

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
NOVEMBER 10, 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 Judy Link. Also present were Michael S. Jacobs, Township Administrator, Joan I. Anderson, Township Clerk, Robert S. Sandman, Township Solicitor, and Robert J. Smith, Township Engineer

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice of the meeting on the bulletin board in the municipal building, Mays Landing, NJ, and by e-mailing a copy of the notice along with the agenda of 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 November 10, 2014 in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed.

John Brooks Recovery Center:

Mayor Silva explained this was because of the number of calls and e-mails he received following the after the article that was in the Atlantic City Press two days after the last Township Committee meeting that stated the John Brooks Recovery Center was relocating to Hamilton Township and to assure the public that no one on Township Committee had any foreknowledge of it; that he spoke to Mr. Sandman, who is also the Industrial Commission Solicitor, and the Commission Chairman Gordon Craig about them selling land to the Recovery Center and it is not anywhere on their agenda. The Mayor said the Industrial Commission had been before the Township Committee two days before that about the possibility of some sort of abatement to attract businesses to the Industrial Park. He said that Mr. Oberman, the Recovery Center Executive Director and CEO, offered to come tonight to tell the people that the Methadone Clinic is not coming to Hamilton Township; it is relocating to another community closer to Atlantic City. Mayor Silva said it all started when CRDA offered to buy the building the Center occupied for \$9.1 million because the CRDA felt that it was not appropriate to have it in the Tourism District. The Mayor commented on being surprised when the reporter called to ask how the Mayor felt about it and said that he told the reporter that it was something he knew nothing about. He said he thought the article misled people and it got out of hand the way the reporter handled it. Mayor Silva said if anyone had any questions they could call him or talk to him.

Mayor Silva explained the executive session and would be held at the end of the meeting and any confirmations would be made after the Committee came out of Executive Session.

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 added to the agenda of this meeting for consideration and action to be taken thereon tonight.

5.H Qualified Veterans-owned business opportunities for the contract year January 1, 2015 through December 31, 2015.

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

Early public comment on agenda items not listed for Public Hearing:

John J. Percy III asked for an explanation of the net reduction in the Town Hall Auxiliary Parking Lot Contract and why the brick sidewalk wasn't replaced in front of Town Hall. Mr. Smith explained

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the reduction is for finalizing the as-built quantities; a few minor supplemental items that were added to the contract; and there will probably be another one before they are done. Mr. Smith explained the bricks in front of the building were not replaced with new pavers because that is currently the only handicapped access to the building and that entrance would have had to be taken out of commission. Mr. Percy suggested they could use the back door. Mr. Jacobs explained it isn't handicapped accessible; a ramp is planned for back there; once that is done, the front could be done; and hopefully it can be done in a year or two.

Request for waiver of road opening moratorium:

Mr. Smith explained the Township has a 3-year moratorium on street openings in newly paved roads; the Gas Company application for a street opening permit had to be denied because Key West Avenue was just paved on June 26, 2014; and the Gas Company is appealing to the governing body for a waiver because the street is under the moratorium. Mrs. Dix commented on the width of the pavement and the work being at the edge or out from the pavement edge according to their drawing. Mr. Smith explained he will measure the paving if the waiver is approved; if the location of the line is at the edge of or outside the paving it becomes moot because it would be in the right of way but not the roadway; if they have to open the road they will have to do infrared repairs. Mr. Guishard commented on the condition of some repairs and asked what standards are imposed for patch work. Mr. Smith explained some of what Mr. Guishard and the Mayor saw were temporary restorations; the standards are in the Ordinance and are pretty substantial. He explained he sent an e-mail to South Jersey Gas today asking for a status update on permits dating back to 2010 that they still have restoration work to be done on. Mrs. Dix commented on there being several Divisions in the Company and the moratorium information isn't getting to their construction department. Mr. Smith said letters with the moratorium information is sent to all utility companies in October; Abby Greenberg from the Gas Company asks for a list of upcoming projects and a list of roads under moratorium each year; and it is the responsibility of the person who requests the information to see that it is disseminated through the ranks. He explained this request was for a man who has to replace his furnace and the Gas Company will have to file another application if the waiver is approved.

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

BE IT RESOLVED BY THE Township Committee of the Township of Hamilton that the request of Clyde Maxwell for a waiver of the Street Opening Moratorium on Key West Avenue to permit the South Jersey Gas Company to install gas service to his home is hereby approved.

MOTION CARRIED WITH ALL MEMBERS VOTING "YES", NO "NO" AND NO "ABSTAIN" ON ROLL CALL VOTE.

Residential Rental Unit License Fee increase:

Mr. Jacobs explained the Ordinance requires the Township break even on this; the fees collected are about \$104,000.00 short of the budgeted amount; the fees are reviewed twice a year; and he is recommending the small increase. Mrs. Dix said she didn't understand why the expenses were budgeted at \$284,000 if they have part-time employees. Mr. Jacobs said they have 2 full-time employees and some part-time employees for Rental Registration and Code Enforcement. Mrs. Dix asked if property cleanups are paid from this money or the regular budget. Mr. Jacobs said they are paid from this money. Mrs. Dix said she didn't know that it is appropriate to charge rental registration money for cleanups on private property even if they are violating Code Enforcement; vacant lots in Tavistock were cut recently; they aren't rental units and they don't pay registration fees. Mr. Jacobs explained that his time, Mr. DaGrosa's time, Finance, computer and things like that aren't charged to housing; in order to charge 100% of

the expenses parts of all those departments would have to be allocated to it; and he thinks it is fairly represented in what is charged. Mrs. Dix said Building Permit Fees are supposed to cover the Building Department expenses and questioned whether they should be covering some of Code Enforcement. Mr. Jacobs explained those permit fees are just for the UCC Code, not Code Enforcement. Mrs. Dix said she understood.

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

RESOLUTION

WHEREAS; Ordinance 222 Sub-section 13. E. regulating Residential Rental Unit Licensing requires that the fees be reviewed twice annually to assure that the funds collected are approximately equal to the expenses related to implementing the requirements of this article; and

WHEREAS; the Licensing fee was set at \$100.00 for 2012 resulting in an over collection of \$135,184.16 (audited) and;

WHEREAS; the Licensing fee was set at \$75.00 then down to \$65.00 for 2013 resulting in an over collection of \$23,368.14 (audited); and

WHEREAS; the Licensing fee was set at \$65.00 for 2014 resulting in a projected under collection of \$50,000 to \$60,000 (estimated); and

WHEREAS; the Township will increase the current \$65.00 license fee to \$70.00 for 2015; and

WHEREAS; the new \$70.00 license fee is projected to continue reducing the prior years over collections, but at a lessor rate; and

THEREFORE BE IT HEREBY RESOLVED that the Township of Hamilton, in Atlantic County hereby agrees and sets the 2015 license fee at \$70.00.

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

Sustainable New Jersey Certification:

Mr. Jacobs explained someone has to be authorized to submit the paper work. Mr. Guishard recommended Ingrid Perez be designated the Liaison because she is familiar with the program; much of the work she has already done supports the program; she knows most of the people interested in working with it; and has expressed a personal interest in it. He explained the purpose of establishing a Green Team; that the Program is funded privately; 473 municipalities in New Jersey currently participate or are seeking to participate in the program; there's a lot of interest in it in the Township; Green Team Meetings have been going on here for 4 or 5 months; members have had functions in their homes; he thinks it is an excellent example of community involvement; there is no cost to the Township; there is no budget associated with it; the Green Team will operate in an advisory capacity only; it allows the Township to pursue grants that many of the Team Members have looked at and have the possibility of bringing money into the Township to do interesting things with; some of the Members are willing to go into the schools to educate children about it; he is very much in favor of it and hopes the Committee will consider it; and he thinks it is a positive thing to do.

Mayor Silva read the full resolution that was to be voted on.

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

Ms. Gatto asked that the resolution be amended to add "at little or no cost to the taxpayers" to the end of the last sentence in the fifth Whereas paragraph before the vote.

Mr. Guishard amended his motion and Mrs. Dix amended her second, that the following resolution be adopted.

**RESOLUTION
SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY®
MUNICIPAL CERTIFICATION PROGRAM.**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Hamilton (Atlantic County) strives to save tax dollars, to assure clean land, air and water, and to improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Township of Hamilton hereby acknowledges that the residents of the Township of Hamilton desire a stable, sustainable future for themselves and for future generations; and

WHEREAS, the Township of Hamilton wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path, the Township of Hamilton is pledging to further educate itself and its community members about sustainable activities and to develop initiatives supporting sustainable local government practices at little or no cost to the taxpayers; and

WHEREAS, as elected representatives of the Township of Hamilton, we have a significant responsibility to provide leadership that will seek community-based sustainable solutions to strengthen our community;

NOW THEREFORE, BE IT RESOLVED by the Township Committee for the Township of Hamilton, County of Atlantic, State of New Jersey, that in order to focus attention and effort within the Township of Hamilton on matters of sustainability, the Township Committee wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Hamilton that we do hereby authorize Ingrid Perez to serve as the Township of Hamilton's agent for the Sustainable Jersey Municipal Certification process and to authorize him/her to complete the Municipal Registration on behalf of the Township of Hamilton.

ATTEST:

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY

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

By _____
Roger Silva, MAYOR

ROLL CALL: DIX "YES"
 GUISHARD "YES"
 LINK "YES"
 GATTO "YES"
 SILVA "YES"

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

Mr. Sandman said he will not charge for any work he does on this matter as long as he is Solicitor.

Proposed Amendment to Chapter 238 Property Maintenance Code:

Mr. Sandman explained that he forwarded a copy of the law to everybody the article in The Press calling it the "Zombie Ordinance"; the law allows the governing body to adopt an ordinance to impose fines on creditors of vacant, abandoned properties for exterior conditions when they have filed a foreclosure summons and complaint;

it has potential, significant litigation by the banking industry; he will deal with that further in an executive session; he would rather the Township be an observer of the litigation than a participant in it. He said that the Ordinance as drafted is consistent with the Law but he would like the Committee to defer action for one meeting because he needs to find out through the League of Municipalities or some State Entity where the legal challenge will lie; he thinks he can tell the Committee at the next meeting if it is a good Ordinance; and he needs to give them information on the legal fees.

Ms. Gatto moved, seconded by Mrs. Link that the Proposed Amendment to Chapter 238 Property Maintenance Code to be consistent with P.L. 2014 c.35 be tabled as recommended by the Solicitor.

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

Authorizing CFO to execute certain Small Cities Mortgage Legal documents:

Mr. Sandman explained Mrs. Dix brought to his attention that the Township is involved in the Small Cities Mortgage Program that is administered by the Atlantic County Improvement Authority (ACIA); it provides money to certain individuals who may need something like a heater or roof; they enter into a mortgage when money is given to them and the Township then has a property interest as the mortgagee; the Township has to subordinate its mortgage to the refinancing company in order for that person to refinance their primary mortgage; up until now the CFOs in all 23 municipalities have executed the subordination agreements which they may or may not have the authority to do it; the Title Companies agreed to it; the person should not have to wait for Township Committee to have its meeting because they may lose their interest rate or mortgage lock in; and they shouldn't have to come to Township Committee when the mortgage is satisfied. Mrs. Dix commented a property going into foreclosure and said when it goes to Sheriff's sale the Township's small cities mortgage money will be lost forever. She said that she feels that the Township shouldn't subordinate mortgages if someone is refinancing; it could be \$2,000 to \$6,000 and they should have to pay the Township off if they refinance so the money can go back into the small cities pot to help others in need; and that she understands it is empty now. Mrs. Dix said that she wasn't aware the CBDG money that was still in the Township Small Cities pot was being reclassified into handicap improvements for (Town Hall) when the Township applied for the Grant in March of 2014. She objected to the Ordinance as listed; she proposed that the Township not subordinate if it is a refinance; and said she wants to see language added that refinances won't be entertained. Mr. Sandman explained the Ordinance also ratifies past actions by the CFO on other subordinations and cancellations; the ACIA set forth a program for program for subordination qualifications and explained the 3 options in it; they have a standard that has been imposed on the CFO up until now; that he is only asking to transfer the appropriate power to CFO; and the reason he disagrees with Mrs. Dix is that the procedure and formula exists now. Mrs. Dix said it used to be that the mortgage was forgiven if the borrower stayed in the home for 6 years; the Township changed that sometime ago so the money is recaptured to be used again when the deed is transferred even if it is after 20 years; she didn't agree with it at the time; she changed her mind and agreed with it when she saw how many people need help and it makes it possible to help them. Mrs. Anderson explained the Township doesn't give out the money; as long as this has existed, the money goes into a recapture fund if it is repaid and as far as she knows there is money there, it is not defunct; when ACIA approved it (the mortgage) it must have depended on the person's circumstances because some were totally forgiven after 6 years provided title didn't change and the people didn't move out of the property; others had to pay 50% after 6 years and the remaining 50% remained an open mortgage; different percentages

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were paid and 6 years was not always the limit. Mrs. Dix said she sent someone in to apply for some code repairs; they were turned down and told the money had been reclassified this year; and that wasn't explained when the CDBG application was done in March. Mr. Sandman explained the Ordinance was created because of Mrs. Dix; it doesn't affect what she is saying; change the Township's ability to recapture funds; it changes nothing in the administration of the funds through the ACIA or the Township; it doesn't alter the Township's ability to say no or to say no to a subordination; it only transfers the ability from the governing body to the CFO to make decisions consistent with the policy the ACIA created so that the Township Committee doesn't hold up closings. Ms. Gatto said she thought Mrs. Dix had some good points; that more work needed to be done on them; and that she is willing to move the Ordinance forward.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1780-2014 be introduced and pass on first reading and the Township Clerk is authorized to advertise same in the November 12, 2014 issue of the Atlantic County Record for public hearing to be held thereon in the municipal building, Mays Landing, NJ at 6:30 PM on Monday, December 1, 2014.

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

TOWNSHIP OF HAMILTON
ORDINANCE NO. 1780-2014

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL
OFFICER FOR THE TOWNSHIP OF HAMILTON, COUNTY OF
ATLANTIC TO EXECUTE CERTAIN LEGAL DOCUMENTS
PURSUANT TO THE SMALL CITIES MORTGAGE PLAN

WHEREAS, the Township of Hamilton, Atlantic County (hereinafter referred to as "the Township") participates in the Small Cities Mortgage Plan (hereinafter referred to as "the Plan") in cooperation with the Atlantic County Improvement Authority (hereinafter referred to as "the ACIA"); and

WHEREAS, pursuant to the Plan, monies are lent to qualified lenders in exchange for a mortgage on the property owned by the lender (hereinafter referred to as "the Mortgage"); and

WHEREAS, the Township Committee for the Township of Hamilton wishes to adopt this Ordinance to authorize the Chief Financial Officer to execute certain documents in connection with the Plan and the Mortgage.

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

SECTION 1.

The Township Committee hereby transfers its authority to the Chief Financial Officer, thereby permitting and authorizing the Chief Financial Officer to execute the following:

1. Subordination Agreements with respect to loans and mortgages issued and authorized by the Plan.
2. to cancel mortgages pursuant to the Plan when those loans are satisfied; and
3. Hereby ratify as valid any prior Subordination Agreement executed by the Chief Financial Officer pursuant to the Plan.

The Chief Financial Officer shall remain bound by the terms and provisions of the Plan and the loan documents as well as the Subordination Qualification Application and the criteria set forth therein.

SECTION 2.

The Township Clerk shall immediately after final passage and publication of this Ordinance make and file in the Office of the Clerk of Atlantic County a copy of this Ordinance together with a copy of the Proof of Publication hereof duly certified by her, under the corporate seal of the Township of Hamilton for record, as required by law.

SECTION 3. Severability and Effectiveness Clause.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance. Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 4. Effective Date.

This Ordinance shall take effect upon its final passage and publication as provided by law.

ATTEST:

TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY

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

ROGER SILVA, MAYOR

ROLL CALL: DIX "YES"
GATTO "YES"
GUISHARD "YES"
LINK "YES"
SILVA "YES"

ORDINANCE #1780 -2014 INTRODUCED AND PASSED FIRST READING ON NOVEMBER 10, 2014.

Liaisons vs. Committee Chairpersons:

Mrs. Dix said that the 1988 Ordinance creating the position of Administrator states that they "shall supervises all departments in consultation with the respective Committee Chairpersons" and that her issue deals with the word Liaison compared to the language "Committee Chairpersons" in the Ordinance. She read the Mayor's assignments from minutes of several different years and commented on Mr. Percy making assignments as Department Chairman and Deputy Chairman in 1990; the word Liaison being typed over white out on the assignments in the 1991 minutes; there being no Ordinance or Resolution to change the word "Committee Chairperson" to "Liaison"; Mr. Sandman's April legal opinion that Liaisons have no authority, jurisdiction, power or authority; the Department titles being changed in 2011 to line up with the Strategic Planning Committees; Mr. Sandman's position that the Strategic Planning Committees are not Departments and being liaison to one of them has nothing to do with the Departments. Mrs. Dix said that if that is correct the Committee should go back on January 1st to the 1988 Ordinance with Committee Chairpersons to work with the Administrator. Mayor Silva said it will be corrected. Ms. Gatto asked Mr. Pritchard or Bruce Strigh if they could tell the Committee if there was a word misusage in 1991. She explained she made the decision to align the wording with the Strategic Planning Committee when she was Mayor in 2011 and that it is nearly identical and means the same thing. Former Mayor Bruce Strigh commented on wondering why this was on the agenda and said he agreed with Mayor Silva that it will be addressed in January. Ms. Gatto asked if Mr. Strigh ever had it on one of his agendas to change it from Department Chairman to Liaison. Mr. Strigh said it wasn't and that he thinks it is up to the Township Committee. Mayor Silva explained the Township has a Township Committee form of government; Township Committee sets policy and the Administrator runs the Town; whether it is Liaison or Chairperson, it is a communication link. Mr. Strigh explained there is technically no Mayor in the Township Form of government; the purpose of title of

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Mayor is for signing documents, resolutions and Ordinances; the position of Administrator is not required; as the Township grew and the day to day responsibilities increased, the position was created and the Administrator took the burden of everyday responsibilities off the Committee; it is up to the Township Committee to divide up responsibilities; and there is a Chain of Command where everything goes through the Township Administrator. Ms. Gatto read the portion of the 2011 minutes listing her realignment of Committee Assignments when she was Mayor and her reasons for doing it. Mayor Silva said he thought there may be some misunderstanding because people don't understand what the subheadings are when referring to the titles Ms. Gatto talked about; that he thought it may go back to clarify it on January; and he didn't see anything changing in terms of responsibility at this point. Mr. Sandman said he stands by his April 7, 2014 legal opinion that they have no power other than to be a conduit of information; the Strategic Planning Committees were advisory boards, not elected officials; the Mayor appoints one Committee Member to each Department; no matter what they call it, that gives them no additional authority; and it is a moot point.

Corrective Deed for Mizpah Human Services Center:

Mr. Jacobs explained that when he put this on the agenda he had been told that Mizpah Inland Human Services (MIHS) had shut down their operations; the concern is that the building could freeze; if it isn't winterized; and that he has since been told they are going to try to open back up and continue operations for a while. He explained the Township can go in and winterize it if this is being approved and MIHS requests that the Township take the building back. Mayor Silva asked Mr. Jacobs commented on a bus and van going to MIHS with the building; seeing a van there with no license plates; and asked Mr. Jacobs to determine whether or not they are going to reinstate and utilize them. Mr. Sandman explained that the reverter clause in the approving Ordinance wasn't included in the deed; a corrective deed allows the Township to cure that and gives the Township a starting point for the corrective deed; he thinks abandonment would have activated that clause; having MIHS adopt a resolution approving it would protect subsequent creditors. Mrs. Dix commented on the original deed being from 2009 and said that she doesn't believe there is any authority to write a new deed and call it a corrective deed 5 years later; she thinks the Township has to ask MIHS to deed it back. Mr. Sandman said approving a corrective deed puts the Township in a better place in either scenario; the follow up would be to do a title search to see if there are any intervening mortgagees because the corrective deed would not be effective as to them and their priority would exist even if the reverter clause was executed; if MIHS borrowed any money subsequent to the Township putting the deed in their name, that would have priority over any interest of the Township. He explained that if the concern is the safety of the building and liability associated with it, a corrective deed now is a good thing to do, even if it is ultimately ineffective. Mr. Sandman suggested a title search be done in the meantime to protect the Township. Mr. Jacobs said the Township isn't taking the building back unless MIHS asks them to.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Township Solicitor is hereby authorized to file a corrective deed for the Mizpah Inland Human Services Center.

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

Mr. Jacobs read his list of contracts for Qualified Veteran-owned Business Set Aside Opportunities for the period January 1 through December 31, 2015.

Ms. Gatto 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 following are hereby approved for Qualified Veteran-owned Business Set Aside Opportunities for the January 1, 2015 through December 31, 2015 contract year:

- 1) Animal Control Officer and Animal Cruelty Officer.
- 2) Skilled Carpentry.
- 3) Licensed Plumber.
- 4) Property Maintenance and Other Specialized Landscaping Services.
- 5) Janitorial Services.
- 6) Tree and Stump Removal and Tree Trimming Services.
- 7) Lawn Care (Mowing) for the Industrial Park.

BE IT FURTHER RESOLVED that advertising for sealed bid proposals bids for Items 1 through 6 above is hereby authorized; and

BE IT FURTHER RESOLVED that solicitation for quotes for Item 7, Lawn Care (Mowing) for the Industrial Park is hereby authorized.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1778-2014 be introduced and passed on first reading and the Township Clerk is authorized to advertise same in the November 12, 2014 issue of the Atlantic County Record for a public hearing to be held thereon in the municipal building, Mays Landing, NJ at 6:30 PM on Monday, December 1, 2014.

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

**TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NJ
ORDINANCE #1778-2014**

**AN ORDINANCE AMENDING CHAPTER 301 OF THE HAMILTON TOWNSHIP CODE
TO CREATE A STOP SIGN AT PINEHURST DRIVE AND BUTTERCUP LANE**

WHEREAS, the Township of Hamilton wishes to create a stop sign intersection at the intersection of Pinehurst Drive and Buttercup Lane; and

WHEREAS, both roadways are under the jurisdiction of the Township of Hamilton;

WHEREAS, a municipality may establish a stop sign on municipal roads without the approval of the Commissioner of Transportation pursuant to N.J.S.A. 39:4-8, N.J.S.A. 39:4-140, and N.J.S.A. 39:4-197;

WHEREAS, whereas the Hamilton Township Police Department has conducted a detailed traffic study of the intersection;

WHEREAS, and whereas the Township engineer has reviewed and agreed with the aforementioned study and further, under his seal as a licensed professional engineer, certified to the governing body that any designation or erections of signs or placement of pavement markings has been approved by the engineer after investigation of the circumstances, and it appears to the engineer to be in the interest of public safety and the expedition of traffic on public highways, and conforms to the current standards prescribed by the Manual on Uniform Traffic Control Devices for Streets and Highways, as adopted by the Commissioner, and that the

provisions of this ordinance are consistent with the Manual on Uniform Traffic Control Devices for Streets and Highways, consistent with accepted engineering standards, based on the results of an accurate traffic and engineering survey, and does not place an undue traffic burden or impact on streets in an adjoining municipality or negatively affect the flow of traffic on the State highway system;

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

1) Chapter 301, Article IX, Section 27 J. Cloverleaf Lakes is amended to insert the following:

Through Streets	Stop Streets
Pinehurst Drive	Buttercup Lane

BE IT FURTHER ORDAINED that signage and road-markings consistent with the requirements of the Manual on Uniform Traffic Control Devices for Streets and Highways as set forth in the traffic study conducted by the Hamilton Township Police Department and recommended by the municipal engineer shall be erected at the intersection of Pinehurst Drive and Buttercup Lane consistent with the provisions of this ordinance.

BE IT FURTHER ORDAINED that upon adoption and final passage, the municipal clerk shall transmit a copy of this ordinance to the Commissioner of the Department of Transportation.

BE IT FURTHER ORDAINED that all portions of the Hamilton Township Code which conflict with or are inconsistent with this ordinance are repealed to the extent of such conflict or inconsistency.

BE IT FURTHER ORDAINED that if any portion of this ordinance is adjudged invalid, such adjudication shall apply only to that portion and the remainder of this ordinance shall be deemed valid and effective.

2) This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

ATTEST:

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

JOAN ANDERSON, R.M.C.
TOWNSHIP CLERK

ROGER SILVA, MAYOR

ROLL CALL: DIX	“YES”
GATTO	“YES”
GUISHARD	“YES”
LINK	“YES”
SILVA	“YES”

ORDINANCE NO. 1778-2014 INTRODUCED AND PASSED FIRST READING ON NOVEMBER 10, 2014.

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 Change Order #2, a net decrease of \$12,188.79, for the Town Hall Auxiliary Parking Lot Project is hereby approved.

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

There were no Business Registration Licenses to be approved.

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

WHEREAS, on April 21, 2014, a resolution was adopted by the Township Committee authorizing participation in the South Jersey Power Cooperative for purchase of Natural Gas; and

WHEREAS, the bid of Woodruff Energy US LLC to supply natural gas to the participating municipalities was accepted by the South Jersey Power Cooperative accepted and the contract for same awarded to them for a two (2) year period December 2014 through November 2016,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton in Atlantic County does hereby confirm its participation in and award of the contract with Woodruff Energy US LLC with the South Jersey Power Cooperative for supplying Natural Gas for a "city gate" rate of \$6.1280 per dekatherm for a two (2) year period, December 2014 through November 2016 with the Lead Agency being Camden County ##-88-02-SJPC.

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 Supporting the *2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown*

Whereas, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

Whereas, 22% of motor vehicle fatalities in New Jersey are alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from December 5, 2014 through January 2, 2015; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be it resolved that the *Township of Hamilton Committee* declares its support for the *2014 Drive Sober or Get Pulled Over Year End Holiday Crackdown* from December 5, 2014 through January 2, 2015 and pledges to increase awareness of the dangers of drinking and driving.

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 the Hamilton Township Police Department is hereby authorized to submit an application for a Drive Sober or Get Pulled Over Grant in the amount of \$7,500.00.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", AND NO "ABSTAIN".
November 10, 2014

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

WHEREAS, no sealed bid proposals for the 2014 Milling and Patching Program on October 30, 2014, the bid due date, the Township Engineer is hereby authorized to prepare the documents necessary for rebidding of said Project.

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 the bid of Daniel L. Jassby in the amount of Two Hundred Dollars (\$200.00) for purchase of Lot 26 in Block 344 pursuant to terms and provisions of Ordinance #1776-2014 be and is hereby accepted.

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 cancellation of the Small Cities Mortgage on between Joan M. Beatty and the Township for a \$1,375.00 no-interest Housing Rehabilitation Loan on 1357 West Point Avenue, Mizpah, New Jersey is hereby authorized in accordance with the terms and provisions of said mortgage.

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 that the Mayor is hereby authorized to sign an agreement with NJDOT for installation of Pine Barrens Scenic Byway identification signs within the Township of Hamilton.

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 that the Mayor is hereby authorized to execute the Municipal Alliance Grant for the period July 1, 2014 through June 30, 2015.

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 that the request of Marvin McKellar for the vacation of the portion of Denver Avenue between Block 395, Lots 2 and 15 and Block 398 Lot 1 and is hereby denied as recommended in writing by the Planning Board on October 17, 2014.

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

November 10, 2014

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton has no objection to the N.J. Division of Alcoholic Beverage Control approving and/or issuing a permit to the Academy of Culinary Arts, Atlantic Cape Community College for a social affair to be held on November 21, 2014 with wine only to be dispensed.

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 that the C.F.O. is hereby authorized to release the sum of \$703.50 being held in escrow as a site improvement maintenance guarantee for the Deborah and John Pucci Harrison Avenue Project as recommended in writing by Robert J. Smith III, Township Engineer on October 24, 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 that release of the \$29,578.00 Hanover Insurance Company bond #BMY9003926, the non-stormwater system maintenance guarantee for SpicoFood Services, LLC/Taco Bell at Wrangleboro Consumer Square Project as recommended in writing by Robert J. Smith III, Township Engineer on October 24, 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 that Bond Safeguard Insurance Company bond #5041549, a performance guarantee for Paparone Homes Artist's Walk Phase 1 project is hereby authorized to be reduced **from** \$694,470.65 \$617,212.20 as recommended in writing by Robert J. Smith III, Township Engineer on October 31 2014; and

BE IT FURTHER RESOLVED that the 10% cash escrow performance guarantee for Paparone Homes Artist's Walk Phase 1 project is hereby authorized to be reduced **from** \$77,163.40 **to** \$68,579.13 as recommended in writing by Robert J. Smith III, Township Engineer on October 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.

BE IT RESOLVED by the Township Committee of the Township that release of the \$500.00 being held in escrow as a performance guarantee for Theresa and Stephen Vogt construction of a Drainage swale at White Hawk Way is hereby denied as recommended in writing by Robert J. Smith III, Township Engineer on October 29, 2014.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", AND NO "ABSTAIN".
November 10, 2014

Ms. Gatto moved, seconded by Mr. Guishard, that Raffle License #19-2014 is hereby approved for Oakcrest Crew Booster Club calendar raffle with drawing to be held on March 18, 2015.

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

Ms. Gatto moved, seconded by Mr. Gu8shard, that Bingo License #BA 1-2014 is hereby approved for Mullica Township P.T.A. Coach Raffle be held on January 30, 2015.

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

Ms. Gatto moved, seconded by Mr. Guishard, that Raffle License #RA 20-2014 is hereby approved for Mullica Township P.T.A. 50/50 Raffle be held on January 30, 2015.

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

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

RESOLUTION

WHEREAS, transfers are permitted between budget appropriations during the last two months of the fiscal year,
:

BE IT RESOLVED by the Township Committee of the Township of Hamilton, that transfers between year 2014 Budget Appropriations be made as follows:

Account No.	Account Title		From	To
21-180-2	Planning Board	Other Expenses	2,000.00	
26-291-2	Snow Reserve Contribution	Other Expenses	25,000.00	
36-473-2	DCRP	Other Expenses		2,000.00
20-155-2	Legal General	Other Expenses		15,000.00
20-155-2	Legal - Special Council	Other Expenses		10,000.00
		Totals	27,000.00	27,000.00

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 the following item of revenue with off-setting appropriations be inserted into the 2014 Municipal Budget pursuant to N.J.S.A. 40A:4-87:

Revenue Title: 2014 Body Armor Replacement Program	\$ 4,633.22
Appropriation title: 2014 Body Armor Replacement Program	\$ 4,633.22

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

November 10, 2014

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

RESOLUTION TO AMEND AMOUNTS DUE ON BLOCK 700 LOT 2, BLOCK 726 Lot 4 AND ON Block 706 LOT 5 AS SET FORTH IN SEPTEMBER 2, 2014 RESOLUTION CONSTITUTING A LIEN FOR PROPERTY MAINTENANCE ABATEMENT CHARGES PURSUANT TO CHAPTER 238, PROPERTY MAINTENANCE CODE OF THE TOWNSHIP OF HAMILTON.

WHEREAS, a Resolution Constituting Property Maintenance Liens against certain properties was adopted on September 2, 2014; and

WHEREAS, the Property Maintenance Lien Administrative Fee was miscalculated on Block 700 Lot 2, Block 726 Lot 4 and Block 706 Lot 5 when the aforesaid Resolution was prepared,

NOW, THEREFORE, BE IT RESOLVED that the Amounts Due on Block 700 Lot 2, Block 726 Lot 4 and Block 706 Lot 5 as set forth in the September 2, 2014 Resolution be and are hereby changed **from** \$251.00 **to** \$316.00 on each property as recommended by the CFO.

BE IT FURTHER RESOLVED THAT a copy of this resolution shall be certified by the Township Clerk and filed with the Tax Collector.

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 REQUESTING CANCELLATION OF CHECKS ISSUED

WHEREAS, certain checks are outstanding and can be cancelled; and

WHEREAS, it is necessary to formally cancel said checks so that the unexpended amounts may be returned to each respective Fund.

WHEREAS, these specific checks shall be applied to 2015 revenue receivable for their prospective account.

WHEREAS, Mayor and Committee can authorize the Chief Financial Officer to cancel said checks;

NOW THEREFORE, BE IT RESOLVED that the Chief Financial Officer be authorized to cancel the following outstanding checks:

Fund	Bank	Acct#	Check No.	Amount
Current	Bank of America	X8956	29382	10.00
Current	Bank of America	X8956	29459	10.00
Current	Bank of America	X8956	29469	10.00
Current	Bank of America	X8956	29474	45.00
Current	Bank of America	X8956	29499	10.00
Current	Bank of America	X8956	29500	10.00
Current	Bank of America	X8956	29536	10.00
Current	Bank of America	X8956	29542	10.00

November 10, 2014

Current	Bank of America	X8956	29592	10.00
Current	Bank of America	X8956	29607	10.00
Current	Bank of America	X8956	29632	10.00

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

Ms. Gatto moved, seconded by Mr. Guishard, that the request for a letter of support for the Sandy Child and Family Health Study is hereby approved.

MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", AND NO "ABSTAIN".
November 10, 2014

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

**RESOLUTION DIRECTING THE DISTRIBUTION
OF THE TOWNSHIP OF HAMILTON
NET RETURNED SURPLUS FUNDS
HELD IN TRUST BY THE
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the **Township of Hamilton** hereinafter referred to as **MUNICIPALITY**, participated as a member municipality of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as **FUND**, for one or more of the following **FUND** fiscal years beginning January 1, 1998, January 1, 1999, January 1, 2000, January 1, 2001, January 1, 2002, January 1, 2003, January 1, 2004, January 1, 2005, January 1, 2006, January 1, 2007, January 1, 2008, January 1, 2009, January 1, 2010 **and**

WHEREAS, the **FUND** is a statutory filed municipal joint insurance fund as defined in N.J.A.C. 11:15-2.1 et seq., **and**

WHEREAS, the **MUNICIPALITY** joined the **FUND** knowing that membership carries with it joint and several liability with all other member municipalities for each year of the **MUNICIPALITY**'s membership, **and**

WHEREAS, the **MUNICIPALITY** understands that the **FUND**'s Executive Committee are the only persons authorized in law to make decisions as to when and how much of any available statutory surplus will be released by the **FUND**, **and**

WHEREAS, the **MUNICIPALITY** understands that the **FUND**'s Executive Committee are the only persons authorized in law to make decisions as to when and how much of any projected deficit will be declared as an additional assessment due to the **FUND**, **and**

WHEREAS, the **MUNICIPALITY** understands that Available Statutory Surplus is defined to be the amount of money in excess of the projected value of claims by line of coverage, plus an actuarially determined value for Incurred But Not Reported claims, subject to the surplus reserve calculations as defined in N.J.A.C. 11:15-4.6 et seq., and subject to review and approval by the Department of Banking and Insurance and Department of Community Affairs, State of New Jersey, prior to release by the Executive Committee of the **FUND**, **and**

WHEREAS, the **MUNICIPALITY** understands that it remains jointly and severally liable into perpetuity despite the earlier release of Available Statutory Surplus due to the possibility that a **FUND** year wherein a return of Statutory Surplus has been duly authorized could later be presented with a claim for which it could be responsible causing a demand for an additional assessment from each participating member municipality of that **FUND** year, **and**

WHEREAS, the **MUNICIPALITY** understands that it remains jointly and severally liable into perpetuity despite the earlier collection of an additional assessment due to the possibility that a **FUND** year wherein an additional assessment has been duly authorized could later be presented with a need for additional assessments from each participating member municipality of that **FUND** year, **and**

Designate the full amount as follows (Sum of below must equal full dividend amount):

- **Credit** **\$ 8762.00**
- **Check** **\$ N/A (Requires voucher)**
- **A.E.L.C.F.** **\$ 15,000.00 (Requires Resolution)**

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

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

RESOLUTION NO. HTMUA-1 of 2014

A RESOLUTION OF THE TOWNSHIP OF HAMILTON IN THE COUNTY OF ATLANTIC, NEW JERSEY APPROVING THE ISSUANCE OF SUBORDINATE BONDS BY THE HAMILTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,762,500 TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE 2015 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, The Hamilton Township Municipal Utilities Authority (the “**Authority**”) has determined that there is a need to rehabilitate existing gravity sewers and manholes utilizing an in-situ repair technique on or about Old Harding Highway, Old Egg Harbor Road and Ops Building, Lenape Avenue and 3rd Street, and Mill Street (collectively, the “**Project**”) and has made application for financing the cost of the Project under the 2015 New Jersey Environmental Infrastructure Trust financing program (the “**2015 NJEIT Program**”); and

WHEREAS, the Authority has heretofore issued revenue bonds pursuant to a Trust Agreement, dated as of August 1, 1992, by and between the Authority and First Fidelity Bank, N.A., New Jersey, as amended and supplemented (the “**Trust Agreement**”), whereunder, all the Pledged Revenues of the Authority, as defined and provided for therein, have been pledged to the payment of the principal of, redemption price, if any, and interest on any revenue bonds heretofore or hereafter issued by the Authority under the Trust Agreement (the “**Revenue Bonds**”), to the extent and in the manner provided in the Trust Agreement; and

WHEREAS, the provisions of Section 908 of the Trust Agreement authorize the Authority to issue subordinate bonds (“**Authority Subordinate Bonds**”) payable out of the General Fund created and established by the Trust Agreement, all in accordance with and upon the terms and conditions set forth in the Trust Agreement and, in particular, Section 610 thereof; and

WHEREAS, the Authority and the Township of Hamilton, in the County of Atlantic, New Jersey (the “**Township**”) have entered into a Service Contract, dated June 16, 1990, as amended and supplemented as of November 19, 1990 (collectively, the “**Service Contract**”); and

WHEREAS, Section 202 of the Service Contract provides that the Authority may at any time enlarge, alter, upgrade or improve the Utility System (as defined in the Service Contract); and

WHEREAS, Section 407(f) of the Service Contract in general provides that bonds of the Authority can be secured by the Service Contract if approved by resolution of the Township; and

WHEREAS, the Township is desirous of approving the issuance of the Authority Subordinate Bonds to finance the payment of the costs of the Project pursuant to the 2015 NJEIT Program and thereby include the Authority Subordinate Bonds as subordinate bonds for purposes of Section 407(f) of the Service Contract and the definition of “**Bonds**” thereunder.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AS FOLLOWS:

Approval of Issuance of Authority Subordinate Bonds. In accordance with Section 407(f) of the Service Contract, the Township hereby approves the issuance of the Authority Subordinate Bonds in an amount not to exceed \$1,762,500 for the purpose of raising funds to pay the costs of the Project, including the funding of any required or desirable reserves, capitalized interest and costs of issuance, in connection with the Authority’s participation in the 2015 NJEIT Program.

November 10, 2014

Effective Date. This Resolution shall take effect immediately.

Recorded Vote

	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
DIX	X			
GATTO	X			
GUISHARD	X			
LINK	X			
SILVA	X			

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

2015 RFQ posting/advertising:

Mrs. Dix asked Mr. Sandman to explain the billing procedure he wrote for the Township. Mr. Sandman explained he wasn't the Solicitor when he prepared it in the late 1990's; it is a statement of accountability; the audit said it was one of the best billing rules and procedures manual they had ever seen. Mrs. Dix suggested it be included in the RFQ language. Mr. Sandman said he would like all of the Committee and himself to have an opportunity to read it had if the Committee is going to do that, because he wrote it 15 years ago and there have been changes to the make up of the Township Committee. . Mr. Jacobs said he would rather include it with the contracts so as not to hold up the RFPs.

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

BE IT RESOLVED authorization is hereby given for posting and advertising for receipt of RFQs for Professional Services for the year 2015 at 11 AM on December 4, 2015 with opening of same to be at 12 PM on December 4, 2014 as listed on the Agenda.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Dennis Bakker is hereby appointed a full time Police Officer at \$30,600.00 per year effective November 11, 2014.

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.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the October 20, 2014 regular meeting minutes are hereby approved and adopted as published.

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

Ms. Gatto 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 October 20, 2014 executive minutes are hereby approved and adopted.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that all properly executed and approved payrolls and bills are hereby ordered paid the bill list totaling \$8,268,806.91.

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

Reports:

Mr. Jacobs explained there is a problem with Sunny because of the deteriorating condition of the road and residents have to take their trash to the main road but he doesn't know of any alternative. Mayor Silva said there are other areas in the Township that have to do that. He asked Mr. Jacobs to send a communication to the residents explaining why it was necessary. Mrs. Dix said it is because of a complaint by the owner of the private driveway that ACUA and Waste Management are using instead of using Crescent (Boulevard) to access Sunshine Park and the damage may make it impassable. Mr. Jacobs said the ACUA is saying the roads are impassable.

Mr. Sandman reported looking at the condition of a boarded up property on Pennington Avenue with Mr. Primavera; the front steps are in a dangerous condition; the property was overgrown and the Township cut down the weeds and asserted a lien on the property; he has been told any lien will be subject to sale at the next available tax lien sale. R. Sandman reported the DDR bonds have been replaced with respect to all of the issues; the Township now has more protection than when the project was approved; and he commended them on their cooperation. Mr. Sandman reported the Industrial Commission Chairman appointed a subcommittee to evaluate what there is state-wide on tax abatements; they hope to report to the Commission in January and have the Commission to come back to Township Committee after that with a presentation of alternatives and the Commission's recommendation; according to the professionals it is the only way to make the Industrial Park competitive.

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

Mrs. Dix invited everyone to attend the Veterans' Day ceremonies in Memorial Park at 10:40 tomorrow morning and coffee and cake at the VFW afterward. She wished everyone Happy Thanksgiving.

Mr. Gu9shard reported on a meeting at the Community College on ways for communities to recover from catastrophic events; it is a privately funded organization; and he will be discussing it with Mr. Sartorio. Mr. Guishard reported he and Mrs. Dix attended the County League of Municipalities meeting; the County's intent to consolidate the dispatch services was discussed; ultimately everyone has to pay for it; this township has invested quite a bit in what it has; the Dispatchers are familiar with the area; and it is hard to see how consolidation would better serve the Township. Mayor Silva said he was told recently no one is working on it and it isn't going anywhere. Ms. Gatto commented on it being discussed and talked about as long as she has been on the Township Committee. Mrs. Dix said they said they have an architect working on the plans for it for 2017; they don't have enough dispatchers to fill the slots; and Hamilton is the only municipality not supporting it. Mayor Silva said the Township has state of the art equipment and when he showed the center to the County they said maybe they would buy it.

Ms. Gatto congratulated the Rotary Club on the 60th anniversary Halloween Parade; the Merchants' Association and local businesses that contributed to it; local organizations that participated; there were over 1000 participants; Fox News covered it and syndicated it all over the country; and donations are being accepted now for the 61st Parade next year. Ms. Gatto wished everyone happy Veterans' Day and happy Thanksgiving. Ms. Gatto announced the Tree lighting ceremonies will be held on November 29th.

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Mayor Silva commented on the logistics of putting everything together for the parade and logistics of taking it all down; everyone moved out and there were no incidents; the Public Works Department did a phenomenal job; and the Merchants' Association puts on events that everyone loves to attend. The Mayor reported he and Reverend Ash attended the opening of the Anglican Church of Reformation that has moved into the former St. Vincent DePaul church building. He reported on attending the Veterans' Day ceremonies at Tavistock yesterday and he encouraged everyone who could to attend the ceremonies tomorrow to honor those who sacrificed so much.

Public Comment:

Jim Kerrigan said a new restaurant, the Golden Pyramid will be opening in January at the corner of Route 50 & 322.

Jodi Bogdin asked if there was any possibility of the Committee reconsidering decision made on the maintenance bond requirement for the Restored Yahweh of Israel subdivision. Mr. Smith said it was up to the discretion of the Township Committee and he didn't personally recall waiving a maintenance guarantee. Mr. Sandman said he had recommended against it; there is an avenue for reconsideration but his recommendation is not to. Mrs. Dix asked when the money would be released if it stays the way it is and the date the work was completed. Mr. Smith said it would be 2 years from the date the performance guarantee was authorized to be released and that he didn't know the date the work was completed. Mrs. Bogdin said she had that information if the Committee wanted to review it. Mrs. Dix said it was completed over 2 years ago so the Township is in effect getting a 4-year maintenance guarantee. Mr. Sandman said it wasn't because release of the performance bond triggers the maintenance period. Mrs. Dix said she understood the matter of precedence and suggested Mrs. Bogdin keep on track of the dates and check in August or September of 2016 to be sure it is in line for release. Ms. Gatto commended Mrs. Bogdin for her advocacy for all of the people affected.

Bruce Strigh ask the Committee consider appropriating funding for a full-time Zoning Officer when the up-coming budget. He commented on code enforcement being one of the concerns of residents on the Strategic Planning Committee; there is no full-time zoning officer now and there are zoning issues the Committee is aware of that aren't being addressed.

An unidentified gentleman said the minor subdivision Mrs. Bogdin talked about was approved in April of 2012 and the asphalt was put down that summer. He commented on living in the Township for 35 years; the turn-around they put in and most other streets not having one; what they did to improve and maintain it; cutting the grass and cleaning up the neighboring abandoned property after having called the Township twice and getting no response; the asphalt and concrete have been down and maintained for 2½ years; the contractor that did the work never gave the Church the engineer's letter about the inspection he did. He said it is bad for the people who put up their money, made an improvement for the Township and now have to wait 4 years to get their money back; he cul-de-sac is on his property so school buses don't have to back up and use people's driveways to turn around; he wished the Committee would reconsider because everything was done and has held up. Mayor Silva thanked him for his comments.

Richard DeFeo congratulated and thanked John Kurtz, the Democrats and the Republicans for running a clean election.

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".

ADJOURNMENT TO EXECUTIVE SESSION:

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 this meeting be adjourned to an executive session to discuss the following matter which is exempt from public discussion pursuant to the New Jersey Open Public Meetings Law:

- 1) Tavistock Bonding
- 2) Personnel

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", AND NO "ABSTAIN".

Mr. Sandman explained the Committee would reconvene in public session for confirmation of action regarding the Tavistock Bonding but there would be no confirmation regarding the Personnel matter REGARDING Health Benefits.

PUBLIC SESSION ADJOURNED AT 8:28 PM.

The governing body reconvened in public session at 9:27 PM.

The Solicitor confirmed that there were no members of the public in the meeting room or hallways. He confirmed that the executive session discussions were limited to the 2 issues announced to the public.

Mr. Sandman said the executive minutes will become public when the confidential nature of same is no longer confidential.

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 bonding company for the Tavistock Development Company be rejected with no counter offer being made at this time in accordance with the executive session discussions.

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

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

BE IT RESOLVED that the Solicitor be and is hereby authorized to research further the issues paramount to the issue discussed in executive session.

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

ATTEST:

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