

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
NOVEMBER 9, 2009

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, NJ was held on the above date with Mayor Nelson Gaskill presiding. Members present were Amy Gatto, Thomas Palmentieri, Charles Pritchard and Roger Silva. Also present were Edward M. Sasdelli, Township Administrator, Joan I. Anderson, Township Clerk, Randolph Lafferty, Township Solicitor and Edward Walberg, Township Engineer.

The meeting opened with the flag salute followed by a moment of silence for private reflection.

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 personnel matter which is exempt from public discussion pursuant to the New Jersey Open Public Meetings Law:

1. Police Chief Search process

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"

Ms. Gatto moved, seconded by Mr. Palmentieri, that the governing body reconvene in public session at approximately 7:02 PM.

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

Confirmation of Executive Session held tonight re: Police Chief Selection

Mayor Gaskill said the Committee had just finished their executive session on probably the most important selection this Committee has had to make in the past year.

Mr. Silva thanked Lt. Petuskey, Lt. Sorrentino and Lt. Tappeiner for applying for the position. He said the Committee realized this was a thorough, demanding and equitable process. Mr. Silva said that as a result of the process he was prepared to make the recommendation that Lt. Stacy Tappeiner be appointed the Chief of Police.

Mr. Pritchard said he would second the motion as the other member of the subcommittee. He said the only term Mr. Silva left out was "agonizing". Mr. Pritchard said it was an agonizing decision with candidates that were so close. He said that as a member of the (Township) Committee that decided on the process in order for him to go against that process now he would be violating his oath of office and putting the Township in jeopardy. Mr. Pritchard said the candidates were tremendous and he congratulated all three.

Mayor Gaskill asked if there was any discussion on the motion and second.

**Ms. Gatto read the following prepared statement:** Let me say, first, that the residents of this town should feel proud that we -- the committee -- have had a dilemma in selecting a chief because we are blessed with 3 great candidates. All three of our candidates are skilled, experienced and driven. I appreciate their desire to apply for the position and their resilience through the process. I also appreciate the selection committee's efforts and time during this process. I respect their passion and desire to stay true to the process. I too feel passionately about my charge on this committee and each vote I place. Where some discomfort comes for me is the fact that at the end of this process we five committee people are responsible for a vote. I needed additional answers to make that decision. I don't feel that I got the support of my colleagues in that request. I was uncomfortable with the scoring process; I was uncomfortable with not receiving an in-depth report from the selection committee; and I was uncomfortable with the 11th hour attempt to lobby for one candidate over another by those persons who were supposed to remain unbiased. All that being said, I've logged countless hours reviewing all the inputs that were available to make a decision. The residents can rest assured that whoever is chosen tonight will continue to provide solid leadership over our towns' public safety department. I certainly will support 100% whomever is selected as the majority will of this committee."

November 9, 2009

**Mr. Palmentieri and Mayor Gaskill said they would wait for the vote to make their comments.**

Mayor Gaskill called for a roll call vote on the following motion made by Mr. Silva and seconded by Mr. Pritchard:

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Lt. Stacy Tappeiner be and is hereby appointed Chief of Police in the Township of Hamilton Police Department.

RESOLUTION ADOPTED WITH MEMBERS PRITCHARD, SILVA AND PALMENTIERI VOTING "AYE", MEMBERS GATTO AND GASKILL VOTING "NAY", NO "ABSTAIN" ON A ROLL CALL VOTE.

**Ms. Gatto read the following statement prior to casting her vote.** "In conducting my own analysis of the candidates, the margin is tight. For me, as a resident and a committeeperson, there is one candidate who stands above because of several intangible attributes - his personality and his dedication to community service in this town; that is Lt. Mike Petuskey. My 'no' vote for the selection committee's candidate does not equal 'no support.' I have no doubt that Lt. Tappeiner will succeed via his strengths and grow.

**Mr. Palmentieri said the following prior to casting his vote:** Like comments of everyone before him the Township and its residents are truly lucky to have such high quality candidates and that made this job very difficult. He complimented his fellow-Committee Members for all the time and hard efforts and thoughts they put into it. Mr. Palmentieri said that is why it has taken so long and he thinks it is a credit to them that they have looked into this with the depth that they have and really labored over it to make the best decision that they can. He said one of the things the Township Committee did several years ago was to formalize a process that has had tremendous results in the quality of appointments and promotions that have been made for the past 8 years. Mr. Palmentieri said that was generally the process that was agreed upon to be used to review the candidates for this position. He said his support for that process through the years has been steadfast and he really couldn't change his mind at this point and not accept the recommendation of those who conducted the process. Mr. Palmentieri said that for those reasons he was going to vote "yes".

**Mr. Pritchard made no additional comments when called on for his vote.**

**Mr. Silva made no additional comments when called on for his vote.**

**Mayor Gaskill said the following prior to casting his vote:** Mayor Gaskill thanked the Committee and everyone on the dais for all their hard work. He said it was an agonizing decision by all of them. The Mayor said a lot of work, thought and consideration was put into this. Fortunately for the township residents we are faced with choosing between three highly qualified individuals, two more experienced and standing out slightly from the third. I have carefully reviewed all the documents presented to the Committee and I find the evaluations to be extremely close. The questions and answers have no right or wrong response therefore became subjective to the thinking of the sub-committee which resulted in the closeness of the evaluations. To me one individual may be slightly more qualified administratively, the other is slightly more qualified operationally. Everything is not quantifiable by numbers. Thus, the choice to me becomes which individual do I perceive to have the better leadership skills for the police force and more importantly for our citizens. In my thinking this is the intangible of being a Police Chief. While both individuals are highly qualified, I have reached the conclusion that Lt. Petuskey better processes that "intangible". Therefore and I must cast a no vote.

Mr. Sasdelli explained the Township can't have two Chiefs at the same time so the appointment will take effect upon Chief McKeen's retirement and is also contingent upon Lt. Tappeiner negotiating and signing an employment agreement that the Township Committee will approve.

There were no additional executive session confirmations to be made.

#### Captain of Police position

Mr. Pritchard commented on having read all of the candidate's management plans and said he feels there is a need and it would benefit the Department greatly if the Township had a Captain in the Police Department. He said he would move to charge the Township Administrator to immediately begin the process to select a Captain in the Police Department. Ms. Gatto asked if the motion was for the position to be filled in 2010. Mr. Pritchard said that was correct. Ms. Gatto said she would second the motion.

Mr. Silva asked if there was enough time to do this for 2010 based on the time of year it is now and not knowing the number of applicants there would be for it. Mr. Sasdelli explained the Township Ordinance has a very specific process for the promotion to Captain and he will get it done if it is the will of the governing body to do it.

Mayor Gaskill said he agreed with Mr. Pritchard's recommendation and said he thought the Committee should move forward with it.

There being no more discussion or questions, Mayor Gaskill called for a roll call vote on the following motion:

Mr. Pritchard 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 Administrator be and is hereby directed to immediately begin the promotion process for filling the position of Captain of Police for the year 2010.

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

Mr. Silva congratulated Lt. Tappeiner on his appointment and the other two candidates for having the tenacity, fortitude and cooperation to put up with the Township Committee for the past several months. He agreed with Mr. Pritchard's term "agonizing" and said he couldn't think of too many other decisions, other than the budget, that the Committee was faced with that commanded the kind of process and thought that went into it. Mr. Silva said they all deserve gratitude for being on the police force. He thanked them for who they are and what they do.

#### Landfill Status Report

Mr. Sasdelli made a power point presentation of his Landfill Status Report. He said that one of the things the Mayor and Committee has been adamant about all year long is following up on the landfill. He explained the Township filed a closure plan to cap the landfill with DEP over 10 years ago and it has yet to get approval. Mr. Sasdelli said there are over 800 such landfills in New Jersey. He explained that no trash is being brought in there any more. He said the current cost estimate to close it in the traditional way is about \$5 million and the Township doesn't have that budgeted or bonded anywhere. Mr. Sasdelli explained the traditional way of closing and capping a landfill and said the Township Committee brought in Land Resource Solutions (LRS), Trevan Houser, several years ago for a different approach to closing called Adaptive Re-use. He said that with the backing of and at the direction of the Township Committee, Mr. Houser got a \$379,000.00 DEP grant for analysis and delineation of the landfill. Mr. Sasdelli explained it was to measure the vertical and horizontal extent of foreign particles. He said it is a very expensive process and it is underway. Mr. Sasdelli commented on DEP encouraging renewable energy projects and said that Mr. Houser thinks this site has a lot of potential as a Solar Farm. He said the Township agreed and directed LRS to move in the direction of "adaptive re-use" as a Solar Farm. Mr. Sasdelli explained that is important because the end use dictates how the closure is done. He said the Township has to delineate, remediate, close the landfill and get a "no further action letter" (NFA) from DEP. Mr. Sasdelli said after that is done and the township has an NFA letter it can be converted to some alternate use which for now is solar. He said the \$379,000.00 grant just covers the delineation to find out what is there. Mr. Silva asked if any reports were received on it yet and if there was a particular time when the report had to be filed. Mr. Sasdelli said no reports on delineation have been received yet and explained that a lot of rules have changed since Governor Corzine signed the Site Remediation Reform Act on May 7, 2009. He explained that Act established the title of "Licensed Site Remediation Professional" (LSRP) and requires every town that is going to close a landfill now to have one. Mr. Sasdelli said a Licensed Site Remediation Professional was never required before and there are none in the state right now. He said Mr. Houser from LRS meets all the criteria and qualifies for the title of LSRP but no one has been appointed yet and the State hasn't even written the rules for what it takes to be one. He said the Township had some Memorandum of Agreements with DEP that the Township wouldn't get fined because a closure plan was filed and DEP would review it but new Act abolished all existing Memorandums of Agreement. Mr. Sasdelli explained it is a contaminated site and under the new Act the Township needs to appoint an LSRP and file an Action Plan for how it will be cleaned up. He said that if the Township doesn't do that the closure will be put into direct oversight by the DEP; they will do it and bill the municipality. Mr. Sasdelli said that assuming the township got through the process of delineating and closing the landfill, the early estimate for adaptive re-use as a solar farm that will generate 5-7 megawatts of power will cost \$45-\$50 million. He explained it has already been declared an Area In Need of Redevelopment and said that the Committee has to appoint a Redeveloper experienced in this kind of work if they want to move forward with this

November 9, 2009

or a similar idea. He said his idea is that the Township doesn't want the \$5 million liability of closing the landfill. Mr. Sasdelli said somebody is going to have a value from generating electric on that site and the Township Committee has to have there is a lot of discussion on it but right now they don't want to have to spend \$5 million, they want to transfer that liability to somebody else in return for giving them some right to earn income from generating electric from the site and putting all the capital infrastructure in. Mr. Sasdelli said his recommendations are to bring Land Resource Solutions, which is already under contract, back to a work session to continue this discussion and to give consideration to appointing Land Resource Solutions or somebody similar through some process as the Redeveloper to oversee the delineation, closing it and converting it to a Solar Farm. He said the Township is still on track to turn a liability into an asset but there is a long way to go because some of the rules changed and there are a lot of steps. Mr. Sasdelli said he realizes nothing is going to be done by the end of this year but he wanted to give everyone an update on where it stood and that it is already an Area In Need of Redevelopment. He said he would get an answer on when the quarterly report is due.

Mr. Silva said he wants a whole update report to all of Committee so they know exactly where the process stands and some idea of the time frame as to when they may get some positive use out of it.

Mayor Gaskill commented on being an advocate of this and said he hoped it continues. He said he thinks it needs to go forward to close and get rid of the landfill and possibly turn it into a money maker for the Township.

Ms. Gatto commented on knowing that the BPU because has been supporting various initiatives in terms of getting grants, getting the right people who do these kinds of jobs, and that they have a ton of programs. She asked if the Township has reached out to them for help in the process. Mr. Sasdelli said they hadn't and that he didn't pretend to know even a little about that process. He said he would have to get way up to speed on it or rely on some outside professional because he is not up to speed on converting landfills to solar farms and has never done one. Ms. Gatto said she thought it would be of value to reach out to the BPU to let them know where the Township would like to go and understand what resources are out there. Ms. Gatto said it would be the same thing with Sustainable New Jersey that is a growing group in support of initiatives like this with tons of resources and grants. She said she knows Jeanne Parkinson is engaged with them. She said she thinks it is worth pursuing.

Mr. Silva said once the Township gets it closed the property will become more valuable and a lot of people will be interested once the word is out that one of the Township's first considerations would be to utilize it as a solar farm. He said the County might want to buy into it in the interest of expanding their expertise with utilizing energy saving devices. Mr. Silva said he thought the time could be shortened once the Committee gets an answer as to when closure can be realized.

Mr. Sasdelli said one of the considerations is for the Township to close it, clean it up, get a no further action letter from DEP and then market it but the Township would have to put the capital money up front to do that or they can transfer that liability to someone else and let them deal with it but they will want something in return for that.

There were no further questions, comments or discussion on the matter.

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 items be deleted from the agenda of this meeting:

- . Employee of the Quarter presentation.
- 5.P Condition on Final Ratification of land sale to Vernon Mincey and Nathaniel Lewis

BE IT FURTHER RESOLVED that the following items are hereby added to the agenda of this meeting.

- . Insert immediately after the moment of silence for private reflection adjournment to executive session Re: Personnel - Police Chief Selection Process

9.A Insert names of businesses:

- (1) Kay Jewelers - jewelry store in Hamilton Mall
- (2) People in Crisis - 90-day Non-profit Organization Solicitation Permit

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

Early public comment on agenda items not listed for public hearings

Cheryl Fetty referred to the resolution requesting NJDOT to order an emergency prohibition of left turns from Route 322 eastbound on to Gale Avenue northbound and questioned how the Township proposed people enter Gale Avenue when coming from Philadelphia-Folsom direction and if the Committee had given any thought to that. Mr. Pritchard said he was also concerned because he feared people would make U-turns or go into Palace Pizza and then turn around which he thought would be more dangerous. Mrs. Fetty said it didn't make sense and that she is concerned for her family. She said the Township was making it very difficult for people and they will turn into Dirkes or Palace parking lots or make U-turns. She said the Township didn't make the trucks go down to 8<sup>th</sup> Street so they shouldn't make the residents go down to Route 50. Mr. Lafferty explained the original resolution and ordinance is under NJSA 39:4-197.3 and relate to left turns coming out of Gale Avenue. He said the Police Department indicated that is a very problematic situation and a public safety hazard which is emergent in light of the Weymouth Bridge situation. Mr. Lafferty said those turns will be prohibited once the Ordinance is adopted. He explained the governing body had to adopt the first resolution declaring an emergent situation and an ordinance can be adopted at the same time that is effective for ninety days. He said that it is submitted to the DOT during that 90-day period. Mr. Lafferty said the township has been given assurances that it will get expedited review because DOT is very familiar with Gale Avenue. He explained there is a sunset provision proposed under the Ordinance to have that prohibition essentially end once the Weymouth Bridge is open. Mr. Lafferty explained the second resolution is not adoption of an ordinance or a prohibition; it is simply a recommendation by the Police Department Traffic Safety Coordinator that the DOT examine prohibition of left-turns off 322 on to Gale Avenue. Mr. Lafferty said it will not be implemented until after there is a DOT review and the Police Department hasn't asked for emergency implementation of it under Title 39. He explained it has to go through the review process at DOT and it will not be treated in an expedited or emergent fashion. He said he thought the County, Mrs. Fetty and the public will an opportunity to have input into it. Mr. Lafferty said it is simply being forwarded to DOT for their consideration. He said what is being implemented tonight is an ordinance prohibiting left turns off of Gale Avenue onto 322. Mrs. Fetty asked if anyone had gotten in touch with the State or County as to what is happening with the bridge. Mr. Silva said he thought it would have made the headlines if there was real positive news. Mrs. Fetty said she contacted the Office of Historic Preservation and they haven't gotten anything from the County. She asked if the governing body could push the County to send plans for what they want to do up to the State. Mr. Sasdelli said the Committee already did that and he will check with the County Engineer to see what they have done. He said that he knows the County is as anxious as the Township to get the bridge fixed.

Mayor Gaskill asked Joseph Nickels to comment as a member of the County Planning Board. Mr. Nickels said the County is doing its job. He said this was a topic of discussion at the last County Development Council and Planning Board meetings. He explained there are concerns about the historic nature of the bridge and the weight limit on the bridge. He said if it is repaired just to what it was before, it is not only conceivable but probable that school buses won't be able to use it because of the weight limit. Mr. Nickels commented on the original 9 ton limit being reduced to 3 tons. He said the new weight of school buses is 11 tons so even if the limit is brought back up to 9 tons they can't use it. Mr. Nickels said the County would like very much to make the bridge right and bringing it back to its historic format doesn't make it functional and doesn't do the job that needs to be done to handle the traffic that they would normally have there. He said it was discussed at length and the County Engineer and County Counsel were both involved. Mr. Nickels said their feeling is that they would prefer to go out and have it built in a way that is functional for all entities that would be using that road rather than bringing it back to where it was at 9 ton. Mr. Sasdelli said when he spoke to Mr. DelRosso he made it very clear that this Township Committee felt that public safety trumps historicness. He said the Township wants to see it safe for the public, school buses, fire engines and ambulances. Mr. Sasdelli said that was the message he delivered even if doing that means it has to minimize the historic nature somehow. He asked the Committee to correct him if he was off base on that. Mr. Silva thanked Mr. Sasdelli for doing it. Mayor Gaskill said the Committee and Mr. Cain talked about possibly moving the bridge to another location. He said he thought it was a good idea to make it more passable and safe.

Purchase of lights for Hickory Street Soccer Field #5

Ms. Gatto reported the Soccer Club will have the labor and wiring donated and they have a commitment for donation of the poles from Atlantic City Electric. She commended the Soccer Club on their efforts in this project. Ms. Gatto said the benefit of lighting the field is that it will allow one field to rest every season. She recommended that the authorization be for an amount not to exceed \$8,000.00 rather than the specific dollar amount in the quote in case unforeseen expenses come up. Mayor Gaskill commended the Soccer Club and said they do a great job.

November 9, 2009

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that purchase of lights for the Hickory Street Soccer Field #5 from United Electric Supply at a cost not to exceed \$8,000.00 is hereby authorized and that funding for same shall be appropriated from the Off-Site Improvement Fund.

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

Amendment to Capital Budget

Mr. Silva said that when the Capital Budget was looked at this year in terms of what could be accomplished by paving some township roads, the selection and Engineer's estimate was far more than what was appropriated. He commented on the Committee knowing full well over the past number of months that most of the Township's drainage basins have been pushed to capacity. Mr. Silva commented on being in the midst of trying to get a total assessment of the status of all the basins in the township and what the priority should be. He said the Committee knows the priority right now should be Hamilton Walk based on what they have faced in the past months in terms of flooding of the streets there and in Timber Glen. He said the Committee realized from the Engineer's investigation that Timber Glen has problems that are causing a wider problem in Hamilton Walk despite the fact that Timber Glen's problems are not the Township's problems. Mr. Silva said the Committee knew they would have to make some improvements to that basin before the situation gets any worse than it has been. He commented on knowing full well that as the Committee approaches the 2010 budget, drainage basins will be a major consideration along with other capital expenditures that have to be made. He said that he thought it would make sense to transfer money from the Capital Budget into drainage area now since it is late in the year and the township wouldn't be doing any paving at this point. Mr. Silva said the Public Works Department has been doing a lot of work out there. He said that Mr. Palmentieri put it on the table several of meetings ago and it is part of his recommendation that consideration be given to accomplishing that. Mr. Silva said he was in favor of the transfer right now.

Mr. Sasdelli said there is \$390,000.00 in the 2009 Road Program and, if the will of the governing body is to do this, he needs a dollar number. He said a number in the area of \$200,000.00 is not unreasonable. Mr. Sasdelli said that the 14 inches of rain this summer and fall highlighted a lot of drainage problems in the Township and \$200,000.00 could be a fund that could be used when inlets get clogged or other things occur.

Ms. Gatto asked if anything of value could be done if \$190,000.00 is left in the Road Program. Mr. Sasdelli said his recommendation is that it is too low a number to go out for a Road Program and the plan was to add any balance to the 2010 funding. He explained that when it goes out to bid in the spring that balance plus the \$150,000.00 from the DOT Trust Fund Grant and whatever new money there is in 2010 there could be \$500,000., \$600,000. or \$700,000.00 to go out for a Road Program. Mr. Sasdelli said Park Road and East Walnut were the top two roads on this year's priority list and the \$390,000.00 wouldn't have gotten either of them done.

Mayor Gaskill said when they met with the Engineer and Mr. Morley the recommendation of pretty much everyone there was that this would be a much better use of the money since the township couldn't start paving with it almost being winter.

Mr. Sasdelli explained the price quote for a Township-wide Drainage Master Plan was \$25,000.00. He explained that if the Committee authorizes moving ahead with the transfer \$25,000.00 would be used right off the top to put the Master Drainage Base together. Mr. Silva said the Committee agreed that document was needed especially in terms of trying to get a realistic assessment for 2010. Ms. Gatto said they agreed to basic components and to go to bid for a more comprehensive package. Mr. Sasdelli said that was done and the Committee isn't dragging its feet on this and that he asked them to hold off on it. He said he didn't know that there will be a transition of engineers next year but it is very disruptive if there is a transition when one engineer is relieved and the new engineer comes in and the one going out just got a big contract. Mr. Sasdelli explained he recommended not awarding a \$25,000.00 contract until the governing body knows who is going to be the Engineer in 2010. He said Remington Vernick gave a quote and they are quite capable of doing the work and are quite skilled at it, but he doesn't want them getting it if they aren't sitting there next year.

Ms. Gatto said she thought this was the best way to go because it gives the governing body a start in the basin arena and a start in the Road Program for 2010.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the 2009 Capital Budget be and is hereby amended to transfer \$200,000.00 from the 2009 Road Program allocation to the 2009 Drainage Program.

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

Special Events Ordinance

Mr. Palmentieri asked Mr. Sasdelli to go over the revisions because he said Mr. Sasdelli did most of the work on issues brought up at the last meeting.

Mr. Sasdelli summarized the Special Events Subcommittee's follow-up meeting memo on the four issues they were asked to follow up on: (1) \$500.00 security deposit: Mr. Sasdelli said the subcommittee felt it was an appropriate amount of money and that it should remain in place but they agreed there should be more specific language about when it is used; a detailed breakdown of costs; and make sure the applicant knows where and how their money was spent if any of the security money is used. (2) Adding a Waiver Clause: Mr. Sasdelli reported the subcommittee was not in favor of it because they felt every group would want one; it would be challenging to come up with criteria for it; and the criteria would be subjective as to who should or shouldn't get a waiver. (3) 15-day approval time: Mr. Sasdelli explained applications had to be made 45 days in advance of the event and the Township would have 15 calendar days to review and grant the approval. He said some Township Committee Members felt it should be shorter. Mr. Sasdelli said the subcommittee discussed it heavily and 15 calendar days is really 10 or 11 work days. He said it is a "not to exceed" time frame and is probably more than enough time for smaller events but 10 days is very challenging to organize the police, public works, barricades, and schedule officers for larger events like the MS Bike-a-ton, the Triathlon, Cancer Bike Ride groups is okay but not for larger ones. Mr. Sasdelli said the recommendation is to leave it there because they felt that it is a really tight deadline for the really big events that don't happen that often and they would try to turn it around administratively much faster for smaller events. (4) Clarifying Commercial versus Civic Events: Mr. Sasdelli said the subcommittee was in favor of changing that language. He said they aren't as concerned with who was sponsoring the event but that it be a civic event. Mr. Sasdelli said that as long as it was a civic event, they didn't have a problem if it was sponsored by Lowe's, Wal-mart or whomever.

Mr. Palmentieri commented on having mentioned previously that the subcommittee reviewed a number of surrounding towns' ordinances and these fees, time frames and things of that nature were pretty standard. He said it seemed other towns have come to the same conclusions the subcommittee has and it is becoming the benchmark for these types of ordinances. Mayor Gaskill questioned if the applicant had to have the \$500.00 deposit at the time of the application. Mr. Palmentieri said he thought it was due 7 days prior to the actual event so there was a lot of time.

Ms. Gatto said she didn't know how she felt about there being no waiver. She said she didn't know how the fire companies deal with it and explained that she used them as an example because they have their act together in terms of use of facilities, security deposits, forms, details, and those kinds of things. Mr. Palmentieri asked if Ms. Gatto was talking about waiving the application fee and said is only \$25.00. Ms. Gatto said she has to think about it a little more. She asked if the comment about the 10 day time frame being barely enough time for review was based on past experience. Mr. Sasdelli said it was only for larger events. Mr. Palmentieri said they are very evaluation intensive.

Mr. Silva asked Mr. Sasdelli to look into the waiver issue with some other organizations in order to move this along and have it on the next meeting's agenda. Ms. Gatto said she wouldn't say to hold it up for that. She said those four things will go into the next draft that will be presented to Township Committee. Mr. Sasdelli explained the Ordinance has to be introduced, advertised and adopted and there are only two meetings left this year unless the Committee calls a special meeting. He explained that in order to complete this by the end of 2009 it would have to be introduced at the next meeting or it would have to be held off until 2010 because an ordinance can't be held over to a new legislative term. He explained that if the Committee wants to move ahead on it the solicitor has to be authorized to prepare it for introduction at the next meeting. Mayor Gaskill said he thought that was the consensus of the Committee. Ms. Gatto agreed it should be prepared for introduction.

Mr. Lafferty will prepare the Special Events Ordinance for introduction on December 7, 2009.

November 9, 2009

Final Ratifications of Public Land Sales

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Five Thousand (\$5,000.00) Dollars was made by Daniel L. Jassby, as Principal in Burlantic Forests LLC whose address is P. O. Box 509, Chatsworth, NJ 08019; 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 of Five Thousand (\$5,000.00) made by Daniel L. Jassby, Principal in Burlantic Forests LLC for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
321 / 45, 47-59 and 61-82	2.18 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Burlantic Forests LLC, P. O. Box 509, Chatsworth, NJ 08019, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Five Thousand (\$5,000.00) Dollars was made by Harold L. Burnett, Jr., whose address is 6042 Reega Avenue, Egg Harbor Township, NJ 08234; 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 of Five Thousand (\$5,000.00) made by Harold L. Burnett, Jr. for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
327/36-41.02 and 42	1.09 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Harold L. Burnett, Jr., 6042 Reega Avenue, Egg Harbor Township, NJ 08342, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"



Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Five Thousand (\$5,000.00) Dollars was made by Michael P. Kelly, whose address is 1409 Route 50, 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 of Five Thousand (\$5,000.00) made by Michael P. Kelly for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
329/23-34	1.09 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Michael P. Kelly, 1409 Route 50, Mays Landing, NJ 08330, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Five Thousand (\$5,000.00) Dollars was made by Daniel L. Jassby, whose address is P. O. Box 629, Plainsboro, NJ 08536; 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 of Five Thousand (\$5,000.00) made by Daniel L. Jassby for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
334/1, 4-5, 7-8, 19-25 and 27-28	1.49 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Daniel L. Jassby, P. O. Box 629, Plainsboro, NJ 08536, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

November 9, 2009

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Five Thousand (\$5,000.00) Dollars was made by Michael P. Kelly, whose address is 1409 Route 50, 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 of Five Thousand (\$5,000.00) made by Michael P. Kelly for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
338/30, 32-35 and 37-46	1.03 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Michael P. Kelly, 1409 Route 50, Mays Landing, NJ 08330, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Five Thousand (\$5,000.00) Dollars was made by Daniel L. Jassby, whose address is P. O. Box 629, Plainsboro, NJ 08536; 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 of Five Thousand (\$5,000.00) made by Daniel L. Jassby for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
344/9-21, 24-25, 27-28 and 31-35	1.13 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Daniel L. Jassby, P. O. Box 620, Plainsboro, NJ 08536, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Five Thousand Two Hundred (\$5,200.00) Dollars was made by Randal Barlow, whose address is 9 Mullica Way, Egg Harbor City, NJ 08215; 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 of Five Thousand Two Hundred (\$5,200.00) made by Randal Barlow for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
352/10, 12-17, 19 and 21	1.38 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Randal Barlow, 9 Mullica Way, Egg Harbor City, NJ 08215, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Five Thousand (\$5,000.00) Dollars was made by Harold L. Burnett, Jr., whose address is 6042 Reega Avenue, Egg Harbor Township, NJ 08234; 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 of Five Thousand (\$5,000.00) made by Harold L. Burnett, Jr. for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
353/1-8 and 42-44	1.13 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Harold L. Burnett, Jr., 6042 Reega Avenue, Egg Harbor Township, NJ 08342, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

November 9, 2009

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Seven Thousand (\$7,000.00) Dollars was made by Daniel L. Jassby, whose address is P. O. Box 629, Plainsboro, NJ 08536; 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 of Seven Thousand (\$7,000.00) made by Daniel L. Jassby for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
362/21-28, 30-35 and 38-41	1.49 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Daniel L. Jassby, P. O. Box 629, Plainsboro, NJ 08536, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Twelve Thousand (\$12,000.00) Dollars was made by Michael P. Kelly, whose address is 1409 Route 50, 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 of Twelve Thousand (\$12,000.00) made by Michael P. Kelly for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
364/1-9 and 48-62	1.38 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Michael P. Kelly, 1409 Route 50, Mays Landing, NJ 08330, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Eight Thousand (\$8,000.00) Dollars was made by Richard McGonigal, whose address is 1301 South Boulevard, 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 of Eight Thousand (\$8,000.00) made by Richard McGonigal for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
369/13-16 and 18-20	1.03 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Richard McGonigal, 1301 South Boulevard, Mays Landing, NJ 08330, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Nine Thousand (\$9,000.00) Dollars was made by Richard McGonigal, whose address is 1301 South Boulevard, 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 of Nine Thousand (\$9,000.00) made by Richard McGonigal for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
372/9 and 11-18	1.49 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Richard McGonigal, 1301 South Boulevard, Mays Landing, NJ 08330, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

November 9, 2009

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Six Thousand (\$6,000.00) Dollars was made by Richard McGonigal, whose address is 1301 South Boulevard, 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 of Six Thousand (\$6,000.00) made by Richard McGonigal for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
374/1-17, 22, 24 and 25	2.18 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Richard McGonigal, 1301 South Boulevard, Mays Landing, NJ 08330, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Five Thousand (\$5,000.00) Dollars was made by Daniel L. Jassby, whose address is P. O. Box 629, Plainsboro, NJ 08536; 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 of Five Thousand (\$5,000.00) made by Daniel L. Jassby for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
377/14, 17-21, and 28-31	1.377 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Daniel L. Jassby, P. O. Box 629, Plainsboro, NJ 08536, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

Mr. Silva moved, seconded by Ms. Gatto, 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 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 October 7, 2009 an offer of Seven Thousand Three Hundred (\$7,300.00) Dollars was made by Vernon Mincey, whose address is 1292 Key West Avenue, Mizpah, NJ 08342, and Nathaniel I. Lewis, whose address is P. O. Box 465, Mizpah, NJ 08342; 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 of Seven Thousand Three Hundred (\$7,300.00) made by Vernon Mincey and Nathaniel I. Lewis for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT NUMBER</u>	<u>LOT SIZE</u>
353/10-29 and 32-33	2.123 acres +/-

SPECIAL CONDITIONS IMPOSED: NONE

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcels to Ilamosi Agbugui, 1292 Key West Avenue, Mizpah, NJ 08342 as requested in writing by Vernon Mincey and Nathaniel I. Lewis, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 9, 2009 and the September 16, 2009 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"

Public Hearing/Adoption - Ordinance #1663-2009

Mr. Sasdelli explained the number of units referred to in the Ordinance was supposed to be "over 500 units" and the purpose of the Ordinance was to correct the typing error that read "over 1000 units" as outlined in a memo the governing body received from Mr. Sartorio.

There being no further questions or comments on the Ordinance, Mr. Pritchard moved, seconded by Ms. Gatto, that the public hearing be closed.

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

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

WHEREAS Ordinance #1663-2009 was introduced and passed first reading on October 19, 2009 and was duly advertised in the November 2, 2009 issue of the Atlantic City Press for a public hearing to be held on November 9, 2009; 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 #1663-2009 be and is hereby adopted.

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

**TOWNSHIP OF HAMILTON  
ORDINANCE # 1663-2009**

**AN ORDINANCE AMENDING ORDINANCE 1656-2009, WHICH AMENDS CHAPTER 167 OF THE TOWNSHIP CODE TO PROVIDE FOR OR AMEND THE ADMINISTRATIVE FEES AND ESCROW DEPOSITS FOR CERTAIN APPLICATIONS BEFORE THE PLANNING BOARD AND/OR THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC.**

**BE IT ORDAINED** by the Township Committee of the Township of Hamilton, County of Atlantic and State of New Jersey that Ordinance 1656-2009, which amends Article II of Chapter 167 of the Code of the Township of Hamilton, entitled Development Fees, shall be amended to read as follows:

SECTION I Amend schedule of Escrow Fees found in §167-6.B, Review escrows, as follows:

<b>DEVELOPMENT APPLICATION</b>	<b>REQUIRED FEE</b>
Minor Subdivision (preliminary and final)	
without variance	\$ 1,500.00
with variance	\$ 2,000.00
 Preliminary Major Subdivision (preliminary and final)	
25 lots or less	\$ 7,000.00
26 to 100 lots	\$ 10,000.00
101 to 500 lots	\$ 12,000.00
over 500 lots	\$ 15,000.00
 Site Plan, Nonresidential	
Under 5,000 SF of bldg.	\$ 4,000.00
Under 5001 to 10,000	\$ 5,000.00
SF of bldg. From 10,001 to	\$ 7,500.00
50,000 SF of bldg. From	\$ 10,000.00
50,001 to 100,000 SF of bldg.	\$ 12,500.00
From 100,001 SF of bldg. or greater	
 Amendment or Revision	
To Approved Site Plan	50% of original fee
Residential & Mixed Use Development Site Plans (i.e. Planned Adult Community , Planned Village Development & Redevelopment Area)	
General Development Plan	\$ 5,000.00
Preliminary and Final Site Plan	
Under 25 units or less	\$ 7,000.00
26 to 100 units	\$ 10,000.00
101 to 500 units	\$ 12,000.00
Over 500 units	\$ 15,000.00
 Administrative Review	\$ 2,000.00
 Extension of Approval	\$ 2,000.00
 Conditional Use	\$ 500.00
 Variance(s)	
Bulk	\$ 250.00
Use	\$ 1,000.00
 Appeals or Interpretation	\$ 500.00
Pursuant to N.J.S.A 40:55D-70 & 76	
Tax Map Revisions	\$ Actual cost



SECTION III REPEALER. All ordinances and parts 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 IV SEVERABILITY If the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance, or other ordinances re-enacted together with this Ordinance, shall be judged invalid by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Ordinance and of the Ordinances re-enacted together with this Ordinance are hereby declared to be severable.

SECTION V WHEN EFFECTIVE This Ordinance shall take effect immediately upon its final passage and publication as provided by law.

WITNESSED:

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

\_\_\_\_\_  
JOAN I. ANDERSON, RMC  
TOWNSHIP CLERK

\_\_\_\_\_  
NELSON GASKILL, MAYOR

ROLL CALL: GATTO	“AYE”
PALMENTIERI	“AYE”
PRITCHARD	“AYE”
SILVA	“AYE”
GASKILL	“AYE”

ORDINANCE #1663-2009 INTRODUCED AND PASSED FIRST READING OCTOBER 19, 2009.  
ORDINANCE #1663-2009 ADOPTED NOVEMBER 9, 2009.

Introduction of Ordinances

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1664-2009 be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the November 11, 2009 issue of the Atlantic County Record for a public hearing to be held in the municipal building, Mays Landing, NJ at 6:30 PM on December 7, 2009.

TOWNSHIP OF HAMILTON  
ATLANTIC COUNTY, NJ  
ORDINANCE #1664-2009

AN ORDINANCE TEMPORARILY PROHIBITING LEFT TURNS BY VEHICLES AT THE INTERSECTION OF GALE AVENUE (SOUTHBOUND) ON TO ROUTE 322 (EASTBOUND) AND REQUIRING SUCH VEHICLES TO TURN RIGHT (WESTBOUND) AND USE THE U-TURN AT THE INTERSECTION OF COUNTY ROUTE 559 TO PROCEED BACK TO US ROUTE 322 (EASTBOUND)

WHEREAS, the temporary closure of the Weymouth Furnace Bridge on County Route 559 has forced a significant increase in motor vehicle traffic on Gale Avenue that represents higher risk to safety of persons and property; and

WHEREAS, that increased traffic in both directions creates additional hazard at the intersection of Gale Avenue and Route 322, a hazard that can be reduced by a temporary left-turn prohibition at that intersection.

NOW, THEREFORE, BE IT ORDAINED that:

SECTION 1. For the duration of the closure of County 559 at the Weymouth Furnace Bridge, the left turn on to Route 322 by vehicles stopped at the stop sign on Gale Avenue facing southbound is prohibited. Vehicles at the southbound stop sign on Gale Avenue at Route 322 are prohibited to turn left (East on Route 322) and will be directed by clear signage to turn right (West) at the Route 322 intersection of Gale Avenue and to use the ramped intersection of Route 559 and Route 322 for a legal U-Turn to proceed back East on Route 322.

November 9, 2009

SECTION 2. REPEALER. All Ordinances and parts of Ordinances of the Township of Hamilton heretofore adopted hat 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 order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 4. SUNSET CLAUSE. This Ordinance shall automatically expire when the Weymouth Furnace Bridge on County Route 559 is reopened to vehicular traffic.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and publication as provided by law.

ROLL CALL: GATTO	"AYE"
PALMENTIERI	"AYE"
PRITCHARD	"AYE"
SILVA	"AYE"
GASKILL	"AYE"

ORDINANCE #1664-2009 INTRODUCED AND PASSED FIRST READING NOVEMBER 9, 2009

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

TOWNSHIP OF HAMILTON  
ORDINANCE NO. 1665-2009

AN ORDINANCE AUTHORIZING THE SALE OF BLOCK 1139, LOT 2 AND BLOCK 381, LOTS 1, 2, 3, 4, 5 AND 10 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HAMILTON, AND GRANTING TO THE OWNER OR OWNERS OF SAID REAL PROPERTY CONTIGUOUS TO SAME THE RIGHT TO PRIOR REFUSAL TO PURCHASE SUCH LAND IN THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC, AND STATE OF NEW JERSEY.

BE IT ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic and State of New Jersey, that:

SECTION 1. The following described lots and block numbers on the Hamilton Township Tax Map are hereby determined to be less than the minimum size required for development in said Township under the existing Developmental Ordinance and further without any capital improvements thereon.

SECTION 2. Upon final adoption of this Ordinance, owners of real property contiguous to the subject lot may thereafter submit an offer to the Township Clerk, as designee of this Governing Body, in writing and on forms prepared by the Township for a period of twenty (20) days following advertisement of the finally adopted Ordinance pursuant to N.J.S.A. 40A:12-13. All offers shall be made in a sealed envelope. No offer less than the minimum value established herein below for said lot shall be considered by the Township Committee.

SECTION 3. In the event of bids being submitted by more than one (1) contiguous property owner with respect to said lots, the sale shall be made, if at all, to the highest bidder. The Township Committee reserves the right to reject any and all bids and to thereafter advertise the subject property for public sale pursuant to N.J.S.A. 40A:12-13(a).

SECTION 4. The following conditions of sale shall apply:

(a) The successful bidder shall submit a certified check made payable to the "Township of Hamilton" in the amount of twenty (20%) percent of the purchase price, which check shall be submitted in the sealed envelope at the time of submission of the bid. Persons bidding on behalf of a contiguous property owner shall be required to submit in writing satisfactory evidence of their authority. The balance of the purchase price plus FOUR HUNDRED, TWENTY-FIVE (\$425.00) DOLLARS to cover administrative costs including but not limited to advertising, legal and recording fees shall be paid in cash or certified check within ten (10) days after the Township Committee accepting the bid and authorizing the sale to the high bidder.

(b) The Deed prepared by the Township Committee shall not be tendered until the full purchase price is paid.

(c) Title shall be conveyed by and through a Quitclaim Deed and shall convey only the right, title and interest of the Township of Hamilton to the land, as described herein. No warranties and covenants are or shall be made by the Township of Hamilton and in no event shall there be any liability on the part of the Township by reason thereof. The right, title and interest of the successful bidder, as purchaser, shall be subject to the following conditions, covenants, restrictions, easements and exceptions which shall run with the land and shall also become part of the Deed granted to the purchaser for the recording:

- (1) Easement of utility companies and of governmental agencies or bodies.
- (2) Any encroachments, prescriptions, easements or other state of facts pertaining to said lands which may be ascertained upon a visual examination and inspection of the land and the lands surrounding said land and any restrictions and covenants of record.
- (3) All existing federal, state, county and municipal laws, statutes, ordinances, rules and regulations including, by of description and not by limitation, existing zoning, health and planning board rules and regulations.
- (4) No representation of any kind is made that the land in question, surface as well as subterranean portions, is suitable or adaptable for any particular use whatsoever.
- (5) No representation of any kind is made concerning gas or electric service to the land.

(d) In the event that the Township cannot convey good and marketable title, subject to the above, the purchaser will be entitled to the return of the deposit, without interest, and the Township will not be responsible or liable in any other manner and for any other amount.

(e) In the event that the purchaser defaults in making payment to the Township, as set forth above, or if the purchaser cannot make settlement in accordance with the terms thereof, the deposit made by the successful bidder on account of the purchase will be retained by the Township as and for its liquidated damages and the land may be resold. This remedy shall be in addition to the Township's right to compel specific performance of the purchaser's obligation hereunder. Time is of the essence.

SECTION 5. The Township owned lots and minimum bid established therefore are as follows:

<u>Block/Lot(s)</u>	<u>Lot Size</u>	<u>Location</u>	<u>Zoning</u>	<u>Minimum Bid</u>
1139/2	.86 acre	Holly Street	RD-5	\$500.00
381/1-5 and 10	.75 acre	Melvin Newton Boulevard	MV	\$1,000.00

SECTION 6. SPECIAL CONDITIONS ON BLOCK 381/LOTS 1-5 AND 10: Successful bidder must consolidate all lots after purchase.

SECTION 7. 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.

SECTION 8. If any section, paragraph, subsection, clause or provision of this Ordinance shall be 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 part thereof.

SECTION 9. This Ordinance shall take effect immediately upon its publication after final passage as required by law.

ROLL CALL: GATTO "AYE"  
 PALMENTIERI "AYE"  
 PRITCHARD "AYE"  
 SILVA "AYE"  
 GASKILL "AYE"

ORDINANCE #1665-2009 INTRODUCED AND PASSED FIRST READING ON NOVEMBER 9, 2009.

November 9, 2009

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

RESOLUTION RATIFYING SALE OF LAND TO CONTIGUOUS OWNER  
PURSUANT TO ORDINANCE #1661-2009

WHEREAS Ordinance #1661-2009, authorized the right of prior refusal to purchase Lots 4 and 6 in Block 780 to owner or owners of the land contiguous thereto; and

WHEREAS Ordinance #1661-2009 was finally adopted on October 5, 2009 and all contiguous owners affected thereby were notified by certified mail return receipt requested of their right to submit a sealed bid for the purchase of Lots 4 and 6 in Block 780; and

WHEREAS, the bid of Carl T. Anderson and Joan I. Anderson, whose address is 1201 Calhoun Avenue, Mays Landing, NJ 08330 was the only bid received, said Carl T. and Joan I. Anderson being the only contiguous owners; and

WHEREAS, Carl T. Anderson and Joan I. Anderson bid the sum of Three Thousand Five Hundred (\$3,500.00) Dollars which was equal to or exceeded the minimum bid set by Ordinance #1661-2009 and included a certified check in the amount of Seven Hundred (\$700.00) Dollars which equals or exceeds the minimum twenty (20%) percent deposit required by ordinance,

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

- 1) Acceptance of the bid of Carl T. Anderson and Joan I. Anderson is hereby confirmed and the sale Lots 4 and 6 in Block 780, to them is hereby ratified.
- 2) The Solicitor is hereby authorized to prepare a quit claim deed conveying the Township's right, title and interest in Lots 4 and 6 in Block 780 to Carl T. Anderson and Joan I. Anderson.
- 3) Upon payment of the balance due on the accepted bid plus Four Hundred Twenty-five (\$425.00) Dollars to off-set the cost of advertising, legal, and recording fees the Mayor and Township Clerk are authorized to execute the Deed of Conveyance to Carl T. Anderson and Joan I. Anderson pursuant to the terms and conditions set forth in Ordinance #1661-2009.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following Business Registration License and Non-profit Organization Solicitation Permit are hereby approved:

- (1) Kay Jewelers - jewelry store in Hamilton Mall
- (2) People in Crisis - 90-day Non-profit Organization Solicitation Permit

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Mayor is hereby authorized to execute the Hamilton Township/ Estelle Manor Municipal Alliance Grant application for \$44,800, with \$5,600.00 cash match and \$16,800,00 in-kind match, on behalf of the Township of Hamilton.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the municipal vendor fee be and is hereby waived for participants in the Township of Hamilton Historical Society Craft Show being held at the Presbyterian Church on December 5, 2009.

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

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

**GALE AVENUE RESOLUTION #1**

**RESOLUTION PURSUANT TO N.J.S.A. 39:4-197.3  
DECLARING AN EMERGENT CONDITION EXISTS  
AT GALE AVENUE AT ITS INTERSECTION WITH  
ROUTE 322 AND FURTHER REQUESTING NJDOT  
TO ORDER AN EMERGENCY PROHIBITION OF  
LEFT-TURNS FROM GALE AVENUE  
SOUTHBOUND ON TO ROUTE 322 EASTBOUND.**

**WHEREAS** the temporary closing of the Weymouth Furnace Bridge on County Route 559 has resulted in a traffic safety hazard with motor vehicles traveling southbound on Gale Avenue making left turns on to Route 322 eastbound; and

**WHEREAS** the Township Committee finds that an emergent, temporary, condition now exists due to the foregoing and hereby, pursuant to the authority provided under N.J.S.A. 39:4-197.3, finds that these emergent and temporary conditions require the imposition of temporary traffic regulations at said intersection for the protection of the motoring public; and

**WHEREAS** the Township Committee of the Township of Hamilton deems it in the best interest of the public health, safety and welfare of motorists and the general public that left turns from southbound on Gale Avenue on to eastbound Route 322 be temporarily prohibited for a period of ninety (90) days from the date hereof and for so long as the closure of the Weymouth Furnace Bridge continues,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hamilton, that left turns from southbound on Gale Avenue onto eastbound Route 322 shall be and are hereby prohibited for a period of 90 days; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution, together with Ordinance 1664-2009 which is pending adoption, be forward forthwith to the New Jersey Department of Transportation together with a request that this emergency prohibition of left-turns on to Route 322 eastbound from Gale Avenue southbound be continued consistent with the provisions of said Ordinance #1664-2009.

**ROLL CALL:**

Gatto	“AYE”
Palmentieri	“AYE”
Pritchard	“AYE”
Silva	“AYE”
Gaskill	“AYE”

**RESOLUTION ADOPTED NOVEMBER 9, 2009.**

**CERTIFICATION**

I, **JOAN I. ANDERSON**, Clerk of the Township of Hamilton, do hereby certify that the foregoing Resolution was duly adopted by the Mayor and Township Committee at a meeting held on the 9<sup>th</sup> day of November, 2009.

**JOAN I. ANDERSON, R.M.C.** Township Clerk

November 9, 2009

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

TOWNSHIP OF HAMILTON  
COUNTY OF ATLANTIC  
STATE OF NEW JERSEY

GALE AVENUE RESOLUTION #2

RESOLUTION REQUESTING NJDOT TO ORDER AN EMERGENCY PROHIBITION OF  
LEFT-TURNS FROM ROUTE 322 EASTBOUND ON TO GALE AVENUE NORTHBOUND

WHEREAS the temporary closing of the Weymouth Furnace Bridge on County Route 559 has resulted in a traffic safety hazard with motor vehicles traveling east on Route 322 making left-turns on to Gale Avenue as an alternate route to CR 559 northbound; and

WHEREAS the Township Committee of the Township of Hamilton deems it in the best interest of the public health, safety and welfare of motorists that normally would travel County Route 559 north from its intersection with Route 322 to have left-turns from Route 322 eastbound on to Gale Avenue northbound temporarily prohibited,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, that the New Jersey Department of Transportation is hereby requested to order an emergency prohibition of left-turns from Route 322 eastbound on to Gale Avenue northbound while the Weymouth Furnace Bridge on County Route 559 is closed for repair.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the New Jersey Department of Transportation.

ROLL CALL: GATTO "AYE"  
PALMENTIERI "AYE"  
PRITCHARD "AYE"  
SILVA "AYE"  
GASKILL "AYE"

RESOLUTION ADOPTED NOVEMBER 9, 2009.

CERTIFICATION

I, JOAN I. ANDERDSON, Clerk of the Township of Hamilton, do hereby certify that the foregoing Resolution was duly adopted by the Mayor and Township Committee at a meeting held on the 9<sup>th</sup> day of November, 2009.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the CFO is hereby authorized to release the sum of \$20,551.44 from the JB HVAC performance guarantee escrow account for their 5116 Oakwood Boulevard office building project (Block 994/Lot 43) and that the remaining balance of \$9,083.40 be held in escrow for two (2) years as the required maintenance guarantee.

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

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

**RESOLUTION AUTHORIZING PUBLIC LAND SALE**

WHEREAS, the Township of Hamilton is the owner of lands hereinafter described; and

WHEREAS, in the judgment of the Township of Hamilton, said lands are of no further use for public purposes, are not needed for public use, and should be disposed of by sale at public auction in accordance with the statute in such case made and provided; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, that the Township of Hamilton, County of Atlantic, State of New Jersey shall sell to the highest bidder, at a public sale in the municipal building, 6101 Thirteenth Street, Mays Landing, NJ, all right title and interest of the Township of Hamilton in and to the lands described as follows subject to the terms and conditions set forth in the Notice of Public Land Sale as published in accordance with law and such other conditions as may be stated at the time of sale.

<u>Block/Lot(s)</u>	<u>Lot size</u>	<u>Location</u>	<u>Zoning</u>	<u>Minimum Bid</u>
Block 24, Lot 6	4.42 acres	7356 Smith Avenue	RD-5	\$15,000.00
Block 24, Lot 8	4.82 acres	7330 Smith Avenue	RD-5	\$15,000.00
Block 24, Lot 9	4.83 acres	7318 Smith Avenue	RD-5	\$15,000.00
Block 100, Lots 2, 3, 21 and 27	4.19 acres	Market Street	RD-4	\$15,000.00
Block 428, Lot 1	4.34 acres	Ninth Avenue	RD-4	\$15,000.00
Block 443, Lots 3-7	4.99 acres	Thirtieth Street	RD-4	\$15,000.00
Block 350, Lots 26-28, 30-33 and 36-43	1.148 acres	Scranton Avenue	MV	\$2,500.00

**SPECIAL CONDITIONS REGARDING BLOCK 24 LOTS 6 AND 8: There may be freshwater wetlands or other environmental conditions on or adjacent to these parcels that could impact the location and extent of development. Prospective purchasers are advised to make their own evaluation of site conditions prior to bidding.**

BE IT FURTHER RESOLVED that printed copies of the full terms and conditions shall be included in the legal advertisement of Notice of Public Sale and stated at the time of sale. Said terms and conditions are also available in the Township Clerk's Office. Said terms and all conditions shall survive closing and transfer of title.

BE IT FURTHER RESOLVED that the date, time and location of the sale shall be determined by the Township Administrator and the Township Clerk.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the minutes of the October 19, 2009 regular meeting be and are hereby approved and adopted as published.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that all properly executed and approved bills are hereby ordered paid, the bill list total being \$3,932,795.94 as of November 4, 2009.

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

Reports

ADMINISTRATOR: None

SOLICITOR: Mr. Lafferty reported receiving all of the executed documents from Shore Memorial Hospital pertaining to the 20 acres including the deed and affidavit of consideration. He said they have been forwarded to the County Clerk for filing. Mr. Lafferty said it appears Shore Memorial has abandoned any claim whatsoever for the back taxes that were at issue. He said he hopes that the Township Committee will have that land at its disposal shortly for whatever they deem to be appropriate disposition.

ENGINEER: Mr. Walberg reported he has been working with the Public Works Department in trying to assess the condition of the existing drainage basins at Hamilton Walk. He said Public Works has been doing excellent remedial work and he has been using that work to help in the evaluation of the construction of that basin as well as determining the level of proper function of that basin. Mr. Walberg said he they have also been working with Timber Glen in an attempt to get them to deal with their drainage basin issues. He said Timber Glen has admitted they have issues. Mr. Silva said that at some point in time the Township is going to have to put a deadline for Timber Glen to perform. Mr. Silva said the Township has recognized its

November 9, 2009

responsibilities and stepped up to the plate. He said the Engineer has met with them and the Township realizes there is a significant amount of money left in their performance bond. Mr. Silva said he thinks the Township Committee has to act accordingly in a time frame that doesn't keep letting them make excuses anymore. Mr. Sasdelli said there is \$671,000.00 in that performance bond. He said the Township doesn't want to take it and fix the problem but they will if they have to. Mayor Gaskill said he agreed with Mr. Silva that action has to be taken if they don't move faster. The Mayor said the trouble is that they will dig their heels in if the Township calls the bond and that it takes a long time when you call a bond. He said if the Township is getting some kind of cooperation, they have to continue in that vein as long as they can. Mr. Sasdelli said that the Township has seen what happens when bonds are called when they called other bonds. Mr. Walberg said they haven't resisted so far but they just haven't moved very quickly.

TOWNSHIP COMMITTEE MEMBERS: Mr. Palmentieri thanked everyone involved in the several-day effort to get the Hamilton Walk water situation under control and provide some remedies long-term, not just deal with the temporary flooding. He thanked the Laureldale Fire Company, Mays Landing Fire Company, Public Works, Mr. Silva, Mr. Sasdelli, Mayor Gaskill and others that have been out there numerous times. Mr. Palmentieri said the Public Works people were "camped" out there for five days and thanked everybody for all of their hard work. He said hopefully the Township has a solution for its end of the problem and now Timber Glen has to start working on their end of it.

Mr. Pritchard had nothing to report.

Ms. Gatto said she wanted to advertise to the public that with the new year upon them the Township Committee will have to make some appointments to its Boards and Commissions in 2010. She said she hoped the Committee would the same process to ask anyone interested to submit a resume or letter of interest to any of the Committee Members. She said she believed the Committee also had them go to the Clerk's Office. Ms. Gatto said that is helpful to her to know who is interested and she believes it has been helpful to the rest of the Township Committee. She said that if the rest of the Committee is agreeable she would like to "cast that net" now while they still have a month and a half to go before those appointments have to be made. Ms. Gatto said the Members got a list of the appointments coming due. She said she isn't sure it is 100% complete and suggested that the list be posted on the website or available in the Clerk's Office once it is complete.

Ms. Gatto congratulated Charles Cain and Harvey Kesselman on being the winners of the election. She congratulated the other candidates too and said it was a good campaign. Ms. Gatto said she didn't think it was certified yet but she is looking forward to seeing Mr. Cain and Mr. Kesselman on the dais.

Ms. Gatto congratulated the Rotary Club on their phenomenal effort on the Halloween Parade. She said she thought it was a testament to the community and the ability for the Township to have a civic partnership with private entities, not cost the taxpayers money, and still have a wonderful event. Ms. Gatto said the employees who helped out, the Rotary Club and all the participants should be commended.

Mr. Silva said he had no comment.

Mayor Gaskill thanked the fire companies and Public Works for their efforts at Hamilton Walk. He commented on it taking long hours and hard work and said he hoped the Township will be able to put that behind them soon.

The Mayor congratulated Charles Cain and Harvey Kesselman if it is him in the end. He said he didn't know what the final outcome would be because it is so close but he will help if they choose to ask for his advice on anything. The Mayor said the learning curve states at the bottom and it takes a long time to learn all of the ins and outs of running the Township Committee. He wished them good luck.

#### Public Comment

Aline Dix asked if the Committee knew how many of the apartments and townhouses approved for Timber Glen Phases 3 and 4 have gotten COs. She said she thought that needed to be looked into and suggested that if all the buildings didn't have COs they might be held up because they are all rental units and it wouldn't hold up any settlements. Mayor Gaskill said they haven't gotten all of their approvals and some COs are being held up by the State.

Ms. Dix asked what the work session Mr. Sasdelli referred to on page 6 of his report was going to be. Mr. Sasdelli said his suggestion was to list it as a Discussion Item on the agenda so Mr. Houser could come and talk to the Committee in this forum, explain what he envisions and have them ask questions.



Ms. Dix said she brought up the topic of the Prosecutor and Public Defender at the October 19<sup>th</sup> meeting when the Committee talked about advertising for FRQs for professionals and asked for a decision to be made tonight as to whether or not they are going included the Public Defender and Prosecutor in the RFQs they are asking for. Mr. Silva said the Committee determined to do the same as last year. Ms. Dix said the Committee didn't go for RFQs for those positions in 2008. Mr. Silva said that in a lot of the FRQs received the professionals apply for those positions even though the Committee didn't ask for it. Ms. Dix asked if her understanding was correct that said the Township isn't going to include those positions in the advertisement but anybody that is qualified can submit an RFQ even though it isn't included. Mr. Silva and Ms. Gatto said it was. Ms. Gatto said the reason for that is because those two positions are part of the Township salary ordinance. Mr. Sasdelli said the Committee is not required to make it a professional RFP. He explained the Committee will hire somebody for those positions but how they decide to get input for the positions is up to them. He said if the Committee wants to give other Public Defenders or Prosecutors an opportunity to submit a letter of interest, they can. Mr. Sasdelli said it doesn't have to be part of the RFP unless the Committee amends the salary ordinance because they are employees right now. Ms. Dix said they were in there in 2007 for 2008 and that she has studied the agendas for the past 4 years. She said Mr. Sasdelli was back for one year in September 2008 and that is when there was a reorganization of Town Hall Departments and there was a short comment in the minutes about putting the positions in the salary ordinance. Ms. Dix said that to the best of her research, recollection or notes she takes at the meetings there was no clear cut discussion that including them in the salary ordinance would take them out of the RFQs or the other way around. She said there was a clear cut discussion in August of 2007 when there was an attempt to make the Prosecutor a full-time job and there was an uproar because a full-time job to her is 35 hours a week here at your desk and health benefits. Ms. Dix said that Mr. Sasdelli didn't work here in August 2007. She said the Township has enough financial problems and doesn't need to create more full-time jobs, give more employees health benefits, to be building its payroll, or impacting its pensions. Ms. Dix said she thinks when the State changed the pension criteria a year ago public officials had to make at least \$5,000.00 a year to enroll in pensions. Mr. Sasdelli said they had to go into the Defined Contribution Retirement Program.

Charles Cain questioned if COs were being held up in Timber Glen because of the drainage situation. Mr. Sasdelli explained it is Pinelands, DEP permits and Township approvals that are being held up, not COs for units. Mayor Gaskill said they are aware of the problems.

Mr. Cain said one of his campaign issues and concerns was the appointments to Boards and professionals. He said he thought the Committee Members collectively should search out the best and brightest in town and appoint them. Mr. Cain said he didn't see why language for the Prosecutor and Public Defender couldn't be added to the ad if they are going to be accepted anyway. He said it seemed like they were going to be accepted without the public knowing they were being accepted. Mr. Cain said it is one line and he was sure it wouldn't cost much money. Ms. Gatto asked if it was already advertised. Mr. Sasdelli said it was and the deadline for submissions is December 8<sup>th</sup>. He said two issues are being mixed together and he knows Ms. Dix didn't mean to mix them together. He said first is a debate about whether they should be employees or professional appointments. Mr. Sasdelli said the second is whether they are employees or professional appointments and does the Committee want to solicit or advertise for people to submit letters of interest. He said that argument has to be in 2010 or at another time because they are already employees now. Mr. Sasdelli said he didn't think the Committee would amend the RFP because that is in Title 19 and is a legal process. He said the question is whether the Committee wants to add something to the website encouraging people to apply for Prosecutor or Public Defender. Ms. Gatto said she thought it was a reasonable and simple thing to do. Mr. Silva said he hasn't had a problem going through the RFQs over the years and he noticed a significant number of legal professionals applied for the positions. Mr. Silva said the choice would be made by the Committee making those appointments and nothing has been decided at this juncture. He referred to Ms. Dix statement about adding to the payroll and said the Committee isn't adding people to the payroll especially in light of decisions made in this budget year and there is no attempt by this Committee to try to add anybody to the payroll or employee list at this point. Ms. Dix said it happened in 2008. Mr. Sasdelli said Ms. Dix is right that there was a discussion about making the Prosecutor full-time in August 2008 but it wasn't done. Ms. Gatto said he doesn't get benefits. Mr. Sasdelli said he is in PERS.

John Pucci said there was discussion and a suggestion made last year that Township Committee-elect people be involved with township government until they were sworn in so they could help during the transition period. He asked if that was going to happen. Mr. Lafferty said it was a courtesy the sitting Township Committee extended to the certified Committee-elect members and there are no certified Committee-elect members because the election hasn't been certified yet. He said it

November 9, 2009

is then a decision the governing body will make as to whether they are going to follow past practice. Ms. Gatto said she would have no objection to it this year.

Mr. Pucci said he inquired a couple of months ago about traffic bypassing the intersection of Cologne Avenue and Route 40 while you are waiting for the light to make a left. He said there is a dirt road there and when they bypass the light some of the traffic has to stop when try to pull out back on Route 40. Mr. Silva questioned the direction he was heading on Cologne Avenue. Mr. Pucci said if you are coming down Cologne Avenue from the Pike to Route 40 people bypass the intersection by driving on the grass on the right side and continuing on 40 without stopping. He asked if this was a concern or if the Committee was waiting for someone else's opinion. Mr. Sasdelli said he alerted the Chief when Mr. Pucci brought it up and he knows there was targeted enforcement there. Mr. Pucci said he understood that since it is County and State roads they may be contacted to possibly put up some kind of barrier there so people wouldn't have easy access to bypass the light for prevention not just enforcement. The Mayor asked Ms. Gatto to speak to the County about it.

Mr. Pucci said he has been communicating with Mr. Sasdelli and some Department Heads concerning a use of his property and the ability to discharge a firearm, for gunning or practice shoot on it. He the area he is in is a designated hunting area so he can hunt on his property. Mr. Pucci said Chapter 203-198.DD in the Land Use Law says things that are prohibited and one of them is firing ranges. He said he and Mr. Palmentieri were on the Planning Board when that ordinance was revised in 2004 and he believes the intent of not allowing firing ranges in any area of the town was for commercial facilities and not for going out in your backyard and target shooting if you have enough property. He asked Mr. Palmentieri for his recollection of how it was discussed at that time. Mr. Palmentieri said that to the best of his recollection the non-permitted uses ordinance was intended to apply to commercial firing ranges. Mr. Sasdelli explained his answer to Mr. Pucci was a clear, unequivocal "no" you cannot shoot guns on your property and that you can't discharge firearms within a residential district. Mr. Pucci asked if the Zoning Officer was part of that decision making process. Mr. Sasdelli said he wasn't. Mr. Pucci said he talked to the Zoning Officer and there seems to be a conflicting opinions. He said Mr. Maimon told him that he interpreted that as being able to shoot a gun on your own property, to set up a target and shoot; that it wasn't to restrict a personal property owner; and that it was for a commercial firing range facility such as the County has. Mr. Pucci said Mr. Palmentieri recollects that it was for commercial facilities and not for going out in your backyard and gun as a sport if you have the acreage. Mr. Pucci quoted from a Township Ordinance under Peace and Good Order in Chapter 228-10. He said he lives in a Rural Development District, not in a residential district, and he has 25 acres. Mr. Pucci said a residential district is specifically defined in Chapter 203-11 of the Township Land Use Law as the R-9 and R-22 Districts. He said if the township believed the intent of the ordinance was that you can't target practice on your own property in a residential district and that any district where you can build a house is a residential district they are also talking about the FA70, FA25 and FA10. He said he didn't think that the ordinance was saying you can't go in your backyard and target practice if you have 70 acres on the west side of the Township. Mr. Pucci quoted the Township Land Use Ordinance definition of a Residential District and said a District is where it shows on the Township Zoning Map not the use. He said residential use is one thing that is allowed on his property and that doesn't mean it is in a residential district. Mr. Pucci commented on agriculture being the first use listed as a use in the Rural Development District and said that doesn't mean that he was in an agricultural district because the Township has its own Agricultural District somewhere else. He said migrant worker housing is allowed on his property and asked if that meant he lived in a migrant worker district. Mr. Pucci said he believes the ordinance was meant to limit gunning in R9 and R22; that the other conditions in the ordinance were for the other districts; and that it said you totally can't do it in R9 and R22 but you have to be 300' from a dwelling in all the other districts. Mayor Gaskill said he didn't believe anyone on Committee wanted to give Mr. Pucci legal advice. Mr. Pucci asked if Mr. Sasdelli had the opinion from the Planner or Mr. Sartorio. Mr. Sasdelli said he didn't have an opinion from the Planner. He said he met with the Police Chief and Prosecutor. Mr. Sasdelli said Mr. Pucci asked about a specific piece of property, not FA70 or FA5 or RD5 and the opinion he gave was that they believe that a principal, residential primary use in RD5 makes it a residential district and if Mr. Pucci discharges firearms on that property he will get a citation, pay the \$200.00 fine or come to court. Mr. Pucci said he understood that and it was in the e-mail he got. Mayor Gaskill said the Committee can not and will not give Mr. Pucci legal advice. Mr. Pucci said he was asking for an interpretation of the Township Zoning Ordinance and asked why he should have to spend \$500.00 to get an interpretation from the Zoning Board, do an application and get another attorney. Mr. Pucci said he has already had five attorneys fighting the Township. He said the Township's Zoning Officer and Planner are the ones who make decisions on land use not the Police Chief and Prosecutor and asked why they weren't consulted. Mr. Sasdelli said

they were dealing with the Peace and Good Order and that isn't land use, it is public safety. Mr. Pucci said firing ranges are under the Land Use Code. Ms. Gatto questioned why it wasn't in the ordinance that is on the books now if the intent was for commercial and said maybe that wasn't the intent if it wasn't stipulated. Mr. Palmentieri said that was off the point. Ms. Gatto said it wasn't because that is what Mr. Pucci is asking. Mr. Palmentieri said he thought the real issue right now is the Peace and Good Order ordinance and that is the one he questions. Mr. Palmentieri suggested the Committee concede the other ordinance is commercial and not applicable in this application. He said the issue here is the ordinance that Mr. Sasdelli consulted with the Chief on because it isn't a land use ordinance. Mr. Palmentieri said he thought that is the one where the proper interpretation would determine the answer to Mr. Pucci's question. He said he thought that is the single ordinance in question and that Mr. Sasdelli gave Mr. Pucci an answer based on input from the appropriate parties responsible for enforcement of that ordinance. Mr. Lafferty said the Township Committee isn't here to interpret ordinances. He explained that if there is an application to the municipal or superior court that is their function. Ms. Gatto said an interpretation was essentially provided and Mr. Pucci doesn't agree with it. Mr. Pucci said the interpretation was that it was limited in a residential district and that he doesn't live in a residential district. He said by the Township's Ordinance definition R9 and R22 are the residential districts and he lives in R5 so he doesn't fall under that ordinance. Mayor Gaskill said that is Mr. Pucci's interpretation and the Committee isn't going to give him legal advice. Mr. Pucci said it will cost him \$500.00 for an application fee to get an interpretation if he goes to the Zoning Board but it will only cost him \$200.00 to file suit in Superior Court. He said the transparency of township government isn't there and there is no mode when a resident sees things differently than two or three people especially when they know there is no avenue to sit down and discuss it. He asked if the Committee wants everybody to go get a lawyer. Mr. Lafferty said Mr. Pucci was asking the governing body to consider taking an action they are not authorized to do. He said Mr. Pucci can appeal to the Zoning Board if he wants an interpretation of the Zoning Ordinance or he has other avenues but this isn't one of them. Mr. Pucci said he understands he is allowed to hunt on his property but he can't target practice.

Mr. Kesselman questioned the recommendation the Committee was making for the Police Department and how many senior officers they currently have. Mr. Sasdelli said there is one Chief and five Lieutenants. He explained the Township used to have one Chief, one Captain and four Lieutenants. Mr. Sasdelli said that when Judy Dunleavey retired the Captain position was left open and a Sergeant was promoted to Lieutenant. Mr. Sasdelli said he thought Mr. Pritchard's motion was to revert back to the original structure of one Chief, one Captain and four Lieutenants. Mr. Kesselman said the numbers remain the same but one is being bumped up. Mr. Sasdelli said that was correct. Ms. Gatto said that was a recommendation in the management plan of all three candidates for Chief. Mr. Sasdelli said it was the recommendation of two of the three candidates.

Guy Tunney said the Peace and Disorderly wording was disturbing because the interpretation basically said that anybody hunting, discharging a BB gun, a paintball gun, shotgun or any other kind of artillery is in violation of the law can be fined \$200.00 and put in jail for 90 days. He asked if that didn't raise an eyebrow on the governing body. Mr. Tunney said he didn't know why the governing body couldn't ask the Planning Board to look into the intent of the Ordinance and redefine it. He said the Ordinance has a lot of deficiencies in it and there is always a need for interpretation. Mr. Tunney commented on being on the Planning Board for six years and also being on the Zoning Board. He said it is unfair to ask one person of the public to start a legal action that the Township will have to defend and will probably lose. Mr. Tunney said if it is interpreted the way Mr. Sasdelli said the police should arrest everybody that goes gunning this November. He said they are gunning everywhere. Mr. Tunney commented on the possibility of a neighbor pushing it because of grandchildren firing a paintball gun and the grandparents being put in jail for allowing it in their yard.

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

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

ADJOURNMENT TO EXECUTIVE SESSION

Ms. Gatto moved, seconded by Mayor Gaskill, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that his meeting be adjourned to an executive session to discuss matters of negotiations re: the potential Teamsters Union Contract concessions for 2010 which are exempt from public discussion pursuant to the Open Public Meetings Act.

November 9, 2009

BE IT FURTHER RESOLVED that the governing body shall reconvene in public session tonight to confirm the results of the executive session discussions 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"

Ms. Gatto moved, seconded by Mayor Gaskill, that this meeting be reconvened in public session at approximately 9 P.M.

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

Mayor Gaskill announced there was nothing to report and no executive confirmations to be made.

Ms. Gatto moved, seconded by Mr. Pritchard, that this meeting be and is hereby adjourned.

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

ATTEST:

---

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