

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
AUGUST 4, 2014

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey, was held on the above date with Mayor Roger Silva presiding. Members present were Aline Dix, Amy Gatto Rodney Guishard and Mrs. Link. Also present were Michael S. Jacobs, Township Administrator, Joan I. Anderson, Township Clerk, Robert S. Sandman, Township Solicitor, and Robert J. Smith III, Township Engineer.

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice on the bulletin board in the municipal building and by e-mailing a copy of the notice along with the agenda for this meeting to the Press of Atlantic City, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place at 6:30 PM on Monday, August 4, 2014 in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed.

Presentation by Joe Costal, Oakcrest High School - Welcome Wagon:

Joe Costal, a Guidance Counselor at Oakcrest High School explained that Freshmen have emerged as a group in need of help; nationally Freshmen fail more classes than other year in high school; they are written up more; they have a higher truancy rate sometimes than all the other years combined; and if written up in their Freshman year they are 80% more likely to continue be disciplined. He explained Oakcrest is looking to start some freshman curricula for study, leadership and life skills as part of their regular curricula; instituting a Peer Mentorship Program; and instituting a basis for more activities in the community, going out and making sure the freshmen feel welcome and have an easy transition into high school. Mr. Costal explained about 150 students representing all of the school's athletic and student organizations will tour the Township on buses tomorrow, go to the houses of some of the incoming Freshmen who made themselves known to the school through social media; they hope giving them an opportunity to meet and shake hands with the Principal, Superintendent, maybe some of the Council (Township Committee) Members, Captains of teams they want to be a part of and Presidents of organizations they want to join will help them feel more comfortable joining the Oakcrest High School community; that they will go to Oakcrest Estates, Laureldale, Chancellor Place and Victoria Crossing tomorrow night for National Night Out. Mr. Costal said there will be between 250 and 300 freshmen this year. Mayor Silva said the Mays Landing Merchants' Association runs a lot of events throughout the year and suggested Mr. Costal also reach out to them. Mr. Guishard asked what sparked this program. Mr. Costal explained they saw a trend and need and that the failure rate was the largest one. In answer to Mrs. Link's question on training, Mr. Costal said there was a 3-hour Professional Development Training Session this summer for the faculty and there was already Peer Mentoring training for the students. Mr. Costal's entire presentation was recorded and videotaped and can be viewed on the Township website.

There was no executive session and no executive session confirmations.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following items be and are deleted from the agenda of this meeting:

--- Presentation by Sean McCall:

- A. Proposed Eagle Scout Project for Mattie Hall Park improvements.
- B. Resolution of support for proposed Eagle Scout Project

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

7.A Insert names of Businesses being approved:

- (1) Timeless Portraits, LLC - photography sales at Hamilton Mall
- (2) The Jersey Tax Place, LLC - accounting services on Camac Avenue.

7.F Approve Transient Vendor Licenses:

- (1) Kimberly Bond - food vending at Boat Races on Lake Lenape Sept. 6 through Sept. 8, 2014.
- (2) Jack Lyon - equipment auction at Atlantic City Race Course.

7.G Resolution authorizing cancellation of 2014 taxes for totally disabled veterans - 3 parcels totaling \$16,535.44.

7.H Resolution authorizing transfer of 2014 tax payments.

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

There were no early public comments on agenda items listed for public hearing.

Mayor Silva explained that seats are being removed for reupholstering; carpeting in the meeting room will be replaced; and that it is the last part of renovations to the building.

Mayor Silva asked if the Beacon Avenue property referred to in the packet Members receiving just prior to the start of the meeting had been addressed. Mr. Jacobs said it has been taken care of.

Post Sandy Planning Grant Funding application:

Mr. Jacobs explained a presentation was made a few weeks ago about the post Sandy priorities; that this is the next step in the grant process; acceptance of the proposals from Clarke Caton Hintz and award of contracts to them are contingent upon receiving the grant funding.

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

**RESOLUTION AUTHORIZING APPLICATION TO NJDCA FOR  
POST SANDY PLANNING ASSISTANCE GRANT FUNDING TO  
UNDERTAKE PREPARATION OF A HISTORIC MAYS LANDING  
NEIGHBORHOOD PLAN.**

WHEREAS, the Township Committee of the Township of Hamilton, Atlantic County (the Township) has completed a Strategic Recovery Planning Report through a Post-Sandy Planning Assistance grant from the New Jersey Department of Community Affairs (DCA); and

WHEREAS, based on the recommendations of the Strategic Recovery Planning Report the Township intends to apply for \$48,200 of Post-Sandy Planning Assistance grant funding to undertake preparation of a Historic Mays Landing Neighborhood Plan; and

WHEREAS, the Township will file applications for other Post-Sandy Planning Assistance grants to prepare other plans based on the recommendations made in the Strategic Recovery Planning Report.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Hamilton, Atlantic County does hereby authorize the application for the above referenced grant; and

BE IT FURTHER RESOLVED that the Township has sustained a ratable loss attributable to Superstorm Sandy of at least 1 percent or \$1 million dollars , as indicated by the attached documentation from the Tax Assessor; and

BE IT FURTHER RESOLVED that the Township has attended an orientation session held by DCA explaining the grant application process; and

BE IT FURTHER RESOLVED that the Township recognizes and accepts that DCA may offer a lesser or greater amount of grant funding than requested; and

BE IT FURTHER RESOLVED that the Township agrees to comply with all CDBG-DR regulations, Post Sandy Planning Assistance Guidelines and also accepts that the proposed uses of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies.

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

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

RESOLUTION AUTHORIZING APPLICATION TO NJDCA FOR POST SANDY PLANNING ASSISTANCE GRANT FUNDING TO UNDERTAKE PREPRATION OF A PRELIMINARY INVESTIGATION & REDEVELOPMENT PLAN FOR HISTORIC MAYS LANDNG

WHEREAS, the Township Committee of the Township of Hamilton, Atlantic County (the Township) has completed a Strategic Recovery Planning Report through a Post-Sandy Planning Assistance grant from the New Jersey Department of Community Affairs (DCA); and

WHERAS, based on the recommendations of the Strategic Recovery Planning Report the Township intends to apply for \$48,000 of Post-Sandy Planning Assistance grant funding to undertake preparation of a Preliminary Investigation & Redevelopment Plan for Historic Mays Landing; and

WHEREAS, the Township will file applications for other Post-Sandy Planning Assistance grants to prepare other plans based on the recommendations made in the Strategic Recovery Planning Report.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Hamilton, Atlantic County does hereby authorize the application for the above referenced grant; and

BE IT FURTHER RESOLVED that the Township has sustained a ratable loss attributable to Superstorm Sandy of at least 1 percent or \$1 million dollars , as indicated by the attached documentation from the Tax Assessor; and

BE IT FURTHER RESOLVED that the Township has attended an orientation session held by DCA explaining the grant application process; and

BE IT FURTHER RESOLVED that the Township recognizes and accepts that DCA may offer a lesser or greater amount of grant funding than requested; and

BE IT FURTHER RESOLVED that the Township agrees to comply with all CDBG-DR regulations, Post Sandy Planning Assistance Guidelines and also accepts that the proposed uses of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies.

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

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Mrs. Dix moved, seconded by Mrs. Link, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Clarke Caton Hintz proposal for preparation of a Historic Mays Landing Neighborhood Plan for the sum of \$48,200.00 dated June 27, 2014 be and is hereby accepted and the contract for same awarded to them contingent upon receipt of Post Sandy Planning Assistant Grant Funds.

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

Mrs. Dix moved, seconded by Mr. Guishard, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Clarke Caton Hintz proposal for preparation of a Preliminary Investigation and Redevelopment Plan n for Historic Mays Landing for the sum of \$29,000.00 dated June 27, 2014 be and is hereby accepted and the contract for same awarded to them contingent upon receipt of Post Sandy Planning Assistant Grant Funds.

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

There were no Ordinances introduced.

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

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

- (1) Timeless Portraits, LLC - photography sales at Hamilton Mall
- (2) The Jersey Tax Place, LLC - accounting services on Camac Avenue.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that authorization is hereby given for the waiver of the \$326.00 electrical inspection fees for the Mays Landing Merchants' Association Hometown Celebration held at Lake Lenape Park on June 28 and 29, 2014.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton the \$45,000.00 Wells Fargo Bank letter of credit #1S0014497U, performance guarantee for Mercy Medical Associates of Mays Landing (Dr. Lurakis office expansion) is hereby authorized to be released contingent upon posting of a 4-year stormwater management system maintenance guarantee of \$270.00 and a 2-year maintenance guarantee of \$6,288.41 for all other improvements as recommended by Robert J. Smith II, Township Engineer, on July 31, 2014.

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

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

**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF 2014 TAXES**

**WHEREAS**, the 2014 tax rate has been certified and it appears that several block and lots now have taxes assessed for 2014, and;

**WHEREAS**, these taxes for 2014 assessed on these block and lots need to be cancelled from the date the exemption was granted as these properties are tax exempt due to having been granted a total tax exemption as **Totally Disabled Veterans**, and:

**WHEREAS**, the 2014 taxes must be cancelled on the following list of block and lot numbers in the following amounts for the reason stated above:

Block 846	Lot 5	\$4,315.72	Owner: Coppolecchia, Michael J.
Block 981	Lot 59.05	8,715.30	Owner: Scherer-Koenke, Mary Frances
Block 1113	Lot 11	3,504.42	Owner: Dwyer, Douglass A.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the Tax Collector be authorized to cancel 2014 taxes in the total amount of **\$16,535.44** on the above Block and Lot numbers.

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

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

**RESOLUTION OF THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO TRANSFER TAX PAYMENTS**

**WHEREAS**, it has been brought to the attention of the Tax Collector that several block and lot numbers were consolidated with other block and lot numbers by the Tax Assessor for the 2014 tax year and;

**WHEREAS**, payments that were made on the old lots must now be moved to the new lot numbers and;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the following transfers be made and the records in the Tax Collector's Office be adjusted.

	OWNER	YEAR	AMOUNT
From: 770/6 To: 770/2.02	Morey, Charlotte	2014	\$56.86
From: 770/9 To: 770/2.02	Morey, Charlotte	2014	6.32
From: 780/4 To: 780/3	Anderson, Carl & Joan	2014	88.45
From: 802/6 To: 802/7	Holmstrom, Jason & Jennifer	2014	31.59
From: 857/3 To: 857/4	Torian, Gregory	2014	154.15

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

August 4, 2014

Amending Township Employees Handbook:

Mrs. Dix said this is amending the Policy Book adopted April 7<sup>th</sup>; she doesn't believe it was printed yet; there are other things in the Policy are not getting attention; there may errors in the Policy Book; she will be listing at the next meeting discussion of those items; she hopes this it is not leading to a printing book because she believes there are errors that need to be changed before going to the printer. Mayor Silva asked if Mrs. Dix meant errors or other things in the Policy. Mrs. Dix said it was not this policy but in the manual itself because of the expense of printing it and she thinks the Committee needs to have conversation on it at the next meeting. Ms. Gatto said she thought the intent was to get this amendment completed so it can go to print. She said that all members received a red-lined copy of the Policy Manual and approved it. Mr. Jacobs said it has been reviewed by was reviewed by the attorney and Labor Counsel; it is ready to go to print; they want to put this in it before it is printed; it needs to be printed soon and gotten out to everybody. He said if something needs changing he needs the information. Mrs. Link said she thought the Committee should go forward with the approval and if other things are brought up, address them at that time. Mr. Guishard asked if Mrs. Dix was talking about typographical errors or actual policy. Mrs. Dix said she will bring it up under Township Committee Comments.

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

**TOWNSHIP OF HAMILTON  
(ATLANTIC COUNTY, NEW JERSEY)  
RESOLUTION**

**AMENDING THE TOWNSHIP'S EMPLOYEE HANDBOOK**

**WHEREAS**, provisions recently approved by the State allow municipalities to mandate that all employees shall utilize direct deposit; and

**WHEREAS**, the Township Committee has determined by ordinance that all employees must utilize direct deposit; and

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee for the Township of Hamilton, County of Atlantic, State of New Jersey, that on April 21, 2014, the Committee voted to approve the following changes to the 2014 Employee Handbook:

**Change #1:**

**Delete the existing SECTION III, N, and replace it with the following:**

**N. TIME SHEETS/CARDS, PREPARATION OF PAYROLL, AND DIRECT DEPOSIT**

**PURPOSE:** To establish guidelines for preparation of employee time sheet/cards, payroll, and direct deposit.

**SCOPE:** Any person holding public office, position, or employment whose compensation is paid by the Township.

**STATEMENT OF POLICY:** Time sheets/cards are to be utilized by all employees unless otherwise agreed by contract or ordinance. The time sheet/card shall include: employee name; employee number (if applicable); department; and pay period. Department heads shall break down hours to be compensated on a daily basis into hours worked, holiday time, sick leave, compensatory time, vacation, leave without pay, etc. and sign.

The Finance Department shall compute earnings as well as deductions. Changes in rate, position, and status shall be supported by an appropriate form approved by Human Resources, the Administrator, and if necessary, the Township Committee. This form shall be made a part of the personnel history record of the employee. No salary change shall be implemented unless accompanied by an approved form.

A Direct Deposit notice will be distributed to the employee's department head unless other arrangements have been pre-approved. An employee's direct deposit notice may be released to the employee's spouse, designated family member, or to another person only if authorized in writing by the employee.

Payroll records shall be maintained by the Township for a minimum of seven years.

Falsification of time records for payroll purposes is reason for discipline as per the Administrative Policy on EMPLOYEE CONDUCT.

Employees may direct inquiries concerning payroll matters to the Finance Department.

**EFFECTIVE JULY 1, 2014:**

Effective for the first pay following September 1, 2014, any person holding public office, position, or employment whose compensation is paid by the Township shall have his/her net pay deposited in a specific banking institution in a designated checking account, savings account, or share account for such employee.

NOTE: Other references to the term "paychecks" contained in this manual shall be interpreted to comply with provisions of this subsection as they relate to "direct deposit".

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

Continuing Disclosure Review:

Mrs. Dix asked if the contract will cure the omission of annual reporting or whatever it is that needs to be available to the bond holder and if this company will keep the Township updated annually so it meets that requirement. Mr. Jacobs said it will.

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

**RESOLUTION CONTINUING DISCLOSURE NO. 1 OF 2014**

**RESOLUTION OF THE TOWNSHIP OF HAMILTON, ATLANTIC COUNTY, NEW JERSEY, DIRECTING THE UNDERTAKING OF A CONTINUING DISCLOSURE REVIEW AND AUTHORIZING PARTICIPATION IN THE MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE OF THE DIVISION OF ENFORCEMENT OF THE U.S. SECURITIES AND EXCHANGE COMMISSION**

**WHEREAS**, the Township of Hamilton, Atlantic County, New Jersey (the "**Township**") has entered into continuing disclosure agreement(s) in connection with certain of its prior bond and/or note issuance(s) (the "**Prior Issuances**"), agreeing to file certain financial information and operating data and/or certain enumerated event notices with the former nationally recognized municipal securities information repositories or the Municipal Securities Rulemaking Board (the "**MSRB**") pursuant to the provisions of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the "**Rule**"); and

August 4, 2014

**WHEREAS**, the Township has made certain representations regarding its continuing disclosures in bond and note offering documents in connection with its Prior Issuances; and

**WHEREAS**, in response to widespread concerns that many municipal issuers have not been complying with their obligations to file continuing disclosure documents under the Rule, and furthermore have made false representations concerning compliance in bond and note offering documents, the Division of Enforcement (the "**Division**") of the U.S. Securities and Exchange Commission (the "**Commission**") has set forth its Municipalities Continuing Disclosure Cooperation Initiative (the "**MCDC Initiative**"), attached hereto as **Exhibit "A"**, whereby the Commission will recommend favorable settlement terms to municipal issuers involved in the offer or sale of municipal securities, as well as underwriters of such offerings, if they self-report to the Division possible violations involving materially inaccurate statements in bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule; and

**WHEREAS**, pursuant the Local Finance Notice 2014-9, dated July 23, 2014, a copy of which is attached hereto as **Exhibit "B"**, the Director of the Local Finance Board, Division of Local Government Services of the Department of Community Affairs of the State of New Jersey, has recommended the undertaking of a Review (as hereinafter defined) by all municipal issuers and participation in the MCDC Initiative, where appropriate, as determined by the facts of each Review (the "**LFB Recommendation**").

***NOW, THEREFORE, IN ACCORDANCE WITH THE LFB RECOMMENDATION, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC, as follows:***

**Section 1.** The Township hereby appoints **Phoenix Advisors, LLC**, to serve as a third-party disclosure-dissemination agent for the Township in accordance with the Proposal attached hereto as **Exhibit "C"** (the "**Phoenix Proposal**"), and hereby directs Phoenix Advisors, LLC to conduct a continuing disclosure review of its prior continuing disclosure undertakings (the "**Review**"). Such Review shall include, but is not limited to, a historical review of the Township's continuing disclosure obligations and filings in connection with its Prior Issuances that are presently outstanding and which are no longer outstanding but, as of the date five years prior to the date of submission of the Questionnaire (as hereinafter defined), were outstanding; and the undertaking, at any time, of any applicable remedial filings with the MSRB deemed necessary for compliance with its continuing disclosure obligations.

**Section 2.** The Township, through its Chief Financial Officer, is hereby authorized to participate in the MCDC Initiative, if in the discretion of the Chief Financial Officer after consultation with Township officials, it is determined that the Township may have made materially inaccurate statements in its bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Prior Issuances issued during the period beginning five years prior to the date of submission of the Questionnaire.

**Section 3.** The Chief Financial Officer of the Township is hereby authorized to execute and deliver any and all documents and instruments, including the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative (the "**Questionnaire**"), and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions, including the Review, contemplated by this resolution.

**Section 4.** All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

**Section 5.** This Resolution shall take effect immediately.

<u>Recorded Vote</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
	DIX	NONE	NONE	NONE
	GATTO			
	GUISHARD			
	LINK			
	SILVA			

RESOLUTION ADOPTED AUGUST 4, 2014.

Transient Vendor licenses:

Mrs. Link asked if the food vendor qualified by having workers' comp. Mrs. Anderson explained they are not being hired by the Township; they get a permit to be there with the boat races and the Township has nothing to do with it. Mrs. Link said the veteran hot dog vendor was required to have workers comp. Mr. Sandman explained that was because the Township would have had a direct contract with him and the Township requires it. Mrs. Link commented on seeing a lot of events that happened and they don't have workers comp and other things that are required in the Township. Mr. Jacobs explained the Township allows the event to happen on Township property but the program isn't run by the Township; the Township isn't employing them; and the Township makes the Boating Association have liability insurance. Mr. Guishard asked if the event was government sponsored or a private sponsor. Mrs. Dix explained it is privately sponsored by the Winding River Boating Association. Mrs. Link asked if they have workers' comp. Mr. Sandman explained they have a liability insurance policy with the Township named as an additional insured; that it is a two-day event run by a private entity as compared to the hotdog vendor who would have been bidding and contracting directly with the Township and if that person had an employee injured and didn't have workers' comp there is a possibility the Township could be liable. He explained this is different because there is a prorated contract between the Township and 2-day vendor so the aspect of the uninsured workers comp claim wouldn't fall back on the Township and the Boating Association liability insurance will cover the Township for any other interests. Mrs. Link said she understood what Mr. Sandman was saying but when Mr. Jackson initially went to sell his hotdogs he was an independent vendor for several days but he was required to do all of these things. Ms. Gatto explained that was because the Township was asking him to do it and this is a private event person asking a vendor to do something. Mrs. Link explained she brought it up because she thought that Mr. Jackson was asking to be allowed as a veteran to sell hotdogs, not that the Township was asking him to do it, and he was required to spend over \$1,000.00 for workers comp which eliminated his bid because he couldn't afford that plus the liability insurance. She said she saw where Mr. Sandman was coming from; it is independent people coming in for a couple of days but they still have to have liability insurance.

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

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

- (1) Kimberly Bond for food vending at the Boat Races at Lake Lenape on September 6, 7 and 8, 2014.
- (2) Jack Lyon - equipment auction at Atlantic City Race Course.

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

August 4, 2014

Mayor Silva said there were no personnel matters.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the July 21, 2014 regular meeting minutes are hereby approved and adopted as published.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the July 7, 2014 executive session minutes are hereby approved and adopted as published.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that all properly executed and approved payrolls and bills are hereby ordered to be paid, the bill list total being \$6,667,518.26.

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

Reports:

Mr. Jacobs said he had nothing to add to his written report.

Mr. Sandman said he had nothing to add to his written report.

Mr. Smith reported he, Ms. Gatto, and Mrs. Dix met with the Brewster Drive homeowners; they discussed disposition of funds offered by the bonding company to resolve their obligation for site improvements; a number of outstanding punch list issues; and what the residents' obligations would be as it related to completion of outstanding punch list items. He explained Ms. Zamani from Mr. Sandman's office was also there; she is doing research as to the residents responsibility if the Township turns the money from the bonding company over to them for completion of the improvements; the residents are amenable to taking the funds but need to see what their obligations would be if they do take it; they discussed issues with some existing utility poles; an e-mail today from the Electric Company stating they will move the existing pole on the west side was copied to the governing body; and they are working through what has to be done if the Township goes through a transition and turns the money over to an Association. Mrs. Dix said she is concerned about the real amount of money that will be needed and asked if the Township has any current cost estimate. Mr. Smith explained he has no cost estimate at this point in time; Ms. Amani is looking at what the residents' obligation would be to continue to complete the site improvements if they have the money; the obligation of the bonding company is to complete what they can up to the maximum penal sum of the bond and he assumes it would be the same for the residents if the money is turned over to them. Mrs. Dix asked about maintenance guarantees. Mr. Smith said there won't be any maintenance bond for that project. Ms. Gatto commented on there being a question of whether any of the currently required site improvements could be waived. Mr. Smith explained the drainage basin was the biggest issue and that one of the residents' biggest issue was whether or not they would have to replace the landscaping at the last house built. He said he thinks the majority of

the landscaping has been installed; he doesn't think there will be much concern about the cost of additional landscaping; he thinks the biggest issue will be what the residents have to do to get the basin functioning; and he knows they are trying to partner with the owner who bought the last several lots and the basin from the bank. Ms. Gatto explained they suggested the residents get an estimate of exactly what has to be done and the cost; that their intent was to work with the owner of the basin lot to see if they would cover some of the cost and then the Association would know how much they have available. Mr. Sandman explained the governing body authorized him to take action against the bonding company and he did that; the bonding company stepped and did what they did; there is \$40,000.00 left but it's not enough to do everything; and the residents have to prioritize what is necessary. Mrs. Dix asked if it would have to go back to the Planning Board to amend the site plan approval. Mr. Sandman said that if it is a material alteration to the Decision and Resolution approval it probably should go back.

Mrs. Dix said that the 2008 salary Ordinance went to a 2-tier vacation time so anyone hired January 1, 2009 or later would have less vacation time than pre-existing employees; in 2012 Fiscal Vitality came up with a new plan; the 2012 Ordinance totally erased Chapter 66 and Chapter 80 of the Township Code Book, wiped out the vacation time but not other types of days off; she asked Charles Cain, Bruce Strigh and Wayne Choyce if Fiscal Vitality had any intention of increasing the number of vacation days when they came in with the new ordinance in October 2012; they don't recall it and are saying it (the plan) was to cap the number of employees that could be put on the payroll; she thinks the Committee has to revisit what the Fiscal Vitality intent was; and her concern is that the roll-back of vacation time triggered other problems that are being looked at. Mrs. Dix said that she is going to put the 2012 Ordinance from Fiscal Vitality on the next agenda as a discussion item with any input the Fiscal Vitality wants to bring into it regarding vacation days and the 2-tier plan that was in the 2008 Ordinance; that it has to be corrected if Fiscal Vitality intended for that to remain in the 2012 Ordinance; and that she wants it clarified before the policy handbook is printed. Mayor Silva commented on Mrs. Dix saying many things and said she has the Members at a disadvantage because they didn't know anything about it. He said it will take time to look into and questioned how the Committee would have an intelligent conversation if they don't have all the information by the next meeting.

Mrs. Dix reported she attended the Mizpah Fire Company car show; that she didn't know if Mizpah Unity Day was rained out; and that she missed the Wounded Warriors breakfast at Applebee's.

Mr. Guishard reported he attended the Mizpah Unity day and that the attendance was down because of the weather. Mr. Guishard reported Congress passed an interim bill providing Transportation Funding until May 2015. Mr. Guishard reported he participated in the VFW Coin Drop and said the VFW and other organizations that do coin drops appreciate the contributions. Mr. Guishard reported a Green Team is being established; they meet in the Library on the first Thursday of each month at 5:30 PM; and he encouraged anyone interested to attend.

Mrs. Link commented on 50,000 people attending the free concerts held in Atlantic City and said it means there are people who will come to Atlantic City. She commented on there being so much negative news about Atlantic City; knowing that the casino closings will impact the Township taxes down the road; and hoping that Mayor Guardian was truthful in saying there is a viable candidate to buy Showboat and that there are 7 different offers on the table for Revel. Mrs. Link said she wondered how much it took to get that concert to come to Atlantic City and she is sure the band, the employees and people who worked on the beach didn't do it for free. Mrs. Link said it was an investment in the community and that is what the Township does with the Mays Landing Merchants, the Hometown Celebration, and Halloween Parade.

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Mrs. Link said Township Committee meets on the first Monday of the month, the Mays Landing Merchants meet on the first Wednesday of the month, the Green Team Committee meets on the first Thursday of the month. She commented on the amount of time members had to be out in that one week and suggested moving Township Committee meetings to the second Thursday of the month. Mrs. Dix said it would be a conflict because the Planning Board meets the first and third Thursday of the month.

Ms. Gatto commended Mizpah Fire Company on their car show and commented on being pleasantly surprised by the number of cars, trucks and motorcycles they had. She reported attending the Laureldale Community Yard Sale and the attendance being lower than last year because of the rain. Ms. Gatto said the fire companies do a lot more than fight fires and she commended them for the work that they do.

Ms. Gatto reported the Committee Members received a memo about various information that was requested by someone, specifically about her health care opt out money and any correspondence related to it. She said she has no idea what the issue or question is. Ms. Gatto said that the first 6 years she was on Township Committee she donated her opt out money back to the Township because she felt it was the right thing to do because of the economic times the Township was in with asking for employee furloughs and laying off employees; that Cindy Lindsay and Richard Tuthill have all the documentation to support that; that last year was the only year she collected the opt out money and that was because she was out on disability dealing with her Crohn's Disease which is brought on by stress; and that there is documentation supporting that as well.

Mayor Silva reported the County Executive held a meeting with the Mayors of all the municipalities in the County and the Assistant Labor Commissioner to talk about the 6500+ people that could be laid off with the closing of some casinos. He said that 4,823 of them live in Atlantic County; 414 of the affected families live in Hamilton Township and that 616 families in Egg Harbor Township will be affected. The Mayor commented on Mayor Guardian saying the city needs to change the way they do business; that Atlantic City isn't just for casino gambling; and that they should have other types of activities. He commented on the Ice Capades, circus and many conventions being in Atlantic City years ago and questioned why they would close the hotels when they are trying to impact the area with conventions. Mayor Silva said that the Casino Referendum never did what it was supposed to in Atlantic City; the casino operators took their money and ran; the State took their money and sent it to North Jersey; and Hamilton, Egg Harbor and Galloway Townships got hit with being development communities and all the other problems that came in with it. He commented on saying that it was all well and good to have their workforce there to register people so they could get their benefits and training and said that he asked what will happen when there are no jobs and there is no extension of unemployment benefits after 26 weeks because (the laid off employees) still have to support their families. The Mayor commented on hearing that a casino in Maryland hired 50 people who worked here and said that will force a lot of people out of this State to find a way to support their family. Mayor Silva said the closures will impact all of the communities' tax collections, foreclosures, and local businesses. He said that the positive way to look is at the generation of businesses; that this is a very viable community at the crossroads of the County; it has a great retail center with Hamilton Mall, Wrangleboro Square, Consumer Square, Festival Mall, and Wal-Mart; it is the County Seat; and it has a lot of projects started. The Mayor said that all of the education in the world isn't going to make a difference when you are out of work and people have to make decisions on where they are going to live if there are no jobs. Mayor Silva said he thought the meeting went well and he is still pretty optimistic that this area can still develop. Mr. Guishard said it isn't just an Atlantic City problem, it is a regional problem and people need to be made aware of what the region offers when they visit Atlantic City. Mrs. Dix commented on approaching the 6-month layoff date from the Atlanta Club closing and people who were laid off reaching the end of their unemployment.

Ms. Gatto reported the new Brownie's Squared venture, a daily breakfast and lunch buffet called "Upstairs", is opening tomorrow and the Laureldale Pub and Grill will be opening in a few weeks.

Public comment:

The following is a copy of the Statement read by Jennie Ayers:

I'm here tonight because over the past several Weeks/Months, I have been puzzled and upset about what is happening in the township. The township I call home and was honored to play a role assisting former committee members Dr. Kesselman, Charles Cain, many of you as well as many of people from the community, on the township's strategic plan.

I am deeply saddened by what has been happening and struggled with whether or not to even come here tonight, but feel as though the fiscal future of our township is too important. I believe in walking your talk, so if I do not speak up, then shame on me.

Our community is blessed to have had people at the helm who care and who have dedicated themselves to over time reducing the debt, increased the bond rating and have shown fiscally accountable. **Even when people said it couldn't be done...**this township still cut expenses and continued to provide much needed services to the community. Thank you for that. Harvey has always said that this township is a model for others to follow.

Now the hard part...for me at least...I sit here or at home and watch as the one up men ship go on and on...it gets so ridiculous it looks like an episode of a sitcom. The people of Hamilton deserves better.

While I am concerned about the staff and the stories I've heard, I am increasing more disturbed by the potential cost to the township, its tax payers as well as the emotional and physical effects to the staff.

As a former HR Resource and corporate trainer, the physical and mental health of the staff is critical to morale and productivity. The more time then spend feeling uneasy, stressed and sharing stories about how they are treated and with fear of retaliation and...having no recourse or solution falls on your shoulder.

Workplace harassment is unacceptable and the perception of the employee...then this has to stop!!!! I know firsthand how this can cause undue stress and illness that results in sick leaves, reduce staff and pressure on others to fill in when needed.

These staff issues have also impacted the fiscal health of the township. It is my understanding that since all this began, the township has lost 3 fulltime and 3 part-time employees.

According to the Bureau of Vital Statistics and CBS's Money Talks; turnover costs include:

1. Separation of Employee, exit interviews, cobra etc.

2. Loss of productivity and work related stress with current employees
3. Cost to find a replacement, advertising , interviewing etc
4. Training of New Employees

For all jobs earning less than \$50,000 per year, which is 40 percent of U.S. jobs, the average cost of replacing an employee is typically 20 percent of the person's annual salary. So for example if a Township Employee's average salary was \$35,000 the cost of replacing 1 fulltime employees will be approximately \$7000.

Therefore, if the Township has lost 4 fulltime employees and 3 part time employees just the cost of replacing them is will be **approximately \$39, 250**. This does not factor in the actual wages or the time the position is empty, stipends to current employees to pick up additional work, or the number of time that position may turnover due to the nature of the current working environment..... It can't even begin to measure the effect all this is having on the current employee base such as stress, illness and work overload etc.

**Fiscal Accountability begins with all of you.**

While we all know that the tax retables are going to change as a result of the numerous tax appeals, the public needs to know the following and how it too could impact services or taxes in the future:

1. Aline Dix Lawsuit Settlement of \$ 25,000
2. Attorney fees of \$10,500 related to above settlement
3. Township Attorney day to day legal fees related to more than \$11,000
4. Birchmeir Attorney fees of \$8,000
5. Staff Turnover of \$39,250 (approximate)

**Total current cost to tax payers to date \$ 93,750**

This does not include the cost of pending lawsuits and tort claims...I was disturbed to hear that the administrator now has a pending lawsuit.... and the potential cost of that could run into hundreds of thousands...or millions.

As I said earlier, **Fiscal Accountability begins with all of you, however there is one person who is responsible for what happens next.**

Aline, I didn't want this to get personal, but you have made it this way. As someone who called you friend, sat on the cove committee with you and helped get you elected, I am disappointed. There's a balance to being a leader.

While I once admired your passion during our previous work together, I have come to loose respect for you... and regret helping to put you in that seat. You have allowed your ego to get in the way of the good of the whole, you refuse to work as a team; you have taken the hardworking people of the township and forced them to choose sides...split this building and community in two.

You have made a mockery of working for the people and turned it into working against them by costing the township close to \$100,000 to date. With more to come.

In light of all that has transpired, while I'm both puzzled and baffled. I know in your heart you love this community, but your actions say otherwise. How can you call yourself the people's candidate??? ...is beyond comprehension. I really believe that if the tables were turned you would be asking for resignations...so I respectfully think maybe you should consider resigning from Township Committee and let the work of the township continue without a cloud hanging over it.

Thank you for your time.

Mrs. Anderson asked Mrs. Ayers to give her a copy of her statement.

Jim Kerrigan asked if the Post Sandy Neighborhood Plan for Historic Mays Landing was on line. Mr. Jacobs explained the Plan hasn't been done yet and that it will be done if the Township gets the grant.

Peg Capone said it was brought to her attention that a member of Township Committee has been telling elderly citizens in the community not to do business with Brownies' Squared because he is a democrat. She asked if the Committeeperson understands that their salary is paid indirectly by that business; that the business gives jobs to local residents; that he gives donations to various organizations; and having a business downtown helps keep the area from becoming blighted. She said that the Committeeperson had the gall to attend the free neighborhood barbecue sponsored by Brownies' Squared. Mrs. Capone asked if the action of the Committeeperson opened the door for another possible lawsuit against the Township. Mr. Sandman did not answer the question. Mrs. Capone asked Mrs. Dix why she would do that. Mrs. Dix said she wouldn't dignify it with an answer. Mrs. Anderson asked Mrs. Capone for a copy of the statement she read from.

Michael Collazo commented on being very pro-business; on thinking that the Township can do a lot more to be proactive; On a lot of townships are competing for businesses right now; on having been approached by other towns to move his business or open another location; and on thinking the Township has a lot of potential that is underutilized. He said the Township is busy fighting and spending taxpayer money on pettiness and that it is disappointing to him as a resident and business owner. He commented on New York actively recruiting businesses and residents; suggested the Township emulate or copy that; and said he thinks it is a great way to prevent foreclosures. He explained that, as a businessman, if he reads that there is a lawsuit it makes him hesitant towards expansion. Mr. Collazo said the Industrial Commission is trying to bring in businesses and make it attractive.

John Kurtz, President of the Mays Landing Merchants' Association, said their Wine Festival coming up on September 28<sup>th</sup> and 29<sup>th</sup>. Mr. Kurtz said he worked at Captain Starns in Atlantic City for years when he was growing up; that Starns had a transportation system that carried people from the Boardwalk to their fishing and sight-seeing boats; and that when Resorts Casino opened they bought that system and closed them down. Mr. Kurtz said Atlantic City ignored the failing content of the city and the community spirit that was broken. He commented on his belief that the casinos didn't want people on the boardwalk or boats; that they wanted them inside betting; and that mentality is what drove quite a bit of what is happening there now. Mr. Kurtz said Hamilton has an amazing community spirit that is seen in the number of people that come out to the events and enthusiasm of the residents when they come to the events. He commented on the recent concerts in Atlantic City and revitalization of the Steel Pier and said they are the kinds of things that need to come back to the city. Mr. Guishard asked if

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if Mr. Kurtz could provide that feedback to the city. Mr. Kurtz said he has a long time friendship with Mayor Guardian; that he was at a meeting with Mayor Guardian last week and had an opportunity to talk to him; and that Mayor Guardian is aware that the family entertainment portion was let go and he is determined to bring it back.

Harry Rogers asked how many lawsuits have been filed against or within the Township pertaining to harassment and how many are still open. Mr. Sandman said there is one that he can think of. Mr. Rogers commented on hearing tonight about spending an incredible amount of money on what can only be described as foolishness perpetrated by Mrs. Dix. He asked the Committee to consider putting on the agenda at each meeting how much money the Township has spent to date on the back and forth nonsense and said the people of the Township have a right to know because they are paying for it. Mr. Rogers commented on having asked at a meeting a couple of weeks ago that the comments made by Mrs. Dix made about how much cash was in (town hall) because of tax collections be stricken from the video tape and asked if that had been done. Mr. Sandman explained it wasn't done because whatever happens is set forth in a formal way and no one can remove words that are said at a public meeting. Mr. Rogers said it was brought to his attention that his comments have been edited out. Mr. Sandman explained that whether or not they are included in the minutes is one thing but it cannot be excised from the public record. He said he stopped Mrs. Dix at one point because he was concerned and that "for the record" the vast majority money in the Tax Collector's Office, over 90%, is in checks.

Chris Ayerer said the Township Committee Members should work together.

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

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

There being no further matters of business to be considered tonight, Ms. Gatto moved, seconded by Mrs. Dix, that this meeting be adjourned.

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

ATTEST:

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