2004 was the unfinished roads

and when she came to Town Hall and went through the files, she learned the bonding company had gone bankrupt three years earlier. Ms. Dix said there is an Ordinance that goes back many years and she believes it is that when 90% of the structures in a development have COs the final overlay goes on and that the streets and storm basins are private until that is done. She asked who is keeping track of Cedar Point, Eaglesmere, Victoria Point, Brewster and Tavistock, the developments where they haven't paved the roads. Mayor Silva said Tavistock is at 90%, Brewster is probably close to 90% but the other three aren't. Ms. Dix asked who is counting how many COs were issued; who is going to freeze the issuance of COs pending the road paving; and what the Township can do to get the roads paved. Mayor Silva said the developer comes for reduction of their bonds. Mr. Smith said he wasn't sure about the percentage but he thinks Ms. Dix is talking about the developer's obligation to pave the streets when they are at 90%. He said sometimes there are extenuating circumstances for the Township not wanting them to do it. Mr. Smith said the Mayor was correct about the developments not being close to 90%, and he thinks one of the developments mentioned is owned by the bank now so there are different circumstances in different developments. He said he didn't know that anyone is keeping count percentage-wise of how many the COs relative to the total number of lots but he assumes it would be pretty easy to determine in the Construction Office. He said he didn't know if Mr. Sasdelli wants to get that information from the Construction Office and then he can take a look at it. Ms. Dix said the Assessor puts the final assessment on with the COs so the SROs and SR-1s are in the Assessor's Office. Dr. Kesselman asked who would keep track of that. Mr. Sasdelli said it would be under Mr. Sartorio in Community Development or the Senior TACO Bonnie Cherry and they can easily put the information together. Ms. Gatto said it would be good to have somebody track it. Ms. Dix said she understood the penalty if they don't pave at 90% is that no more COs are issued so there is something in the ordinance that triggers freezing the COs. She said the buyer wants to move in because of interest rates and the developer will pave the roads if they can't go to settlement. Ms. Dix said a decision has to be made on whether or not the Township wants to freeze COs to force paving. Mr. Smith said he didn't believe the Township is allowed to freeze COs and that the Construction Official is obligated to issue the CO if the site improvements are bonded. He said that Cedar Point has top-paved all of Phase 1 because it is all built out; Tavistock has final paved Phase 1 B & C and Phase 2 A & B; some developers are holding out because only one or two homes are left; and some of them have remediation work that has to be done to curbs, gutters and the base paving. Mayor Silva said the incentive is there for them to do it because they want the turn them over to the Township. Mr. Smith explained there is defacto acceptance of the streets when the performance guarantee is released. Ms. Dix asked what is being done with the Cedar Point and Tavistock basins and if there was an issue with the Brewster basin because she knows there was water going into the street there. Mr. Smith said there is an issue with the Brewster Basin but he doesn't believe it ever overflows into the roadway. Mr. Smith said Victoria Point is has done an extensive amount of work on their basins; they still have work to do because they aren't completely functional; and that they are truly proactive in making sure they don't the overflow situation. Mr. Cain commented there being no flooding on West Jersey Avenue after the recent substantial rain and said that was the first time he saw that all year. Ms. Dix asked how the Township can make sure everything is in order and protect the homeowners who are going to be responsible for the basins before they are turned over to them. Mr. Smith explained that they make sure they are functioning according to the design before the performance guarantee is released; the developer is required to post a 4-year maintenance guarantee after the performance guarantee is released; at the end of the 4-year period it is inspected again after a rain event and before the maintenance guarantee is released to make sure it is functioning; and depending on when it was constructed the homeowners association is essentially going to assume maintenance responsibility for it. He said they won't allow the Township Committee to release the maintenance guarantee unless the basin is functioning properly. Mayor Silva said they are required to file an annual report on what they did to maintain the basin. Ms. Dix commented on drainage problems at Misty Pines and said Mr. Smith should be aware of it because he lives there and is in the same homeowners association. Mr. Smith said he was not responsible for that project. He said the one where he lives in Hamilton Pointe is always bone dry and the one in Misty Pines is always loaded with water.

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Mr. Cain asked Mr. Sasdelli to ask Mr. Campbell to also forward his comments on the maintenance ordinance to him so he can forward them to Mr. Choyce and other members of the Smart Growth Committee.

Jim Link, Park Road, said he and his wife rely heavily on police back-up as a taxpaying resident and business owner at the skating rink. He said they spend a lot of money to try to assure that so they don't have to call the police but when they do, they know they are a little over their head and police have done an excellent job of responding and the parents who bring their kids to the rink appreciate it very much. Mr. Link said he finds it objectionable how the police are portrayed as not being civically minded and volunteering their time. He said as members of the Rotary Club Member he can tell the Committee that the \$3700.00 isn't the game buster. Mr. Link said all the Rotary Club Members have done a lot of jobs and spent hours trying to keep the Halloween Parade running smoothly; what they do after the parade, cupcakes etc. costs a lot of money too. He said he knows the Young family gave tens of thousands of dollars to have fireworks and if you don't have tens of thousands of dollars for fireworks it fizzles out in 10 minutes. Mr. Link commented on knowing a lot of private people and the Township paid too but it isn't a bad idea to come up with an alternative in terms of trained professionals to take care of traffic perhaps at a lower rate. Mr. Link said he thinks it is wrong to point a finger at one specific group and say that they aren't pulling up the slack like other groups in the township. He said he thinks they (police) are and he has the experience to back that up.

John Kurtz, Pennington Avenue/Merchants' Association President/business owner, said Mr. Link had touched on some of the things he wanted to say. He said the Merchant's Association knew what they had to do for every after the (Special Events) ordinance went into effect and they have done it. Mr. Kurtz said he thinks it is a good thing and keeps them on their toes. He said he didn't want the feeling to get out that there was ever anything derogatory thought about the police in the money issue. He said the money issue is another nut that has to be cracked when you are raising funds. Mr. Kurtz said there was no mention of the police in the e-mail Mr. Kneble sent him. He read the letter Mr. Kneble sent stating "As per our phone conversation, the Mays Landing Rotary Club will not be sponsoring the Halloween Parade. Due to the expenses of running the event we can no longer afford the cost of the parade. If any other organization would like to sponsor this long time tradition the Mays Landing Rotary Club would be happy to assist in organizing or running the parade". Mr. Kurtz said the Merchants' Association will also do that. He said he thinks Ms. Gatto's mentioning there are other alternatives is very important; it should be looked at; and that is the way to go. He said it would be helpful to the organizations if a way to address and reduce the cost of police could be found. Mr. Kurtz said that the Association found that the Fall Festival was so successful that they may need a crossing guard there next year because of the number of people crossing the street and they don't want to put anyone in jeopardy. Mr. Sasdelli said if there is an expert on the Special Events Ordinance, Mr. Kurtz is it because he and his group have been through it more than anyone with the Hometown Celebration and the Fall Festival; they go through it, pay their deposit, run the event and get their deposit back. He said he appreciated Mr. Kurtz's comment.

John Pucci asked if it was correct that the Township gave use of the American Legion over to them but still owns the property. Mayor Silva said it was not correct; the Township deeded it to the Legion for \$1.00. Mr. Pucci said it is completely their responsibility then.

Mr. Pucci said he owns rental properties in Brigantine and they are if a screen is ripped the inspection fails; if a clip holding the kitchen sink to the counter top isn't there it fails; if it doesn't pass inspection the owner doesn't get it certificate of habitability that is required in order to rent the property; another requirement is payment of taxes and if your taxes on a rental property aren't paid you won't get your certificate of habitability. He said that may be more reason to fast track the rental inspection ordinance. Dr. Kesselman said they are going to try to do it quicker than the ordinance that was just passed tonight.

Mr. Pucci said he was happy to hear what the Township Committee is doing on drainage basins. He said it is his opinion that developers come in, make their money and leave and the residents end up sliding on ice and having to deal with puddles on state highways because the basins are overflowing. He asked if any emergency procedures are in place so if there is a problem the pumps and manpower is already available. Mr. Pucci said it sounds like they aren't maintaining them, mitigating them or correcting them. Mayor Silva said he and Mr. Sasdelli talked about that when they went by last week and asked where they would pump it to. The Mayor said it would have to go into the Woodlands then up to the 700 acres along Cologne Avenue. Mr. Smith said Hamilton Commons put a pump at their site and were ready to pump if necessary. Mayor Silva said that may be the way to address the one at Hamilton Mall. He asked if any emergency corrective action had been prepared in the meantime in the event it breaches and floods the highway. Mr. Sasdelli said this isn't the forum for this discussion. He said there are multi-jurisdictional issues; there are state roads, county roads, municipal roads and private land. Mr. Sasdelli explained the Township has to be very careful because if the Township makes somebody pump their basin into the Woodlands, the Woodlands is flooded. He said he got Ms. Gatto's e-mail about having emergency plans and who to contact and they had a big engineering meeting last week about those issues and who could have pumps. Mr. Sasdelli said it is easy to pump it, but to where. He said Timber Glen pumps it and it goes into Mr. Palmentieri's development. Mr. Cain said Hamilton Commons pumps it to the Gravelly Run watershed and that is an issue in itself. He said the most important thing is to protect public safety on 322 but it has to be corrected. Mr. Smith said it is only a short term solution. Mayor Silva said that is why the Committee made it a priority this year and they have done an exceptional job trying to push it forward at every meeting. He said Mr. Smith takes his marching orders very seriously and as a result of Mr. Smith's efforts, legal, and cooperation of the Township Committee they have been able to not only bring attention to it but they were also able resolve to some real difficult issues when it comes to basins overflowing. The Mayor said he thinks the Committee has made a lot of progress in that area but it isn't 100% of what he would like to see. Mr. Pucci said he agreed the Committee has been proactive on this issue but it seems to him that the developer should develop his own emergency plan to keep water off the highway and to notify the Township what that plan is. He said he thinks it is the developer's responsibility, not the township's, to make sure the emergency plan is in place. Ms. Gatto said it has to be a collaborative effort because the plan obviously isn't going to work if it is to pump into the Woodlands. She said if they can have constructive dialog about it to develop a plan, then they are in a good place. Ms. Gatto said she thinks that is probably Emergency Management's role and that is exactly what she asked for with the storm approaching. Mr. Smith said the more important thing is that the Township doesn't want an emergency plan when the basin overflows; they want them to correct the basin properly.

Judy Link, Park Road, said the Rotary Club parade always included the Oakcrest Band, and that cost \$500.00 because it is one of the band's ways of fund raising for their trips. She said she thinks the bagpipe band cost about \$300.00. She suggested that be one of the things the Ad Hoc Committee put on their schedule because if they want to have them, they have to book them now.

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

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

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

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

ATTEST:

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