

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
MAY 4, 2015

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 Amy Gatto, Rodney Guishard, John Kurtz 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 III, Township Engineer.

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice of the meeting on the bulletin board in the municipal building, 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 on Monday, May 4, 2015 at 6:30 PM in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed. Mayor Silva asked that the public keep the passing of Joan Dermanoski and Mary Spera in their thoughts.

There was no executive session and no executive session confirmations.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the per kilowatt-hour rate in Agenda item 8.C be corrected to read 0.07367 and that the following items are hereby added to the agenda for consideration and action to be taken thereon tonight:

9.A Insert names of businesses:

1) Atlantic Holistic Center - massage therapy at Hamilton Mall

9.C Rescind April 6, 2015 resolution authorizing person to person transfer of Liquor License 112-33-019-008 from Stonehenge, Inc. to VHDH LL Holdings LLC (original settlement date postponed)

9.D Resolution authorizing person to person transfer of Liquor License #0112-33-019-008 from Stonehenge, Inc. to VHDH LL Holdings LLC effective May 7, 2015 (new settlement date).

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

There were no requests to make early public comments on agenda items not listed for public hearing.

Public Hearing on 2015 budget amendment:

There being no questions or comments on the 2015 Budget Amendment, Ms. Gatto moved, seconded by Mr. Kurtz, that the public hearing be closed.

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

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

TOWNSHIP OF HAMILTON  
ATLANTIC COUNTY, NJ  
RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2015 was approved on the 16<sup>th</sup> day of March, 2015; and

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WHEREAS, the public hearing on said budget has been held as advertise; and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, that the following amendments to the approved budget of 2015 be made:

	( GATTO	(	(
	( GUISHARD	(	Abstained (NONE
<u>Recorded Vote</u>	Ayes ( KURTZ	Nays ( NONE	(
	( LINK	(	(
	( SILVA	(	Absent ( NONE
			(

CURRENT FUND:

<u>From</u>	<u>To</u>
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ANTICIPATED REVENUES:

None

ANTICIPATED REVENUES:

8. General Appropriations:

a) Operations – within ‘CAPS”

Fire Department

Other Expenses

Aid to Volunteer Fire Companies

422,400.00

150,000.00

Miscellaneous Other Expenses

0.00

272,400.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the local municipal budget so amended.

RESOLUTION ADOPTED MAY 4, 2015.

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

BE IT RESOLVED by the Township of Hamilton, County of Atlantic, that the budget hereinafter set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$17,495,685.91.

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

General Obligation Bond Resolutions:

Mayor Silva explained the resolutions are for going out to permanent bonding. Mrs. Lindsay said the Bond Sale is scheduled for May 19, 2015.

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

**RESOLUTION NO.: GOB NO. 1 - 2015**

**RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL OBLIGATION BONDS OR NOTES OF THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, INTO A SINGLE ISSUE OF GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$9,520,000**

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

**SECTION 1.** Pursuant to the provisions of N.J.S.A. 40A:2-26, the Bonds or Notes of the Township of Hamilton, in the County of Atlantic, New Jersey (the "Township") authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Obligation Bonds in the aggregate principal amount of \$9,520,000.

**SECTION 2.** The principal amount of Bonds or Notes originally authorized by each ordinance and the principal amount of Bonds to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds or Notes described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances, are respectively as follows:

Ordinance No., Description of Improvement & Date of <u>Adoption</u>	Original Appropriation and Estimated <u>Costs</u>	Principal Amount Of General Obligation <u>Bonds</u>	Estimated <u>Useful</u> <u>Life</u>
Bond Ordinance No. 1649-2009, providing various capital improvements and other related expenses within the Township, including roadway improvements; improvements to Municipal Complex; purchase of miscellaneous vehicles and equipment for Fire Department, Police Department and Public Works Department, and purchase of computer upgrades, finally adopted on June 1, 2009.	\$1,500,000	\$511,000	10.28 years
Bond Ordinance No. 1672-2010, providing for improvements to Lake Lenape Dam and Skip Morgan Dam, improvements to Municipal Complex, the purchase of miscellaneous vehicles and equipment for Fire, Police and Public Works Departments; and purchase of emergency equipment, finally adopted on June 21, 2010.	\$1,500,000	\$1,132,000	14.31 years
Bond Ordinance No. 1693-2011, providing for various capital improvements and other related expenses within the Township, including repair and reconstruction of various roadways; and purchase of miscellaneous equipment for Police, Fire and Public Works Departments, finally adopted on July 11, 2011.	\$1,500,000	\$1,132,000	11.06 years
Bond Ordinance No. 1713-2012, providing for various roadway improvements within the Township, finally adopted on February 21, 2012.	\$2,000,000	\$1,900,000	10.00 years
Bond Ordinance No. 1748-2013, providing for various roadway improvements within the Township; improvements and renovations to Township recreation facilities; and purchase of various public safety communications equipment, finally adopted on June 17, 2013.	\$1,200,000	\$1,140,000	10.30 years

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Bond Ordinance No. 1766-2014, providing for the construction of various Public Works projects; purchase of various public safety and communications equipment; purchase of Public Works equipment; and purchase of various management information technology systems and equipment, finally adopted on April 21, 2014. \$1,900,000 \$1,805,000 10.691 years

Bond Ordinance No. 1787-2015, providing for construction of various Public Works projects and roadway improvements and purchase of equipment for public safety, Public Works and MIS technology, finally adopted on April 6, 2015. \$2,000,000 \$1,900,000 16.465 years

**SECTION 3.** The following additional matters are hereby determined with respect to the combined issue of Bonds:

- (1) The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average periods of usefulness therein determined, is not less than **12.113 years**.
- (2) The Bonds of the combined issue shall be designated "General Obligation Bonds, Series 2015", and shall mature within the average period of usefulness herein determined.
- (3) The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law of the State of New Jersey (N.J.S.A. 40A:2-1, et seq.) (the "Local Bond Law") applicable to the sale and the issuance of bonds authorized by a single bond resolution, and accordingly may be sold with other issues of bonds.
- (4) The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.
- (5) The supplemental debt statements required by the Local Bond Law in connection with the respective bond ordinances described in Section 2 hereof were duly made and filed in the office of the Township Clerk and complete executed duplicates thereof were filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statements showed that the gross debt of the Township as defined in the Local Bond Law increased by the authorization of the bonds provided for in such prior Bond Ordinances by \$11,029,000, and the said obligations authorized by such bond ordinances were within all debt limitations prescribed by the Local Bond Law.
- (6) The amount of the proceeds of the obligations authorized by this Resolution include interest on obligations authorized to finance said purposes, costs of issuing said obligations, accounting, engineering, and inspection costs, legal expenses and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law.

**SECTION 4.** The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said bonds authorized by this Resolution. Said bonds shall be direct, unlimited obligations of the Township and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of said bonds and interest thereon without limitation of rate or amount.

**SECTION 5.** The purpose of this Resolution is to combine those bond ordinances of the Township heretofore adopted and described in Section 2 hereof into a single and combined issue of General Obligation Bonds. All such prior bond ordinances shall and do remain in full force and effect.

**SECTION 6.** This Resolution shall take effect immediately.

The foregoing Resolution was adopted by the following vote:

Recorded Vote

<u>AYE:</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gatto	None	None	None
Guishard			
Kurtz			
Link			
Silva			

RESOLUTION ADOPTED MAY 4, 2015.

Land Resource Solutions (LRS) extension of Redevelopment Agreement:

Jeff Dey explained that LRS is a brownfield and landfill redevelopment company; they are working on half a dozen properties throughout the state; and he commented on what they are doing with one in Gloucester County. He distributed copies of a memo updating the work LRS has done to date that is consistent with the existing Redevelopment Agreement and explained that their request for a two year extension to current redevelopment agreement to allow additional time to attain certain approvals and funding to remediate/close and redevelop the former landfill property. Mr. Dey explained that they have some conceptual ideas for putting the property back into use; solar energy is a viable one; and he thinks they will be back in 18 months with a definitive plan for what they want to do, whether they want a lease agreement or purchase agreement. He said they are looking into funding applications now. Ms. Gatto commented on the Township working on implementing a PILOT program in that area now.

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

BE IT RESOLVED that a two (2) year extension of the Landfill Redevelopment Agreement entered into in May 2011 between the Township of Hamilton, Mayor and Township Committee of the Township of Hamilton Acting as the Redevelopment Agency and Land Resource Solutions, LLC is hereby approved.

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

Remington Vernick proposal for engineering services:

Mr. Smith explained the proposal is for the next section of reconstruction of Malaga Road, approximately one-half mile starting slightly west of Jackson Road to the east side of Jackson Road. Ms. Gatto asked if the discussion of patching had to be resolved before it is voted on. Mr. Smith explained it is the State Municipal Aid project that stands alone.

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

BE IT RESOLVED that the Remington & Vernick Engineers proposal for preparation of construction plans, coordination of public bidding and construction observation and contract administration for the FY2015 NJDOT Municipal Aid Project, Reconstruction of Malaga Road - Section 4, for a fee not to exceed \$42,000.00 is hereby accepted and authorization to proceed is hereby approved.

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

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Lacrosse Team request:

Mr. Kurtz explained he and Mr. Guishard feel more discussion is needed; Brett Noll and Public Works need to be more involved; and after meetings with more of the Township involved, they could possibly get the groups together. Mr. Guishard explained they recognize that all the organizations need storage; that they want to avoid a hodge-podge of different facilities; the Township will be developing a plan for a single storage facility there; they want to get together with all of the (organizations) so that they understand what the situation is and see if they can share storage until the Township can get its facility done; and get together with Public Works and others to decide when the Township thinks it can start building a more permanent shed. Mr. Smith explained that no Pinelands approval will be needed as long as the shed is 12x20 and on the existing impervious surface paving.

Mr. Kurtz moved, seconded by Mr. Guishard, that the Lacrosse Team request to place a storage shed at the Liepe Recreational Facility be tabled.

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

Public hearing/adoption Ord. #1789-2015:

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

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

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

WHEREAS, Ordinance #1789-2015 was introduced and passed first reading on April 20, 2015 and was duly advertised in the April 22, 2015 issue of the Atlantic County Record for a public hearing to be held on May 4, 2015; and

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

NOW, THEREFORE, BE IT RESOLVED that Ordinance #1789-2015 be and is hereby adopted.

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

TOWNSHIP OF HAMILTON  
ORDINANCE NO. 1789-2015

AN ORDINANCE AUTHORIZING THE SALE OF LOTS 1 AND 13 IN BLOCK 632 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HAMILTON AND GRANTING TO THE OWNER OR OWNERS OF SAID REAL PROPERTY CONTIGUOUS TO SAME THE RIGHT TO PRIOR REFUSAL TO PURCHASE SUCH LAND IN THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY.

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

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

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

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

SECTION 4. The following conditions of sale shall apply:

- (a) The successful bidder shall submit a certified check made payable to the "Township of Hamilton" in the amount of twenty (20%) percent of the purchase price, which check shall be submitted in the sealed envelope at the time of submission of the bid. Persons bidding on behalf of a contiguous property owner shall be required to submit in writing satisfactory evidence of their authority. The balance of the purchase price plus FOUR HUNDRED, TWENTY-FIVE (\$425.00) DOLLARS to off-set administrative costs including but not limited to advertising, legal and recording fees shall be paid in cash or certified check within ten (10) days after acceptance of the bid by the Township Committee and authorizing the sale to the high bidder.
- (b) The Deed prepared by the Township Committee shall not be tendered until the full purchase price is paid.
- (c) Title shall be conveyed by and through a Quitclaim Deed and shall Convey only the right, title and interest of the Township of Hamilton to the land, as described herein. No warranties and covenants are or shall be made by the Township of Hamilton and in no event shall there be any liability on the part of the Township by reason thereof. The right, title and interest of the successful bidder, as purchaser, shall be subject to the following conditions, covenants, restrictions, easements and exceptions which shall run with the land and shall also become part of the Deed granted to the purchaser for the recording:
  - (1) Easement of utility companies and of governmental agencies or bodies.
  - (2) Any encroachments, prescriptions, easements or other state of facts pertaining to said lands which may be ascertained upon a visual examination and inspection of the land and the lands surrounding said land and any restrictions and covenants of record.
  - (3) All existing federal, state, county and municipal laws, statutes, ordinances, rules and regulations including, by of description and not by limitation, existing zoning, health and planning board rules and regulations.
  - (4) No representation of any kind is made that the land in question, surface as well as subterranean portions, is suitable or adaptable for any particular use whatsoever.
  - (5) No representation of any kind is made concerning gas or electric service to the land.
- (d) In the event that the Township cannot convey good and marketable title, subject to the above, the purchaser will be entitled to the return of the deposit, without interest, and the Township will not be responsible or liable in any other manner and for any other amount.
- (e) In the event that the purchaser defaults in making payment to the Township, as set forth above, or if the purchaser cannot make settlement in accordance with the terms thereof, the deposit made by the successful bidder on account of the purchase will be retained by the Township as and for its liquidated damages and the land may be resold. This remedy shall be in addition to the Township's right to compel specific performance of the purchaser's obligation hereunder. Time is of the essence.

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

<u>Block/Lot(s)</u>	<u>Lot Size</u>	<u>Location</u>	<u>Zoning</u>	<u>Minimum Bid</u>
632 / 1 AND 13	13.59 acres	First & Belmont Aves.	FA-70	\$6,500.00

SECTION 6. SPECIAL CONDITIONS: The successful purchaser shall be required to consolidate the lots and provide proof of recordation the a deed of consolidation to the Township Clerk within 30 days of receiving the original deed of conveyance of said land from the Township to them.

May 4, 2015

SECTION 7. All Ordinances and parts of Ordinances of Hamilton Township heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

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

ATTEST:

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

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

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

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

ORDINANCE #1789-2015 INTRODUCED AND PASSED FIRST READING ON APRIL 20, 2015.  
ORDINANCE #1789-2015 ADOPTED May 4, 2015 .

Public hearing/adoption - Ordinance #1790-2015:

There being no questions or comments on the Ordinance, Mr. Guishard moved, seconded by Mr. Kurtz, that the public hearing be closed.

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

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

WHEREAS, Ordinance #1790-2015 was introduced and passed first reading on April 20, 2015 and was duly advertised in the April 22, 2015 issue of the Atlantic County Record for a public hearing to be held on May 4, 2015; and

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

NOW, THEREFORE, BE IT RESOLVED that Ordinance #1790-2015 be and is hereby adopted.

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

TOWNSHIP OF HAMILTON  
ORDINANCE NO. 1790-2015

AN ORDINANCE AUTHORIZING THE SALE OF LOT 8 IN BLOCK 631 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HAMILTON, AND GRANTING TO THE OWNER OR OWNERS OF SAID REAL PROPERTY PROPERTY CONTIGUOUS TO SAME THE RIGHT TO PRIOR REFUSAL TO PURCHASE SUCH LAND IN THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC, AND STATE OF NEW JERSEY.

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

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



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

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

SECTION 4. The following conditions of sale shall apply:

- (a) The successful bidder shall submit a certified check made payable to the "Township of Hamilton" in the amount of twenty (20%) percent of the purchase price, which check shall be submitted in the sealed envelope at the time of submission of the bid. Persons bidding on behalf of a contiguous property owner shall be required to submit in writing satisfactory evidence of their authority. The balance of the purchase price plus FOUR HUNDRED, TWENTY-FIVE (\$425.00) DOLLARS to off-set administrative costs including but not limited to advertising, legal and recording fees shall be paid in cash or certified check within ten (10) days after acceptance of the bid by the Township Committee and authorizing the sale to the high bidder.
- (b) The Deed prepared by the Township Committee shall not be tendered until the full purchase price is paid.
- (c) Title shall be conveyed by and through a Quitclaim Deed and shall Convey only the right, title and interest of the Township of Hamilton to the land, as described herein. No warranties and covenants are or shall be made by the Township of Hamilton and in no event shall there be any liability on the part of the Township by reason thereof. The right, title and interest of the successful bidder, as purchaser, shall be subject to the following conditions, covenants, restrictions, easements and exceptions which shall run with the land and shall also become part of the Deed granted to the purchaser for the recording:
  - (1) Easement of utility companies and of governmental agencies or bodies.
  - (2) Any encroachments, prescriptions, easements or other state of facts pertaining to said lands which may be ascertained upon a visual examination and inspection of the land and the lands surrounding said land and any restrictions and covenants of record.
  - (3) All existing federal, state, county and municipal laws, statutes, ordinances, rules and regulations including, by of description and not by limitation, existing zoning, health and planning board rules and regulations.
  - (4) No representation of any kind is made that the land in question, surface as well as subterranean portions, is suitable or adaptable for any particular use whatsoever.
  - (5) No representation of any kind is made concerning gas or electric service to the land.
- (d) In the event that the Township cannot convey good and marketable title, subject to the above, the purchaser will be entitled to the return of the deposit, without interest, and the Township will not be responsible or liable in any other manner and for any other amount.
- (e) In the event that the purchaser defaults in making payment to the Township, as set forth above, or if the purchaser cannot make settlement in accordance with the terms thereof, the deposit made by the successful bidder on account of the purchase will be retained by the Township as and for its liquidated damages and the land may be resold. This remedy shall be in addition to the Township's right to compel specific performance of the purchaser's obligation hereunder. Time is of the essence.

May 4, 2015

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

<u>Block/Lot(s)</u>	<u>Lot Size</u>	<u>Location</u>	<u>Zoning</u>	<u>Minimum Bid</u>
631/ 8	4.85 acres	First Avenue	FA-70	\$2,000.00

SECTION 6. SPECIAL CONDITIONS: NONE

SECTION 7. All Ordinances and parts of Ordinances of Hamilton Township heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

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

ATTEST:

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

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

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

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

ORDINANCE #1790-2015 INTRODUCED AND PASSED FIRST READING ON APRIL 20, 2015.  
ORDINANCE #1790-2015 ADOPTED May 4, 2015.

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

BE IT RESOLVED that the contract with Centerra Integrated Services, LLC (formerly known as G4S Integrated Fleet Service) be and is hereby extended for the calendar year January 1, 2015 through December 31, 2015 in the amount of \$464,134.98 pursuant to the option provision and terms and provisions of Bid #2011-03.

BE IT FURTHER RESOLVED that the extended contract amount of \$464,134.8 is subject to change by Change Order upon an annual review of the units within each class.

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.

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR THE  
PROVISION OF ELECTRIC GENERATION SUPPLY SERVICE  
FOR THE SOUTH JERSEY POWER COOPERATIVE**

WHEREAS, the South Jersey Power Cooperative (SJPC) is a purchasing cooperative that consists of various counties and their participating co-op members, and includes numerous municipalities, K-12 school districts, vocational-technical schools, utilities authorities and other municipal agencies. Township of Hamilton is a Participating Member of the SJPC through our respective county pricing co-operative; and

WHEREAS, the County of Camden is the current and acting lead purchasing agency for the SJPC; on behalf of the SJPC, Camden County publicly advertised bids for the purpose of procuring Electric Generation Supply Service (Bid #A20-15); and

WHEREAS, the County of Camden received and opened bids on Thursday, April 16, 2015 at 11:30 a.m., Prevailing Time, for Electric Generation Supply Service for the SJPC; and

(#1) WHEREAS, Constellation/NewEnergy was the lowest responsible bidder for the Secondary-service electric accounts located within the Atlantic City Electric Company (ACE) service territory. This low bid rate is \$0.07367 per kilowatt-hour (kWh); Township of Hamilton hereby acknowledges and accepts this bid rate for a service period of 24-months, commencing in June 2015; and

WHEREAS, on behalf of the Participating Members of the SJPC, the County of Camden has executed a master agreement with Constellation/NewEnergy and a master agreement with South Jersey Energy for the needs of the Participating Members of the SJPC as described above commencing on the above specified dates; and

WHEREAS, each currently Participating Member of the SJPC, including Township of Hamilton shall encumber funds in accordance with applicable law and hereby acknowledge the terms and conditions of the aforementioned bid and master contract to which it will be bound for the duration of the agreement as noted herein.

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 Constellation/New Energy with the South Jersey Power Cooperative for supplying electricity for a rate of \$0.07367 per kilowatt-hour for a 24 month period, June 2015 through May 2017.

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 that the Solid Waste Collection Contract with Waste Management of NJ, Inc. (Bid #2010-01) is hereby extended on a month-to-month basis or until the award of a newly bid contract, said extension to be in the amount of \$50,840.38 per month for curbside collection and \$4,057.93 per month for Inter-Local Agreements for waste hauling.

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

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

BE IT RESOLVED that the business registration license for Atlantic Holistic Center, massage therapy services at Hamilton Mall, is hereby approved.

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

Ms. Gatto moved, seconded by Mr. Kurtz, that Raffle License #10-2015 is hereby approved for the Atlantic County Special Services School Education Foundation on-premises 50/50 on May 30, 2015.

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

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Ms. Gatto moved, seconded by Mr. Kurtz, that the following Raffle Licenses are hereby approved for St. Vincent DePaul Parish:

- (1) #11-2015 for an off-premises 50/50 on October 24, 2015.
- (2) #12-2015 for an on-premises 50/50 on October 24, 2015.

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

Ms. Gatto moved, seconded by Mr. Kurtz, that the FOLLOWING RESOLUTION BE ADOPTED.

BE IT RESOLVED that the April 6, 2016 resolution authorizing the person-to-person transfer of Liquor License #0112-33-019-008 from Stonehenge, Inc. to VHDH LL Holdings LLC is hereby rescinded due to April 15, 2015 settlement date being cancelled and on the sale not being completed.

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

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

RESOLUTION AUTHORIZING A PERSON TO PERSON TRANSFER OF  
PLENARY RETAIL CONSUMPTION LICENSE #0112-33-019-008

WHEREAS, an application has been filed for a Person-to-Person transfer of Plenary Retail Consumption License #0112-33-019-008, heretofore issued to Stonehenge, Inc., trading as Good Guys Pub, to VHDH LL HOLDINGS LLC for premises located at 5698 Somers Point-Mays Landing Road, Mays Landing, NJ 08330; and

WHEREAS, the application form submitted is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated hereunder, as well as pertinent local Ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the authorized municipal authority has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton, County of Atlantic, does hereby approve the person to person transfer of aforesaid Plenary Retail Consumption License #0112-33-019-008 to VHDH LL Holdings, LLC, effective May 7, 2015 and the Township Clerk is hereby directed to endorse the license certificate to the new ownership as follows: ***"This license, subject to all of its terms and conditions, is hereby transferred to VHDH LL Holdings LLC , trading as Paragon Bar and Grill, for premises located at 5698 Somers Point-Mays Landing Road, Mays Landing, NJ 08330 effective May 7, 2015."***

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 that the following persons are hereby appointed the to the COVE Staff positions listed at the hourly rates specified for the 2015 COVE season:

- Alexander Hand, Day Manager @ \$13.25 per hour
- Karly LoSasso, Alternate Day Manager @ \$13.00 per hour
- Abigail Haugan, Beach Badge Checker @ \$8.38 per hour
- Abigail Haugan, Alternate Lifeguard @ \$9.00 per hour
- Van Logan, Lifeguard @ \$9.00 per hour
- Karly LoSasso, Lifeguard @ \$9.75 per hour
- Kayleigh Stark, Lifeguard @ \$9.25 per hour
- D'Anna Sydow, Lifeguard @ \$9.25 per hour

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 ado[ted].

BE IT RESOLVED that Ryan Brady is hereby appointed a part-time Special Law Enforcement Officer (SLEO) Class II at \$14.38 per hour the effective date to be determined by the Chief and contingent upon successful completion of a background investigation.

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

Mr. Kurtz moved, seconded by Ms. Gatto, that authorization be and is hereby given to advertise for a part-time Fire Prevention/Rental Housing/Code Enforcement Inspector.

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

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

BE IT RESOLVED that all properly executed and approved payrolls an bills are hereby ordered to be paid, the bill list totaling \$6,895,300.44.

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

Reports:

Mr. Jacobs reported the Township put up "rough road" signs on Malaga Road and said it is his understanding that Brett Noll (Public Works) can maintain the road as long as the paving is done prior to winter. Miss Gatto explained she thinks that the Committee should hold off on patching; just go with paving the road based on the information they have and the project approval; and have a point-of-no-return so that if the paving isn't going to be done by a set date, there is still time to patch it before winter. Mr. Smith explained what is done under the milling and patching program and said that Public Works is currently filling in the holes. He said the project would be out to bid out to bid within 60-90 days and it would not extend beyond the winter season. He explained he could work with the existing contractor to keep the current contract open as an option and if some patching has to be done before winter, the Township would be responsible for some sort of remobilization charge. He explained he recalculated the value of Malaga Road work after the last meeting; it came out to about \$54,000.00 but he included areas that are outside the DOT funded area so it would be something less than that. Mr. Sandman said the Milling and Patching contract went out and asked if the contractor is doing that work now. Mr. Smith explained they are going to start on Holly Street Thursday and his understanding is that they will begin work on Malaga Road next week. Mr. Smith explained they estimated quantities

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for both Malaga Road and Holly Street; the Holly Street quantities are actually higher than anticipated; and it may be a wash because quantities on Malaga may be reduced and increased on Holly Street. Mr. Sandman asked if the contract gives the Township the ability to dictate what does and doesn't get done. He explained it sounded like there is discretion to direct the work in the existing contract and that, with that being said there would be no need for any action now. The subsequent action will be awarding of the paving contract once the specs are done. Mr. Smith explained that when contract quantities are exceeded there is an as-built change order but he wanted a verbal concurrence to proceed even though the original quantities were exceeded. Mrs. Link asked what parts of Holly Street were being done, if it would start from Route 50 and if there was traffic from Cologne Avenue to Route 50 that weighed heavily on the patches. Mr. Smith explained they are marked in white; work will start on Thursday with 2 days of milling and paving followed by restriping the road and he believes they will then proceed to Malaga Road. Ms. Gatto said fire trucks use it is an evacuation route. Mrs. Link asked if any engineering work has been done on Park Road. Mr. Smith said his office is working on design plans now and that explained Mr. Blankenship said they are scheduling some core testing to see how thick the existing pavement is and test the subgrade matter. Mayor Silva commented on recent news articles about the gas company opening up streets in many municipalities becoming an issue. Mr. Smith explained that they are trying to replace the bare steel pipes with plastic and will mill and pave the half of the street that they opened.

Mrs. Link reported the Mays Landing Merchants' Association is having a meeting on Wednesday about the Historical Preservation Ordinance; Cheryl Fetty is going to talk about it and said that she also asked Phil Sartorio to be present to talk about it. Mrs. Link reported she is interested in spearheading a Senior Advisory Committee similar to the one in Chaired by Millie Messina Weymouth Township that has a Senior Health Fair planned for the fall; that Mrs. Messina suggested Hamilton Township could have one in the spring; that she thought it could be done without costing the Township any money; and that it would show the seniors that the Township appreciates them. She said the County Senior Citizen facility is huge and has a lot of activities but a lot of local seniors do not like driving to there. Mrs. Link said she will be working on this to see if it is viable and who would be interested on being on the Committee. Mayor Silva commented on attending a senior expo at the Fairways sponsored by one of the Assemblymen a month ago that a lot of township residents attended. He suggested age restricted communities are the place to start; and that utilizing it in a proper way can bring in a larger focal group. Ms. Gatto asked if Mrs. Link was going to do it on her own or was looking for the Township Staff to do it. She said age restricted communities are a good place to start and that she is concerned about who would do the work on the Township's end. Mrs. Link said she was looking it as something the Township Committee would vote on but hasn't presented it to Mr. Jacobs yet.

Mr. Kurtz said he echoed Ms. Gatto's comments on the great budget. Mr. Kurtz read a list of upcoming events and reported the Merchants' Association produced a calendar of events that is available at businesses throughout the Township, the Township Clerk's and the Administrator's offices.

Mr. Guishard said the Stockton Center for Successful Aging has all kinds of activities; they are having an event on May 13<sup>th</sup>; the information is available on the website; and he encouraged anyone who could go to do so. He said he thought it was possible to have what Mrs. Link suggested done on a community basis. Mr. Guishard reminded the public that the Green Team meets the first Thursday of each month at 6:30 PM; they usually meet in the Library but will be meeting in Town Hall this month. Mr. Guishard reported there will be an event at the Hamilton Mall July 1<sup>st</sup> through the 4<sup>th</sup> celebrating and awarding Veterans for their contributions.

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Ms. Gatto thanked the Merchants' Association for the calendar of events. Ms. Gatto reminded the public the Old Time Market is being held in the Park at 10 AM on Saturday.

Mayor Silva reported that he presented proclamations on behalf of the Township at the Rotary Club Annual Awards ceremony to Jerry Stiteler, owner of East Coast Roofing as the Business Person of the Year and to Officer Jason Sexton as First Responder of the Year for saving the life of a cardiac arrest victim. The Mayor gave a brief summary of the basis for Mr. Stiteler and Officer Sexton receiving their award.

Ms. Gatto said Dr. Harvey Kesselman is being honored at a dinner at Seaview on Thursday. She, Mayor Silva and Mr. Guishard commented on his years of service on Township Committee and the School Board.

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

MOTION CARRIED 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 this meeting be adjourned to an executive session to discuss the Michael Jacobs v. Aline Dix ad Township of Hamilton litigation which is exempt from public discussion pursuant to the New Jersey Open Public Meetings Law.

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 "ABSTAIB".

The Governing Body adjourned at 7:42 PM

The governing body reconvened in public at 7:56 PM. Mr. Sandman explained he had recused himself from the discussions. He confirmed that only the matter listed on the agenda was discussed and that the minutes of the executive session would be available as soon as the basis for confidentiality is no longer confidential.

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

BE ITR RESOLVED that the proposed settlement of the Michael Jacobs v. Aline Dix and the Township of Hamilton be approved as discussed in executive session.

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

There being no further matters to be considered tonight, Ms. Gatto moved, seconded by Mrs. Link, 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