

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
JUNE 16, 2014

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

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice on the bulletin board in the municipal building and by e-mailing a copy of the notice along with the agenda for this meeting to the Press of Atlantic City, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place at 6:30PM on Monday, June 16, 2014 in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed.

Jonathon O'Rourke, Regional Director for DDR, gave a brief update on the remediation work done and planned on the drainage basins at Wrangleboro Consumer Square and at Hamilton Commons. He explained they are in the bidding process now and the money is budgeted to be spent this summer to get it drained and do whatever is necessary. Mayor Silva asked that Mr. O'Rourke let the Committee know when they have the contracts in place for Wrangleboro Square. He said the Committee recognized and appreciated their efforts to live up to their responsibilities and would contact Mr. O'Rourke if they feel it is necessary to have him come back. Mr. Guishard asked if it being an on-going process meant they would have to do it again a couple of years. Mr. O'Rourke explained what has to be done and said that they are committed to annual work; they don't think they will have to do what they did last year because that was caused by years and years of neglect. Mr. Sandman commented on having recommended the Committee take action against the bond but the cooperation of DDR and presentations by Mr. O'Rourke a lot of money in legal fees has been saved. Ms. Gatto commented on this being started because the Township was trying to mitigate a risk where the basin was overflowing onto 322; fees and lives have been saved by actions taken by DDR. She said they are to be commended for that, for ramping up their recycling, for their community events sponsorship, and the Committee appreciates them being a community partner.

Mr. Sandman introduced Alison Nickels, his firm's summer law clerk. He explained the firm made a commitment to students from Hamilton Township. Mr. Sandman commented on being told there were insufficient pins for the Veterans' Honor and Remember awards and said his firm has purchased 10 additional pins and he will bring the additional 5 flags his firm purchased to the next meeting.

There was no executive session and no executive session confirmations.

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 Agenda Item 11.A, approval of June 2, 2014 minutes be and is hereby deleted from the agenda; and

June 16, 2014

BE IT FURTHER RESOLVED by the Township Committee of the Township of Hamilton that the following items be and are hereby added to the agenda of this meeting for consideration and action to be taken thereon tonight:

- Presentation by Jonathan O'Rourke from DDR immediately after the moment of silence for private reflection.

9.A Insert names of businesses:

1. Aunt Shelly's Treats, LLC - mobile ice cream truck
2. East Coast Cleaning d/b/a You've Got Maids - maid services
3. Pho Life, LLC - Vietnamese restaurant at Hamilton Commons
4. Tiki Art Studios - Woodworking at 828 Harrison Avenue
5. Pete's Italian Ice - Italian ice & bottled water sales at Consumer Square.

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

Early public comment on agenda items not listed for public hearings.

Harry Rogers asked for an explanation of Item 5.A, authorizing the Mayor to sign a letter requesting the N. J. League of Municipalities assistance in defense of its Residential Rental License Ordinance in the appeal filed by Timber Glen Phase III, LLC vs. Hamilton Township. Mr. Sandman suggested that the Mayor let Mr. Rogers speak after the discussion if he isn't satisfied with Mr. Sandman's explanation. Mr. Sandman explained the Ordinance has been adopted and is in effect; it is reviewed every 6 months to evaluate the projections made in terms of number of units, and cost per year for the license so that it isn't geared toward revenue; that review will come up again in July; a recent review resulted in a reduction in the license fee. He explained that initially there was a lawsuit by Timber Glen and a number of other rental housing developments; revisions were made that satisfied all of them except Timber Glen; Timber Glen's challenge was litigated and his firm filed and was granted a motion for summary judgment saying the Statute permitted these kinds of Ordinances; the Court granted the judgment and saying the Township was correct; Timber Glen has appealed it and it is pending in the Appellate Division now. He said a number of municipalities have similar Ordinances and he believed that the League of Municipalities has what is called amicus curiae or friends of the court, which will permit someone who is not part of the suit but has interest in the outcome to file briefs; the League has a petty substantial legal staff. Mr. Sandman said he is confident in his firm's ability to handle it but when they received Timber Glen's brief they had inserted what he considers new matter; at his request his associate Ray Went contacted the League; they are interested in getting involved because if the Ordinance is struck down it would affect at least 30 other municipalities. Mr. Sandman said that he believes approving the Mayor to sign the letter is a positive thing and doesn't cost the Township a dime. Mr. Rogers thanked the Solicitor for the explanation. Mrs. Link asked if it was true that Timber Glen alleged the Ordinance was discriminatory. Mr. Sandman said he shouldn't speak on that because the allegations were in the form of a written complaint but he would speak to her privately about it and he will send each Member a copy of the brief recently filed by Timber Glen. He said in a general sense they have taken the position that the Township is treating rental properties differently than owned properties. Mr. Guishard asked if the League has committed to doing it. Mr. Sandman explained they can't commit until there is a formal request but based on conversations he and Mr. Went had with them, they expressed an interest. HE strongly urged the Committee to do it. Mayor Silva said he thought it is moving in the right direction; there is a lot to be gained with their support.

Mr. Guishard 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 Mayor be and is hereby authorized to sign and send a letter requesting the New Jersey League of Municipalities for assistance in defending its Residential Rental Ordinance in the appeal filed by Timber Glen Phase III, LLC vs. Hamilton Township.

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

Public Hearing/Adoption - Ordinance #1771-2014:

There being no questions or comments on the Ordinance, Ms. Gatto moved, seconded by Mr. Guishard, 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 #1771-2014 was introduced and passed first reading on June 2, 2014 and was duly advertised in the June 4, 2014 issue of the Atlantic County Record for a public hearing to be held on June 16, 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1771-2014 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.: 1771-2014**

**AN ORDINANCE AMENDING EXHIBIT A, SECTION 1
ARTICLE II OF CHAPTER 66 OF THE CODE OF THE
TOWNSHIP OF HAMILTON, PROVIDING FOR THE
MAXIMUM NUMBER OF EMPLOYEES**

WHEREAS, the implementation of the Pro-Phoenix software has increased the number of tickets issues and the number of court cases conducted; and

WHEREAS, the revenues from the this new software; exceeding the budget have already been received; and

WHEREAS, the Township is also in the process of negotiating a shared services agreement to take over the Borough of Folsom's Municipal Court; and

NOW THEREFORE BE IT HEREBY ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that Article II of Chapter 66 of the Township Code, titled Personnel, shall be amended as follows:

SECTION 1. Create Position

Amend Exhibit "A" Section #1, entitled PART-TIME REGULAR HOURLY RATE, by adding the following position:

Violations Clerk 15.50

June 16, 2014

SECTION 2. Amend "CHART OF ORGANIZATION" by adding the following part-time position:

Part-time Municipal Violations Clerk in the Municipal Court

Severability and Effectiveness Clause.

- (a) 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.
- (b) Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 7. Effective Date.

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

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

ATTEST:

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

ROGER SILVA, MAYOR

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

ORDINANCE #1771-2014 INTRODUCED AND PASSED FIRST READING ON JUNE 2, 2014.
ORDINANCE #1771-2014 ADOPTED JUNE 16, 2014.

Public Hearing/Adoption - Ordinance #1772-2014:

Ms. Gatto explained the Judge recommended these amendments.

Mrs. Dix questioned the effective date of April 1, 2014. Mr. Sandman explained it should be as provided by law and amending it would not be a material change.

Ms. Gatto moved, seconded by Mrs. Link, that §14-14 Effective Date: be and is hereby amended to read This Ordinance shall take effect immediately upon final passage and publication as provided by in law.

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

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

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

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

WHEREAS, Ordinance #1772-2014 was introduced and passed first reading on June 2, 2014 and was duly advertised in the June 4, 2014 issue of the Atlantic County Record for a public hearing to be held on June 16, 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1772-2014 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 #1772-2014**

**AN ORDINANCE ESTABLISHING
UPDATES TO THE EXISTING HANDICAPPED PARKING
REGULATIONS IN THE TOWNSHIP OF HAMILTON**

WHEREAS, the Municipal Court has requested that the Township Committee update its Handicapped Parking Ordinance so it can be better enforced; and

WHEREAS, the Township Committee of the Township of Hamilton has determined that the it's Handicapped Parking Ordinance in in need of updating; and

NOW THEREFORE BE IT HEREBY RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the following is hereby adopted:

SECTION #1 Delete the existing Chapter 186 in its entirety and replace it with a new Chapter 186 to read as follows:

**Chapter 186
HANDICAPPED PARKING**

Chapter 186. HANDICAPPED PARKING

§ 186-1. Purpose.

The purpose of this article is to establish certain areas that are private property, that are open to the public or in which the public is invited that shall prohibit parking in these areas designated as "handicapped parking spaces" for use by persons who have been issued special identification cards by the Division of Motor Vehicles. No other person shall be permitted to park in these spaces.

§ 186-2. Statutory authority.

This article is enacted in accordance with N.J.S.A. 40:48-2.46, which does confer upon the Township of Hamilton the right to establish handicapped parking spaces in order to preserve and safeguard the public health, safety, morals and welfare.

§ 186.3. Definitions.

As used in this article, the following terms shall have the meanings indicated:

HANDICAPPED PERSON - Shall be synonymous with that term as utilized in N.J.S.A. 39:4-204.

§186.4. Restricted spaces established.

The Township of Hamilton herewith authorizes the establishment of restricted parking spaces for use by handicapped persons in any space on public or private property appropriately marked for vehicles for the physically handicapped pursuant to P.L. 1977, c. 202 (N.J.S.A. 39:4-197.5), P.L. 1975, c. 217 (N.J.S.A. 52:27D-119 et seq.), and for any other applicable law relating to parking for the physically handicapped.

§186.5. Prohibited parking.

Vehicular parking shall be prohibited to the extent that such spaces are appropriately designated and marked according to law, unless the vehicle is authorized by law to be parked therein and a handicapped person is either the driver or a passenger in that vehicle.

§ 186-6. Violations and Penalties.

For violation of any provision of this article the fine shall be \$250 for the first offense and shall be \$250 plus a maximum of 90 days of community service for all subsequent offenses pursuant to Chapter 161, Public Laws of 2003.

§ 186-7. Severability.

Should any portion of this Ordinance be declared unconstitutional or impermissible by a Court of competent jurisdiction, said declaration shall not affect the remaining portions of this Ordinance which shall continue in full force and effect.

14-14. Effective Date. This Ordinance shall take effect immediately upon final passage and publication as provided by in law.

ATTEST:

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

Joan I. Anderson, R.M.C.
Township Clerk

ROGER J. SILVA, MAYOR

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

ORDINANCE NO. 1772-2014 INTRODUCED & PASSED FIRST READING JUNE 2, 2014.
ORDINANCE NO. 1772-2014 ADOPTED JUNE 16, 2014.

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 Ordinance #1773-2014 be and is hereby introduced and passed on first reading and that the Township Clerk is hereby authorized to advertise same in the June 18, 2014 issue of the Atlantic County Record for a public hearing to be held on July 7, 2014 at 6:30 PM in the municipal building, Mays Landing, NJ.

RESOLUTION ADOPTED WITH MEMBER DIX VOTING "NO", MEMBERS GATTO, GUISHARD AND LINK VOTING YES AND NO "ABSTAIN" ON ROLL CALL VOTE.

**TOWNSHIP OF HAMILTON
ORDINANCE NO. 1773-2014
AN ORDINANCE AMENDING ARTICLE II OF CHAPTER
66 OF THE CODE OF THE TOWNSHIP OF HAMILTON,
PROVIDING THAT ALL TOWNSHIP EMPLOYEES
UTILIZE DIRECT DEPOSIT**

WHEREAS, P.L. 2013 c. 28, authorizes local government to mandate direct deposit for certain governmental employees after July 1, 2014; and

NOW THEREFORE BE IT HEREBY ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that Article II of Chapter 66 of the Township Code, titled Personnel, shall be amended as follows:

SECTION 1.

All employees and elected public officials who receive compensation from the Township of Hamilton are mandated to have direct deposit of their compensation as of July 1, 2014 in accordance with Chapter 28 P.L. 2013, as defined under C.52:14-15f(b).

SECTION 2.

Severability and Effectiveness Clause.

- (a) 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.
- (b) Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 2.

All Ordinances and policies or parts of ordinances and policies inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of inconsistency.

SECTION 7. Effective Date.

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

ATTEST:

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

Joan I. Anderson, R.M.C.
Township Clerk

ROGER J. SILVA, MAYOR

ROLL CALL:	DIX	“NO”
	GATTO	“YES”
	GUISHARD	“YES”
	LINK	“YES”
	SILVA	“YES”

ORDINANCE NO. 1773-2014 INTRODUCED & PASSED FIRST READING ON JUNE 16, 2014.

June 16, 2014

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 Ordinance #1774-2014 be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the June 18, 2014 issue of the Atlantic County Record for a public hearing to be held on July 7, 2014 at 6:30 PM in the municipal building, Mays Landing, NJ.

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

TOWNSHIP OF HAMILTON
ORDINANCE NO.1774-2014

AUTHORIZING THE SALE BY THE TOWNSHIP OF HAMILTON OF A UTILITY EASEMENT UPON LOT 24.03 IN BLOCK 1132.02 OF THE TAX MAP FOR THE TOWNSHIP OF HAMILTON TO THE HAMILTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

WHEREAS, the Township of Hamilton desires to sell a utility easement upon Lot 24.03 in Block 1132.01 to the Hamilton Township Municipal Utilities Authority for the sum of \$1.00; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., authorizes a municipality to privately sell any interest in real property no longer needed for public purposes to any body corporate and politic of the State of New Jersey; and

WHEREAS, the Hamilton Township Municipal Utilities Authority is a body corporate and politic of the State of New Jersey under the Municipal and County Utility Authorities Law, N.J.S.A. 40:14B-Letseq.

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

SECTION 1. AUTHORIZATION AND DIRECTION TO SELL

The Mayor and other Township Officials are hereby Authorized and Directed to sell to the Hamilton Township Municipal Utilities Authority an easement upon Lot 24.03 in Block 1132.01 on the Official Tax Map for the Township of Hamilton, which easement shall be as described and pictured on the "Description of Property" and drawing annexed hereto and made a part hereof as Appendix A, and which sale shall be in the form of the Deed of Easement annexed hereto and made apart hereof as Appendix B.

SECTION 2. AUTHORIZATION AND DIRECTION TO TAKE NECESSARY ACTION.

The Mayor and other Township Officials are hereby Authorized and Directed to sign, file, and record any documents necessary to carry out their authority under Section 1 of this Ordinance and to ensure the authorized sale is properly recorded in the Office of the Atlantic County Clerk;

SECTION 3. REPEALER

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, COUNTY OF ATLANTIC and STATE OF NEW JERSEY
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Joan I. Anderson, R.M.C.
Township Clerk

ROGER J. SILVA, MAYOR

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

APPENDIX A

DESCRIPTION OF PROPERTY:

"15' Wide Utility Easement:" P/o BLOCK 1132.01, LOT24.03 TOWNSHIP of HAMILTON COUNTY of ATLANTIC, STATE of NEW JERSEY

ALL THAT CERTAIN TRACT or parcel of land situate in the Township of Hamilton, County of Atlantic, and State of New Jersey; and being more particularly described as follows:

BEGINNING at a point where the westerly line of the herein described easement, intersects the division line between Lot 24.03 and Lot 23.01, Block 1132.01, said point being measured along said division line and along Lot 23.02, North 62 degrees 46 minutes 31 seconds West, a distance of 131.00 feet from a concrete monument and from said beginning point runs; thence

1. Along said division line and along a 15' wide utility easement as described in Lot 23.01, Block 1132.01, South 62 degrees 46 minutes 31 seconds East, a distance of 19.3+/- feet to a point in the easterly line of the herein described easement; thence
2. Along the same and passing through Lot 24.03, South 11 degrees 44 minutes 41seconds East, a distance of 242.9+/- feet to a point in the division line between Lot 24.03 and Lot 42.04, Block 1132.01, said point also being the easterly line of a 15' wide utility easement as described in Lot 42.04, Block 1132.01; thence
3. Along said division line, South 22 degrees 27 minutes 16 seconds West, a distance of 26.7+/- feet to a point in the westerly line of the herein described easement;
4. Along the same and passing through Lot 24.03, North 11 degrees 44 minutes 41 seconds West, a distance of 277.1+/- feet to the point and place of BEGINNING.

Containing within said bounds 3,900.1 +/- square feet_ * .

Date: September 5,2013 Rev. Sept. 23, 2013

APPENDIX B

Prepared by:
Cooper Levenson, P.A.

By: Rebecca C. Lafferty, Esq.

DEED OF EASEMENT

THIS DEED OF EASEMENT, made this day of , 2014, between the **TOWNSHIP OF HAMILTON**, a body corporate and politic, having its principal office at 6101 Thirteenth Street, Mays Landing, New Jersey (hereinafter referred to as "Grantor"), and the **HAMILTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**, a body corporate and politic, having its principal office at 6024 Ken Scull Avenue, in the Township of Hamilton, County of Atlantic, and State of New Jersey (hereinafter referred to as "Grantee").

WHEREAS, Grantor is the owner in fee simple of a certain tract of real property situate in the Township of Hamilton, County of Atlantic and State of New Jersey, commonly known as Block 1132.01, Lot 24.03 (the "Property") on the Municipal Tax Map;

June 16, 2014

WHEREAS, Grantee is a public utility of the Township of Hamilton, engaged in furnishing water and sewer service to subscribers in the Township of Hamilton; and

WHEREAS, Grantor does agree to convey a non-exclusive easement in perpetuity to Grantee for its use, occupancy and enjoyment and the use occupancy and enjoyment of its licensees, successors in interest and assigns, in connection with the provision of utility service thereto and for the conduct of its business, all in accordance with and for the purposes set forth in this Deed of Easement, for the mutual benefit of both Grantor and Grantee;

June 16, 2014

NOW, THEREFORE, WITNESSETH: In consideration of these premises and the sum of ONE DOLLAR (\$1.00), paid to the Grantor by the Grantee, the receipt of which is hereby acknowledged, and in further consideration of the mutual conditions, covenants, promises and terms hereinafter contained, it is agreed that:

1. Grantor does hereby grant and convey unto Grantee a non-exclusive easement in perpetuity in, under, through, upon, over and across the hereinbefore described Property of Grantor, with full rights, privileges and authority for Grantee to enter upon same from time to time, for the purpose of inspecting, locating, relocating, installing, altering, extending, constructing, repairing, replacing, rebuilding, removing and perpetually operating and maintaining mains, pipes, manholes, handholds, and other fixtures, appurtenances and facilities (hereinafter the "Facilities") which Grantee may, in its exclusive discretion and sole judgment, deem necessary or proper for the distribution of water, together with such free and unlimited access to, egress and ingress in, from and over all points of said Property, as is reasonable or necessary for the facilities to be installed therein are more particularly described in the Description of Property dated September 5, 2013 (revised September 23, 2013), and attached hereto as **Exhibit "A"**, and also shown on the drawing (revised on September 23, 2013) attached hereto as **Exhibit "B"** and made a part hereof.

2. Grantor does further grant and convey to Grantee the right, privilege and authority to trim, cut and remove such tree branches, roots, shrubs, plants, trees and vegetation which might, within the exclusive discretion and sole judgment of Grantee, interfere with or threaten the safe, proper or convenient use, maintenance or operation of said Facilities within the easement area. Grantee shall not be responsible for any damage to any trees or other vegetation due to the installation of the Facilities.

3. Grantor shall have the right to use, occupy and enjoy the surface and air space around the easement area for any purpose which does not interfere or threaten the safe, proper or convenient use, occupancy or enjoyment of same by Grantee. The Grantors right to use, occupy and enjoy the surface shall include the right to pave the land within the easement area for roadways and sidewalks. Grantor agrees, however, that no buildings or structures shall be erected on said perpetual right of way or within ten (10) feet of said Facilities of Grantee, or otherwise interfere with the Grantee's immediate access to said right of way, without the Grantee's prior approval in writing.

4. Grantor shall have the right to allow other utilities to use the said easement area for any purpose that does not in any way interfere with the accessibility and safe operation of said Facilities of Grantee, and subject to the consent of Grantee. Grantor's right to allow other utilities to use the easement area does not include the right to allow other utilities to use the Facilities that Grantee has installed in the easement. Grantor's right to allow other utilities to use the easement area shall in no way limit the rights granted to Grantee with this easement.

5. Grantee shall perform all work in connection with the rights, privileges and authority herein granted and conveyed in a workmanlike manner and with a minimum of inconvenience to the Grantor; and any damage done to the land or premises of Grantor shall be promptly repaired and restored to its condition immediately prior to damage, at the sole cost and expense of Grantee.

6. If Grantor shall, at any time after the initial installation of said Facilities, request Grantee to relocate said Facilities to a different location or locations, it shall do so at such location or locations as shall be mutually satisfactory to the parties hereto, at the sole cost and expense of Grantor, Grantee to have the same rights and privileges in the new location or locations as in the former location or locations.

7. Grantor covenants to warrant generally the rights above granted, will execute such further assurance of the same as may be required, and that Grantee shall have the quiet possession thereof free from all encumbrances.

8. Grantee shall defend and indemnify Grantor against, and shall save Grantor harmless from, and shall reimburse Grantor with respect to, any and all claims, demands, actions, causes the full use, occupancy and enjoyment of said easement. Said easement area and of action, injuries, orders, losses, liabilities (statutory or otherwise), obligations, damages, fines, penalties, costs and expenses (including without limitation, reasonable attorneys' fees and expenses) incurred by, imposed upon or asserted against Grantor by reason of any accident, injury (including death at any time resulting therefrom) or damage to any person or property arising out of or resulting from any acts or omissions of Grantee or by any employee, licensee, invitee or agent of Grantee.

9. This Deed of Easement shall be governed by and construed in accordance with the laws of the State of New Jersey and recorded on the title to the Property.

10. It is understood that this Deed contains and expresses all the agreements and obligations of the Grantor in regard to the subject matter hereof, and no covenant, agreement or obligation not expressed herein shall be imposed upon the Grantee; no verbal representations or statements have been made modifying, adding to, or changing the terms of this agreement; and this Deed shall be binding upon the Grantor and Grantee, shall run with the land, and shall inure to the benefit of their respective heirs, personal representatives, successors and assigns. The Grantee shall have the right to assign this Deed in whole or in part.

11. Grantor agree to execute such ratification agreements as may be required by Grantee if and when the rights herein granted are exercised, to correct any error in description of the lands crossed by said right of way and easement as may be disclosed by survey of the route.

12. By the acceptance of this instrument, Grantee agrees to abide by the terms and conditions herein on its part to be performed and shall be deemed signatory hereto, and the provisions of this indenture shall inure to the benefit of and be obligatory upon the respective parties hereto and their successors and assigns.

IN WITNESS WHEREOF, Grantor has duly signed these presents the day and year first above written.

WITNESS/ATTEST: GRANTOR: **TOWNSHIP OF HAMILTON**

_____ By: _____
Roger Silva Mayor

WITNESS/ATTEST:

GRANTEE: **HAMILTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

_____ By: _____
ROBERT E. MATTLE, JR., CHAIRMAN

STATE OF NEW JERSEY)
) : SS.
COUNTY OF ATLANTIC)

I CERTIFY, that on this day of , 2013, personally came before me and stated to my satisfaction that this person:
(a) executed the foregoing instrument as of the TOWNSHIP OF HAMILTON, the entity named in this Grant of Easement and was fully authorized by the Hamilton Township Committee to and did execute this Grant of Easement on its behalf; and
(b) made this Grant of Easement for \$1.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in NJ.S.A. 46:15-5).

Notary Public

June 16, 2014

STATE OF NEW JERSEY)
) : SS.
COUNTY OF ATLANTIC)

I CERTIFY, that on this day of , 2013,
personally came before me and stated to my satisfaction that this
person:

(a) executed the foregoing instrument as of the

HAMILTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, the entity named in
this Grant of Easement and was fully authorized by its Board of Directors to and did
execute this Grant of Easement on its behalf; and

(b) made this Grant of Easement for \$1.00 as the full and actual consideration paid or to be
paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5).

Notary Public

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 contract for furnishing and installation of
software for the Community Development Department is hereby awarded
to SHI, Somerset, New Jersey under State Contract #77560 for the sum
of \$43,100.00.

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

State contract purchase & installation of software:

Mr. Jacobs explained it is to replace the current Mitchell
Humphries system; it is more flexible; it allows more specialized
reporting; initially it will be for the Construction, Housing and
Community Development Departments; the largest portion is for the
Construction Department; a number of systems were looked at by those
who will use it; they sat in on presentations and recommended this
one.

Award of Contract for Town Hall Auxiliary Parking Lot:

Mr. Jacobs explained this was the only bid received. Ms. Gatto
commented on it being about \$16,000.00 over what was budgeted and
asked about the possibility of rebidding it. Mr. Jacobs explained
\$400,000.00 was budgeted for the project without the lighting. He
commented on there being many different disciplines needed because
the bid included tree removal, patching and sealing the current lot
behind town hall, removing and replacing the brick pavers,
depressing the curbing and that might possibly be the reason for
only one bid. Mrs. Dix asked if an ordinance was needed for the mid-
block cross walk. Mr. Sandman said it is but it doesn't have to be
done until the Township is ready to paint the street and put signs
up. Mayor Silva said the Committee is dealing with the contract award
now and called for the vote. Ms. Gatto explained she was going to
vote "no" because she wanted to explore the possibility of rebidding
the project.

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

RESOLUTION AWARDDING CONTRACT

WHEREAS on May 28, 2014 the Township of Hamilton received sealed bid
proposals for the Town Hall Auxiliary Parking Lot (Bid #2014-07); and

WHEREAS the following bids were received:

<u>Name</u>	<u>Bid Amount</u>
Fred M. Schiavone Construction, Inc. P. O. box 416 Malaga, NJ 08328	\$416,175.70

and

WHEREAS, the Qualified Purchasing Agent and Township Engineer, have reviewed aforesaid bids and determined that Fred M. Schiavone Construction, Inc., is the lowest responsible bidder and recommended in writing that the contract for the Town Hall Auxiliary Parking Lot (Bid #2014-07) be awarded to them in accordance with the terms and conditions outlined in the bid specifications,

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

- (1) The foregoing facts are hereby ratified and affirmed.
- (2) Funding shall be from Capital Bond Ordinances #1672-2010 and #1766-2014.
- (3) The bid of Fred M. Schiavone Construction, Inc. is hereby accepted and the contract for the Town Hall Auxiliary Parking Lot (Bid #2014-07) is awarded to them for the sum of Four Hundred Sixteen Thousand One Hundred Seventy-five Dollars and seventy cents (\$416,175.70).
- (4) The Mayor and Township Clerk be and are hereby authorized to execute the aforesaid contract with.

RESOLUTION ADOPTED WITH MEMBER GATTO VOTING "NO", MEMBERS DIX, GUISHARD, LINK AND SILVA VOTING "YES" AND NO "ABSTAIN" ON ROLL CALL VOTE.

Consent Agenda Items H, I and J were acted on separately at the request of Mrs. Dix.

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

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

1. Aunt Shelly's Treats, LLC - mobile ice cream truck.
2. East Coast Cleaning d/b/a You've Got Maids - maid services.
3. Pho Life, LLC - Vietnamese restaurant at Hamilton Commons.
4. Tiki Art Studios - Woodworking at 828 Harrison Avenue.
5. Pete's Italian Ice - Italian ice & bottled water sales at Consumer Square.

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

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

RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL DISTRIBUTION,
PLENARY RETAIL DISTRIBUTION AND/OR CLUB LICENSES
FOR THE 2014-2015 LICENSE YEAR

WHEREAS, the following individuals, partners and/or corporations have filed the required applications for renewal of their respective Plenary Retail Distribution, Plenary Retail Consumption and/or Club Licenses for the 2014-2015 License Year, all in accordance with the provisions of the New Jersey Alcoholic Beverage Control Laws; and

WHEREAS, all State and Municipal license fees have been paid by said applicants,

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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, that the Alcoholic Beverage Licenses for the period July 1, 2014 through June 30, 2015, both dates inclusive, be and are hereby approved and issued as follows:

PLENARY RETAIL DISTRIBUTION LICENSES

SEHDAL ENTERPRISES INC. VICTOR'S LIQUORS 78 MILL STREET
0112-44-041-007 MAYS LANDING, NJ 08330

C. RICHARD TUNNEY INC. 6044 HARDING HIGHWAY
0112-44-046-001 MAYS LANDING, NJ 08330

CLUB LICENSES

GUINTA & MARUCCI POST #220 V.F.W. 1209 ROUTE 50
0112-31-044-001 P.O. BOX 689

MAYS LANDING, NJ 08330

PLENARY RETAIL CONSUMPTION LICENSES

AVOCADOS & ZEBRAS, INC. YE OLDE MILL STREET PUB 6033 MAIN STREET
0112-33-001-003 MAYS LANDING, NJ 08330

LINDA JIM LLC MAPLEWOOD II 6126 BLACK HORSE PIKE
0112-33-005-005 MAYS LANDING, NJ 08330

RED ROBIN INTERNATIONAL INC. RED ROBIN AMERICA'S GOURMET 4259 BLACK HORSE PIKE
0112-33-006-010 BURGERS AND SPIRITS MAYS LANDING, NJ 08330

THE CLUB HOUSE AT THE CLUB HOUSE c/o Sarah C. Bready
HAMILTON, LLC P. O. Box 419
0112-33-007-003 Ocean City, NJ 08226

MAYS LANDING COUNTRY CLUB, INC. MAYS LANDING GOLF CLUB 1855 CATES ROAD
0112-33-008-002 MAYS LANDING, NJ 08330

ITALCORP CAVALLINO NERO 4760 BLACK HORSE PIKE
0112-33-009-008 MAYS LANDING, NJ 08330

DON DECKERT, INC. MAYS LANDING INN 58 MILL STREET
0112-33-010-001 MAYS LANDING, NJ 08330

HAMILTON HOSPITALITY INC. HAMILTON TRAILS GOLF CLUB 620 HARBOR ROAD
0112-33-011-008 MAYS LANDING, NJ 08330

RESTAURANT PROJECTS INC. THE INN AT SUGAR HILL 5704 MAYS LANDING -
0112-33-012-004 SOMERS POINT ROAD
MAYS LANDING, NJ 08330

WATERING HOLE CAFÉ LLC WATERING HOLE CAFÉ 6494 WEYMOUTH ROAD
0112-33-014-016 MAYS LANDING, NJ 08330

TARANDIEHL ENTERPRISES INC. THE HOTT SPOT 6032 BLACK HORSE PIKE
0112-33-016-004 MAYS LANDING, NJ 08330

GMRI THE OLIVE GARDEN 4403 BLACK HORSE PIKE
0112-33-017-011 ITALIAN RESTAURANT #1482 MAYS LANDING, NJ 08330

GMRI INC. RED LOBSTER #575 4411 BLACK HORSE PIKE
0112-33-018-008 MAYS LANDING, NJ 08330

STONEHENGE INC. GOOD GUYS PUB 5698 MAYS LANDING-
0112-33-019-007 SOMERS POINT ROAD
MAYS LANDING, NJ 08330

LAURELDALE RT 50 LLC LAURELDALE PUB & GRILLE 2301 ROUTE 50
0112-33-020-006 MAYS LANDING, NJ 08330

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TOKYO SUSHI BUFFET & TOKYO SUSHI BUFET & HIBACHI 2300 Wrangleboro Rd.,
HIBACHI, INC. UNIT 45
0112-33-021-008 MAYS LANDING, NJ 08330

MEL-TOM INC. JONESEY'S BAR 6928 ROUTE 40
0112-33-022-003 P.O. BOX 445
MIZPAH, NJ 08342

RARE HOSPITALITY LONGHORNE STEAKHOUSE #5484 4417 BLACKHORSE PIKE
INTERNATIONAL, INC. MAYS LANDING, NJ 08330
0112-33-023-008

COUSIN MARIO SONS LLC COUSIN MARIO'S 5401 HARDING HIGHWAY
0112-33-024-014 MAYS LANDING, NJ 08330

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PALACE RESTAURANT & OUTFITTERS LLC 0112-33-025-007	PALACE RESTAURANT & OUTFITTERS	6924 BLACK HORSE PIKE MAYS LANDING, NJ 08330
GRAYLING CORP. 0112-33-027-006	CHILI'S GRILL & BAR	4305 BLACK HORSE PIKE MAYS LANDING, NJ 08330
MAYS LANDING SAKURA LLC 0112-33-028-010	SAKURA JAPANESE STEAK, SEAFOOD & SUSHI BAR	4215 BLACK HORSE PIKE MAYS LANDING, NJ 08330
MAGAZINERS DISCOUNT LIQUORS, LLC 0112-32-029-016	CANAL'S DISCOUNT LIQUOR MART	4212 BLACK HORSE PIKE MAYS LANDING, NJ 08330
RUBY TUESDAY INC. 0112-33-031-005	RUBY TUESDAY	4403 BLACK HORSE PIKE MAYS LANDING, NJ 08330
HOWARD ROBINSON 0112-33-032-007	ROBINSON'S RIVERSIDE INN	5397 MAYS LANDING -SOMERS POINT ROAD MAYS LANDING, NJ 08330
BWW JERSEY WINGS, INC. 0112-33-033-016	BUFFALO WILD WINGS GRILL & BAR	4311 BLACK HORSE PIKE MAYS LANDING, NJ 08330
GREENWOOD ACRA INC. 0112-33-034-006	ATLANTIC CITY RACE COURSE	4501 BLACK HORSE PIKE MAYS LANDING, NJ 08330
FAMOUS DAVE'S RIBS INC. 0112-33-035-009	FAMOUS DAVE'S BBQ	4215 BLACK HORSE PIKE MAYS LANDING, NJ 08330
PLATINUM SHOWCASE LLC 0112-33-036-008	PLATINUM PLAYGROUND	7685 BLACK HORSE PIKE HAMMONTON, NJ 08037
APPLE NEW JERSEY LLC 0112-33-039-010	APPLEBEE'S NEIGHBORHOOD GRILL & BAR	700 CONSUMER SQUARE WRANGLEBORO ROAD MAYS LANDING, NJ 08330
BRICK HOUSE PUB & GRILLE LLC 0112-33-040-010	BRICK HOUSE PUB & GRILLE	4450 BLACK HORSE PIKE #3944-3946 MAYS LANDING, NJ 08330

and

BE IT FURTHER RESOLVED that the license certificate for Plenary Retail Consumption License #0112-33-007-003 and 0112-33-020-006 and Plenary Retail Distribution License #0112-44-046-01 shall be retained in the office of the Township Clerk until said license is reactivated at its present location or transferred to and activated at a location approved by the Township Committee.

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 ACCEPTING PLENARY RETAIL CONSUMPTION LICENSE RENEWAL APPLICATIONS WITH NO ACTION FOR APPROVAL OR DENIAL PENDING RECEIPT OF 12.39 SPECIAL RULINGS

WHEREAS, the following individuals and/or corporations hold inactive liquor licenses that require a 12.39 Special Ruling of the Division of Alcoholic Beverage Control before they can be renewed for the License Year July 1, 2014 through June 30, 2015; and

WHEREAS, the said individuals and/or corporations have filed the required applications and fees for renewal of their respective Plenary Retail Consumption Licenses for the year July 1, 2014 to June 30, 2015, both dates inclusive, as prescribed by law,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, that the aforesaid renewal applications and fees paid are hereby accepted and ordered filed with the Division of Alcoholic Beverage Control:

<u>LICENSEE/LICENSE NO</u>	<u>TRADE NAME</u>	<u>ADDRESS FOR MAILING PURPOSES ONLY</u>
RAYT MANGAL SINGH 0112-44-038-005		130 Spruce Trail Woolrich, NJ 08085
FINNERTY'S INC. 0112-33-013-002	FINNERTY'S HUT	7134 BLACK HORSE PIKE Mays Landing, NJ 08330

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KOI FISH CAFÉ
0112-33-026-006

c/o THOMAS LOCAVARRA
P. O. BOX 485
LINWOOD, NJ 08221

BE IT FURTHER RESOLVED that no approval or denial of renewal of the aforesaid licenses shall be made until a 12.39 Special Ruling from the Division of Alcoholic Beverage Control is received by the Township Clerk.

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

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

BE IT RESOLVED BY THE Township Committee of the Township of Hamilton that Susquehanna Bank letter of credit #10020440536, the non-stormwater management site improvements maintenance guarantee for the Jack Trocki Development Company, LLC Cologne Gardens project in the amount of \$92,828.00 is hereby authorized to be released as recommended by Robert J. Smith III, Township Engineer on June 4, 2014.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Thomas Parker check #1353 in the amount of \$500.00 is hereby accepted to be held in escrow for ten (10) years as a performance guarantee for administrative/inspection costs related to a Forestry Operation by Thomas Parker on Block 663, Lot 2 in accordance with Ordinance #1280-2010.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that authorization is hereby given for subordination of the \$9,427.50 Small Cities Mortgage between the Township of Hamilton and Anne E. Cannan dated March 5, 2002, recorded in the Atlantic County Clerk's Office on April 4, 2002 as Instrument Number 2029340 to Quicken Loans, Inc., ISAOA, 635 Woodward Avenue, Detroit, MI.

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 Township Committee of the Township of Hamilton has no objection to NJDOT approval and/or issuance of a permit to Atlantic Cape Family Support Ord., Inc. for a coin drop to be held at the intersection of Routes 40 and 50 on July 19, 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 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 Clean Communities Grant
\$62,278.74
Appropriation title: 2014 Clean Communities Grant
\$62,278.74

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

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

WHEREAS, on June 12, 2013, the Township of Hamilton held a public land sale of Township-owned property known as Block 94, Lots 1, 2, 3 and 5, on Venice Boulevard, Mays Landing, NJ; and

WHEREAS, Debra Kraus offered a bid of Twelve Thousand Five Hundred Dollars (12,500.00) and no other bids were received,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the bid of Debra Kruse 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 authorization is hereby given for the purchase of two (2) Police Dodge Chargers from Carman Dodge, Inc., New Castle DE, under State Contract #A82927 and the purchase of Emergency Light Packages and Equipment from Winner Ford Fleet Sales, Haddonfield, NJ under State Contract #81165 for the total sum of \$69,619.62, with \$34,809.81 funding to come from the 2014 Police O/E budget and \$34,809.81 to come from the Safe Corridor Grant.

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

Request for placement of pedestrian crossing signs on Main Street:

Mrs. Dix objected to Farragut and Main Street because of the bus stop in front of the Library and cars going around the bus while it was loading and unloading ran over them a couple of years ago. She said Hudson and Main Street is a similar situation because of right turns made at the intersection but she wouldn't object to trying them there because of the speeding from the traffic light to the bridge. Ms. Gatto commented on trying to calm traffic in the area and said she felt it had to be done. Mrs. Dix suggested cross hatching in the crosswalk if the State permitted it because that portion of Main Street is a State Highway not a County Road. Mr. Smith said it is an additional visual indicator of pedestrian activity and he thinks anything that will improve safety at a crosswalk is a benefit. Mrs. Dix said the bus stops in front of the Catholic School on one side and I front of the library on the other side is the issue and suggested putting it on the Court House side of the intersection might work.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Atlantic County Government permission for the Township to add pedestrian crossing signs to the center of crosswalks at the intersection of Farragut Avenue and the intersection of Main Street and Hudson Street.

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

Placement of "Children at Play" signs on Monmouth Drive:

Ms. Gatto asked that Chief Tappeiner look to see if there were any other requests for "Children at Play" signs. Mrs. Dix said that in addition to the request for Monmouth Drive that she got in April, there were requests for Reading (Avenue) and Rose (Boulevard); Reading and Rose are straight shots but Monmouth is a curvy street with vegetation on the side.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that installation of "Children at Play" signs on Monmouth Drive in the Harding Lakes development is hereby authorized.

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

Participation in Cooperative Pricing System:

Mrs. Dix questioned what kind of items the Township is buying. Mr. Jacobs said it is mostly computer items.

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

RESOLUTION FOR MEMBER PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM

A RESOLUTION AUTHORIZING THE TOWNSHIP OF HAMILTON (ATLANTIC CO.)
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on June 16, 2014 the governing body of the Township of Hamilton County of Atlantic, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Hamilton

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor and Township Committee is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

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

Appointment of Finance Clerk:

Mrs. Dix asked if any Township residents applied. Mr. Jacobs said there probably were. Mrs. Dix said it is a clerical job with benefits; there is no reason while there can't be on the job training to bring the person up to speed on the accounts payable work they will be doing; and she objected to going not only outside the Township but also going outside the County; keeping residents who pay taxes here from being hired. Mr. Jacobs explained the current Policy requires the most qualified candidates be hired. He said he wasn't sure the law allows such a requirement but until the Committee puts it in, they have to follow the current policy. He commented on the need to be careful because if the Township put in to hire only Township residents other municipalities might do the same and Hamilton Township residents couldn't get jobs. Mr. Guishard said he was in favor of getting the best person for this and every other job, the person who can do the job best for Township and taxpayer. Ms. Gatto commented on discussions that the requirements were too stringent when the job description and advertisement were approved and she asked how many applied. Mr. Jacobs said over 35 plus 3 from in-house. Mayor Silva commented on a lot of time being involved in the interview process and said he believes it bodes well when you hire the most qualified person because a lot of time doesn't have to be spent on training and they start working right away.

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 Peter Balos be and is hereby appointed a Finance Clerk VI at \$38,407.09 per year effective July 1, 2014.

RESOLUTION ADOPTED WITH MEMBER DIX VOTING "NO", MEMBERS GATTO, GUISHARD, LINK AND SILVA VOTING "YES" 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 all properly executed and approved payrolls and bills totaling \$609,457.63 are hereby ordered to be paid.

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

Reports:

Mr. Jacobs reported he wanted authorization to advertise for a full-time Dispatcher. There were no objections to that being done. Mr. Jacobs reported a full-time life guard is still needed.

Mr. Sandman referred to the discussion on hiring the Finance Clerk and said he recalled that Mr. Jacobs was hired from out of the County. Mr. Sandman commented on the Township struggling with disposal of impounded vehicles for 2 ½ years; drafting a new law regarding it and sending it to Senator Whelan who made some changes to it; the Senator introduced it but it hasn't been enacted. He reported receiving an e-mail from the Senator Whelan's Office that said " A year ago you wrote to Senator Whelan about the problem Hamilton Township is having with impounded vehicles and asking them to sponsor legislation to address the problem. We are happy to report that the Senate Transportation Committee is considering Senator Whelan's

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legislation S186 to allow town to sell certain vehicles. It is the bill introduced by Assemblymen Amodio and Brown in the last legislative session with a couple of changes that Senator Whelan mentioned to you, i.e.: allowing citizens to use payment plans to get their vehicle back and increasing the time the citizen has to claim their car to 60 days". Mr. Sandman said the Township has had to revert back to the old system but he will stay on top of it.

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

Mrs. Link apologized for not being able to attend the opening and dedication of the playground at Underhill Park because her daughter was being married that day.

Mr. Dix reported she attended the dedication of the Christian Clopp Playground; it was well attended; and a good job was done by everybody involved. She reported she attended the Davies School 8th Grade Graduation today and that the Oakcrest Graduation will be on Thursday. Mrs. Dix commented on the Department Report saying that promotion of Michael Petuskey to Deputy Chief is retroactive and asked Mr. Sandman how it could be retroactive to before there was an Ordinance and before there was a job. Mr. Sandman didn't have an answer. Mrs. Dix suggested he look into it because she didn't know how you can be promoted to a job that doesn't exist. She said the effective date (of the Ordinance) is the publication date the date the earliest effective date would be the date Ordinance was published. Mrs. Dix said she was concerned about \$6,656.00 in construction permit fees being waived and suggested how the decisions to waive fees were made might need to be discussed by the Smart Growth Committee because those fees are dedicated to the operation of that Department. Mrs. Dix commented on everyone knowing there isn't much in the way of new construction and she is concerned about the impact of waiving the fees. Mayor Silva suggested Mrs. Dix could have brought that up to the Mr. Sartorio prior to the meeting and he could have answered her question. Mrs. Dix said this is where the public business is discussed and she chose to ask the question here. The Mayor suggested she could have checked and brought up here that she got her answer.

Mr. Guishard reported there are a number of residents interested in being involved in the Sustainable New Jersey Program; one of the requirements in order to get grants is that the Township has to sign a resolution; most municipalities in the county are members of the program; anyone interested in becoming involved can contact Sue Marx at the County Library and the group will be making a presentation to the Committee. Mr. Guishard commented on the Federal Transportation Act being about to run out of money and reported that Congressman LoBiondo indicated at a meeting at ACIT on the 13th that he is willing to work with the municipalities in trying to assure that Southern New Jersey gets a reasonable portion of the funding and has some input into how it is going to be spent. He reported on responses to concerns made to the Citizens Advisory Committee which is part of the South Jersey Transportation Planning Organization and urged anyone with concerns or complaints to report them to the Advisory Committee.

Ms. Gatto congratulated the eighth grade graduates and the next Oakcrest High School graduating class. Ms. Gatto commented on the dedication of the Christian Clopp all access park and thanked Mark Ruddy who made the memorial area his Eagle Scout Project and Scouts from Troop 126 who helped him and everyone who was involved and contributed to make it possible. Ms. Gatto wished all fathers a happy Father's Day. Ms. Gatto reminded everyone that the Hometown Celebration and community picnic will be held at Lake Lenape Park on June 28th and 29th. and the Laureldale Fire Company community yard sale will be held on July 26th. Ms. Gatto wished everyone a happy and safe Fourth of July.

Mayor Silva commented on the dedication of the all access park and the Boy Scouts involvement. He commented on them learning what it is like to give back early in life through projects like that like that. The Mayor explained some of what was involved and said he didn't think the public understood how much work was to put that

playground in. Mayor Silva reported Youth in Government Day was held a few days after the last meeting and said it was interesting to watch the students shadowing various people and understanding what it takes to run Town Hall. He said he hoped they took something back that will stay with them forever and that they will develop a fondness towards public service. Mayor Silva commented on Mr. Guishard being a moderator for one of the panels at the conference held at the vocational School last week; on Building One being an organization that is trying to get people involved nationwide; on it not only trying to take care of transportation needs of people who don't always have cars but also the need for rebuilding the public infrastructure, water and sewer lines. He commented on the casinos employing 40,000 people at one time; it bringing retail development to the Township that made it the regional shopping center of the area. The Mayor said there aren't enough jobs in the area and jobs keep businesses alive.

Public comment:

Jim Kerrigan said he thinks direct deposit is important because it is already mandatory at the State and Federal levels.

Peggy Capone commented on someone who is concerned about putting up a political sign in there yard because she doesn't want to be intimidated and asked what the laws were on it. She asked if people are allowed to come to your door and ask why you are supporting that person. Mr. Sandman explained first amendment rights regarding signs; that it doesn't stop someone from coming to your door but they do not have the right to be on your property once you tell them to get off of it; and that you can call the police and say you believe they are trespassing. Mrs. Capone commented on there being quite a bit of vocalization after she left the last meeting about the comments she had made.

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".

Mayor Silva reported the Township Bond Rating is now AA-3 and said it shows that the Township is in very sound shape even though there are comments from time to time about the financial stability and wellbeing of the Township. He said he thinks the Township will be fine as long as the Committee keeps making the kind of decisions that they have. Mrs. Link said Building One is an apolitical group that wants every to contribute. Mr. Guishard explained Mrs. Link should have said it is non-partisan. He commented on the middle class and communities like the Township not being represented and the Organization's goal being to represent communities like ours and assure that the word gets to our legislators. Ms. Gatto commented on two accidents happening on Route 50 in a 24 hour period and asked Mr. Jacobs to send crash data, death data and newspaper articles to the Legislators again to reinforce the need for some action to be taken to calm traffic on Route 50 and also send it to the Transportation Advisory Committee that Mr. Guishard is on.

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

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

ATTEST:

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