

WNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
APRIL 20, 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, April 20, 2015 at 6:30 PM in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed.

Presentation to Frank Gabriel, Hayden Horsey and Hunter Horsey:

Ms. Gatto and Mr. Guishard presented an individualized copy of the following proclamation to each boy.

PROCLAMATION

WHEREAS, Frank Gabriel, Hayden Horsey, and Hunter Horsey are residents of the Township of Hamilton and students in the Hamilton Township Schools; and

WHEREAS, as members of the MLAA Predators Wrestling Team, they have devoted a great deal of time and effort to becoming accomplished wrestlers; and

WHEREAS, on March 22, 2015, the Predators competed at the 2015 NJ State Wrestling Championships. At this event,

Frank Gabriel won Third Place in the 82 pound weight class;  
Hayden Horsey won Third Place in the 72 pound weight class; and  
Hunter Horsey won Second Place in the 68 pound weight class.

NOW, THEREFORE, WE, the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, on this day April 20, 2015, do hereby recognize

Frank Gabriel  
Hayden Horsey  
Hunter Horsey

in honor of their remarkable accomplishments. This achievement is not only a credit to their hard work and dedication, but it is a credit to the support they have received from their families, coaches, teammates, and teachers. These young men have set a wonderful example for the young people of the Township of Hamilton.

There was no executive session and no executive session confirmation.

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

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

- Immediately following moment of silence: Proclamations recognizing Frank Gabriel, Hunter Horsey and Hayden Horsey for their 2015 N J State Wrestling Championship wins within their respective weight classes.
- 6.K Planning Board recommendation for designation of Hamilton Business Park & adjacent IBP Zoned Properties an Area in Need of Rehabilitation.
- 6.L Advertising signs at Recreation Areas.

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8.A Insert name of businesses:

(1) Juli's Pink Ice Cream - ice cream truck

9.B Authorize hiring of Lori Friddell as a part-time Administrative Assistant in the Clerk's Office t \$20.00 per hour, not to exceed 24 hours per week.

13. Executive Session re: Hamilton Township vs. Harry B. Scheeler, Jr. litigation.

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

Early public comment on agenda items not listed for public hearing:

John D'Agostino commented on the condition of Park Road and encouraged the Committee to move a plan for repaving it and the Township Engineer to speak to the County Engineer about a plan for repaving Mill Street. Mayor Silva explained Park Road is listed for discussion later on the agenda. Mr. Smith explained the MUA is required to mill and resurface the section of Mill Street that was excavated for their project. He said he isn't sure repaving the entire street is on the County list.

Jim Link urged the Committee to approve finishing Park Road. He commented on the UA opening the road last year and expressed his opinion that Park Road shouldn't be part of the 2015 Road Program, it should be on the 2014 Road Program or whatever year it was planned to be opened for the MUA to do what it had to do. Mr. Link urged the Committee to put together a plan listing all the things that have to be done, start date, duration of work, who is responsible, and interdependency of the activities so they can know where they are in the course of getting it done.

Guy Tunney said the people who use Park Road have been patient for a long time; that he understood it was scheduled to be repaved in 2010 or 2011 and he questioned how other roads have leap-frogged in front of it. He commented on the Lake Lenape area being an asset to the Township and the County where a lot of events are held during the year; on the number of people who use Park Road to visit the area every year; on the condition of Park Road; and on people's perception that the Township doesn't invest in itself and doesn't care.

Public hearing on 2015 budget:

There being no questions or comments on the budget, Ms. Gatto moved, seconded by Mayor Silva that the public hearing be closed.

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

Ms. Gatto explained that the budget is available on the Township website; that the budget has gone down every year for the past 4 years; there is zero tax increase for Township government; there was no increase for 3 out of the last 4 years; the increase last year was to make up for revenue lost due to large tax appeals; close to \$10 million in debt has been paid off since 2006 so less is needed in the budget for interest and that gives the Township better bond ratings and better interest rates when they do have to borrow;; the number of employees is down from 177 in 2007 to 120 in 2015; significant and some extremely hard cuts were made over the years to achieve a budget the Township could afford in 2011; affordability has been maintained by not adding any additional hires without revenue to support it; the budget continues the pay-as-you-go program and paying cash for one-time expenses; funding is continued for public events; there is no structural deficit, no layoffs, furloughs, school deferrals and no elimination of services; and it took a lot of hard work by the entire Township Committee. Mayor Silva commented on Cologne Fire Company's new fire truck being delivered last week that cost \$428,000.00 and was paid for on delivery as a result of the pay as-as-you-go program. The Mayor said no one on Township Committee wants to raise taxes and asked the public to look carefully at their tax bills to see where the taxes went up - the schools and the County. He said that if Township Committee can find ways to deal with financial difficulties by making proper decisions, he thinks the County and schools can do the same. Mr. Guishard said the fire truck was \$515,000.00. Ms. Gatto explained difference was for the extra options the fire company wanted that were

over and above the amount budgeted for the truck and the fire company paid for them. Mrs. Link explained money is put aside each year for fire trucks so that the money is actually there to pay for it when it comes time to buy one.

Budget amendment:

Mr. Jacobs explained the State audits the budget once every 3 years; this was the Township's year to be audited; the State found that the Township was giving too much direct aid to the fire companies so it has to be switched; they will get the same amount of money but instead of being direct aid it will be as operating expenses for equipment, vehicles and things like that. He explained that the sole purpose of the amendment is because of the statutory limit.

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

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: From To

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.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A: 4-9, be published in the Atlantic County Record in the issue of April 22, 2015, and that said publication contain notice of a public hearing on said amendment to be held at the Municipal Building, 6101 Thirteenth Street, Mays Landing, NJ at 6:30 PM on May 4, 2015.

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

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2014 Audit Report:

Carol Kiniry explained there were no findings and recommendations in the report; the Township financial condition is stable; the Committee has a plan to keep the tax rate stable moving forward; the Committee made many tough decisions over the years; things are leveling off and hopefully will stay that way moving forward. Mayor Silva said it is the fifth year in a row that there were no findings and recommendations; it speaks well of the employees considering that the number of employees is down; they are doing more with less. He thanked the employees and said he didn't know how you could ask for a better audit and that it is the Township's report card.

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

RESOLUTION

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Township of Hamilton Township as pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 Authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: "*Comments and Recommendations*"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: "*Comments and Recommendations*" as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article shall be guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Recreational Trails Grant application:

Mr. Jacobs explained the Master Plan for Liepe Park included the walking trail; it wasn't planned for this year but there is an opportunity to apply for a \$24,000.00 grant for it; if the Township gets it they will have to provide the other \$100,000.00 for it. Mayor Silva gave a brief background history on the purchase of 60 acres for the Liepe Park; losing use of 20 acres because a pair of grasshopper sparrows were nesting there. Mr. Guishard asked if there were any other sources or grants to add to the \$24,000.00. Mr. Jacobs said there wasn't to his knowledge.

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 submission of an application for a New Jersey Department of Environmental Protection 2015 Recreational Trails Program Grant in the amount of \$24,000.00 for construction/installation of a 0.634 mile walking trail at the Liepe Tract Recreation Complex is hereby authorized.

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

Dispatch Services Shared Services Agreement with Egg Harbor City:

Mayor Silva explained this is an extension of the existing agreement with Egg Harbor City and for the Township to provide dispatch services for them. Mr. Jacobs said it has been being done for a little over 3 years now and the annual amount is \$178,741.50

Ms. Gatto moved, seconded by Mrs. Link, that the following resolution be adopted with the caveat that the terms of said agreement are incorporated herein as if recited in full.

**SHARED SERVICES AGREEMENT  
(Dispatch Services)**

**WHEREAS**, the Municipalities of Hamilton and Egg Harbor agree that the residents can be better served with a reduced expenditure of tax dollars, while providing a greater level of government services through a shared services agreement; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act (hereinafter "Act"), N.J.S.A. 40A: 65-1 et. seq., permits local units to enter into shared services agreements with the intention of saving costs to the residents through the reduction of local expenses; and

**WHEREAS**, pursuant to the provisions of the Act any local unit has the ability to enter into a shared services agreement with another local unit to provide or receive any service that each local unit provides or receives on its own; and

**WHEREAS**, Hamilton and Egg Harbor as "local units" defined by the Act are empowered to enter into shared services agreements; and

**WHEREAS**, of Hamilton and Egg Harbor hereby desire to enter into this Agreement in order to establish and create a bond by sharing services; and

**WHEREAS**, Egg Harbor wishes to have Hamilton's Police, Fire and EMS Dispatch Center provide dispatch services for their Police, Fire, and EMS Departments; and

**WHEREAS**, Hamilton wishes to utilize its Police, Fire, and EMS Dispatch Center to provide dispatch services to Egg Harbor; and

**WHEREAS**, the sharing of these services will benefit all both municipalities by increasing efficiency and decreasing the costs of obtaining those services elsewhere; and

**WHEREAS**, both parties have authorized this Agreement with the adoption of the appropriate resolution; and

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**WHEREAS**, this Agreement shall take effect on June 4th, 2014, following the adoption of said resolutions and the execution of this Agreement by both parties.

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

Woods Landing HOA request regarding HTMUA:

Paul Raetsch, President of the Horizons at Woods Landing Homeowners' Association (HOA), distributed copies of the letter he wrote for the HOA regarding their belief that the Hamilton Township MUA is treating the development is treating their residents unfairly regarding flushing the fire hydrants and maintenance of the systems and their unsuccessful efforts to resolve the matter with the HTMUA. Mr. Sandman explained that under the law the Township Committee's has no authority to tell the MUA how to conduct its business; the Woods Landing roadways don't have the top coating yet; the HOA can petition the Township Committee to take the roadways by dedication after the Engineer inspects and says that all of the required improvements are all are done according to the approved plan; and only then can public take any interest in the maintenance of the facilities. He explained that he hadn't seen the MUA attorney's opinion and would never second guess him but he suspects the MUA Solicitor gave the MUA an opinion contrary to what the HOA is asking for. Mr. Sandman advised the Township Committee that they have no right to do what the HOA is asking them to do. Mayor Silva said that the Township Committee is bound by law and at this point it is clear that they can't do anything. Mr. Smith explained that it was never intended for the municipality to take the roadways as municipal roadways; they are 50' wide access and utility easements. Ms. Gatto asked if the governing body could send the MUA a letter asking them to re-review the issue and if there was anything else they could do. Mr. Sandman said they could send a letter; it would only be a suggestion; the MUA may not be able to do it; and there is nothing else the Committee can do.

Malaga Road patching vs. paving:

Mr. Jacobs explained the Township has done 3 phases on Malaga Road; has awarded a contract for milling and patching on Malaga Road; and just received notice that the Township has been awarded \$190,000.00 for reconstruction of Malaga Road Phase 4. Mr. Smith explained that some of the milling and patching is in Phase 4; it is the Committee's decision on whether to skip milling and patching in the section that is going to be reconstructed or to do it knowing it is going to be fully reconstruction in a few months. He said that his firm can give the Committee a proposal to authorize them to do the engineering and design work now that they know the funding is available; that Malaga Road would probably be less than half of the \$157,000 budgeted for the patching and milling project that included Holly Street. Ms. Gatto suggested it was a question of spending money twice; the Committee can spend \$70,000 on patching now or wait a few months and have the State pay to have that section completely repaved. Mrs. Link said it sounded like waiting a few months would be best. Mr. Smith explained the Public Works Department would continue doing interim patching and the only concern is the Township's responsibility if paving is delayed. Mr. Jacobs explained the reason for the concern is that the Township had said the road needs patching and is now saying that it can wait for 3 months. Mr. Sandman explained that making a determination that a road is in need of repair means you are on notice of its condition and there is potential liability should there be an injury or accident because of it. He suggested that, if the Committee wanted to save the patching money, someone go out and make a decision as to what needs to be fixed by Public works now to make it as safe as possible until such time as it is entirely repaved. Mr. Smith explained they could look at now, determine which areas need attention, coordinate having Public Works do interim patching with materials and equipment that they have, and proceed according. Mr. Guishard asked if there was any way to accelerate it. Mr. Smith explained they would do their best but they are trying to accelerate the Road Program and get it out to bid as soon as possible. Mr. Sandman explained an inventory of the road condition inventory needs to be made with the idea that the Committee is going to prioritize something they consider potentially dangerous in a way that the road can

survive for 3 months until the road is done. Ms. Gatto asked if a date could be set so that the Township could do the patching as planned if reconstruction was delayed for some reason. Mr. Smith said that he anticipates the required patching would be completed and the project contract closed by then; that the contract could be kept open but the contractor would add a remobilization charge that would increase the cost. Mrs. Link asked if she and Mr. Guishard could go out with the Engineer as the Public Works Department Liaisons. Mr. Sandman said he didn't recommend it. He explained that he was speaking to the third party liability issue and not whether the Township has the right to increase or reduce the contract. In response to the Mayor's question, Mr. Smith said it would take the contractor a few days to patch that section. Mr. Guishard suggested that the road be fixed if, after looking at its condition, it can't be ameliorated. Mayor Silva said he would go for patching it now and paving it later because there are other priorities. Mr. Sandman recommended the Engineer and Brett Noll devise a short term plan for what they think is dangerous and said that wouldn't stop the approval tonight to redo that section of Malaga road with the grant. Ms. Gatto asked if it had to be decided tonight or could wait for two weeks. Mr. Smith said it could wait two weeks.

2015 CDBG application:

Mr. Sartorio explained that the County has given him \$58,599.00 as the amount to be anticipated for 2015; that last year the Township received \$47,600.00 or about three quarters of the \$61,000 they were told to anticipate; that last month the Township Committee authorized amending the 2012 Program to apply the remaining \$9,200.00 to demolition of 6372 Beacon Avenue, a property the Township got through foreclosure; the cost for demolition and cleanup to get the property it to a point where it could be redeveloped for residential purposes is over \$75,000.00 right now; that he recommended that this year's allocation of roughly \$58,600.00 be added to the \$9,200.00 to give the Township roughly \$67,800.00 toward the demolition and cleanup of that property; that Habitat for Humanity expressed interest in acquiring the property to develop for participants in their program once that is done; that it would take care of a blighted area and provide affordable housing for a tax-paying resident and count towards the Township's COAH requirement.

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton approves the anticipated 2015 Community development Block Grant (CDBG) allocation of funds (\$58,599.00) be combined with the unexpended 2012 CDBG funds and the total \$67,806.00 be used for demolition and cleanup at 6372 Beacon Avenue, as recommended by Philip Sartorio, Community Development Director. The estimated cost of demolition and cleanup is \$76,350.00.

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

Flood Insurance Map changes update:

Phil Sartorio said that copies of the handouts given to the Committee Members were available at the back of the room for anyone who wanted it. He explained the maps have been available for public review since last March; the official 90-day appeal period regarding the new flood maps started April 1<sup>st</sup>; appeals regarding technical information have to be filed during the appeal period; letters of final determination come after the appeals are processed and resolved, probably 9 months; and the maps will become effective 6 months after that. Mr. Kurtz said there will be a website available where the public can put in their address and be able to see where it is now compared to the old maps and that could mean a saving on flood insurance. Mr. Sartorio explained the color coding on the maps; the new maps are much more detailed and accurate; in most instances the flood areas appears to be smaller; and for the most part the large areas that were in flood zones are not in them now. He said paper copies of the maps are available in his office. Mr. Guishard questioned the reason for the changes. Mr. Sartorio explained they are using aerial radar based maps that are more accurate.

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2015 Road Improvement Program:

Mr. Jacobs read the recommendation and explained that it was in priority order; he believes most of the streets could be done by utilizing both old and new bond money; if the bids are too high, the bottom one would be bumped. Ms. Gatto said that street at the bottom is the most expensive and asked why it was the lowest priority. Mrs. Link explained when the costs of the rest were added together it fit into the amount of money available. Mr. Smith explained the cost estimate for Park Road is \$500,000.00 right now; he will have a better handle on it once the design work is completed; it would be total reconstruction; all the curbing is to replace existing curbs; ; curbing would extend to just past Tanglewood Drive; there will be no curb from Tanglewood to Morningside Drive; and there will be no sidewalks. In response to Mrs. Link's question about drainage work, Mr. Smith explained a cross-drain on Melvin Newton Boulevard and an inlet and culvert on Park Road will probably have to be replaced. Ms. Gatto commented on the length of Park Road and asked if any consideration was given to breaking it up. Mr. Smith explained the problem with doing that is that once curbing is put in it the paving adjacent to it has to be done; that is an expense; and the curb elevations are set according to the elevation of the paved roadway so they would not be consistent with the elevations that are there now. Ms. Gatto explained the reason for her question was of the size of the Township; the number of roads in it; there are conflicting priorities about who gets what and when; the Township has a Pavement Management Plan based on various factors that helps prioritize them; roads sometimes get leap-frogged because the township isn't going to pave a road if they know there is a project is coming there; and that is why roads are sometimes done in portions. She said \$500,000.00 for Park Road is essentially all of the additional money the Committee allotted for the road program this year; the capital budget is \$1.5 million every year to keep the down payment in the operating budget stable; the Committee was able to put additional down payment money for \$500,000.00 in the budget this year because they had cash. Mrs. Link explained there is quite a bit of money left from last year's road program; the MUA and Gas Company have done everything they are going to do; there will be a 3-year moratorium on Park Road when it is done; thousands of people travel it every year; its rating was 48 in 2004; that is why it was going to be done in 2010 but delayed because of the MUA project; and the people on Park Road have waited patiently. Mayor Silva commented on some roads in Mizpah being in horrendous condition and being glad to see some of them being addressed.

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

BE IT RESOLVED that the following list of streets for the 2015 Paving Program is hereby approved and set forth in order of priority:

- 1) Park Road
- 2) West Jersey Avenue from West Point Avenue to Venice Boulevard
- 3) Venice Boulevard from Albany Avenue to Arlington Avenue
- 4) Arlington Avenue from Venice Boulevard to Commonwealth Avenue
- 5) Sitka Avenue from Melvin Newton Boulevard to Strand Avenue
- 6) Market Street from Boston Avenue to St. Petersburg Avenue

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

R & V Proposal for 2015 Road Improvement engineering services:

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

BE IT RESOLVED that the Remington & Vernick proposal dated April 15, 2015 to provide design, bidding, project management and inspection services for roads listed in the 2015 Road Improvement Program for a sum not to exceed \$75,800.00 is hereby accepted and contract for same awarded to them.

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

Town Hall Generator Project update:

Mr. Smith explained that the existing generator only powers the police side of the municipal building, dispatch and emergency operations center. He explained that two FEMA fund grants totaling about \$197,000.00 were received that will pay almost half of the cost to construct a generator that would power the entire municipal building; at a meeting with FEMA on Friday they went over the grant agreement, procedures for reimbursement, reporting and permitting requirements that have to be complied with to maintain the agreement; he will send Mr. Jacobs a copy of the executed agreement that FEMA sent to him; they are essentially authorized to go to construction; it can go out to bid as soon as the design plans are finalized and the permitting is lined up; the generator will power the entire municipal building, provide a warming and cooling center; people will be able to come and charge medical devices; it is intended to be a reception center to aid people in the event of an emergency, not a shelter; it doesn't look like Pinelands Commission approval will be needed but an air quality permit from DEP is. He explained that the generator has been sized; it will be built adjacent to the (cell) tower in the rear parking lot; about 4 parking spaces will be lost; and potential use of the existing generator at the public works yard is being discussed. Mr. Guishard commented on having discussed using natural gas for environmental reasons and it being quieter. Mr. Smith explained they went with diesel due to the higher cost of natural gas. He said that this generator can run for 3 days with the fuel provided.

Planning Board recommendation for Designation of Industrial Business Park & adjacent IBP zoned properties an area in need of rehabilitation:

Phil Sartorio explained that the Township Committee forwarded a proposed resolution to the Planning Board for designating the Industrial Park and adjacent IBP Zoned properties as an area in need of rehabilitation and that the Planning Board voted unanimously last Thursday to recommend approval of the designation to the Township Committee. Mr. Kurtz commented on the importance of moving this ahead to open up the Industrial Park to additional buyers and for the PILOT (tax) abatement program to take effect. Mr. Sartorio said it becomes effective once the resolution is received by the Department of Community Affairs.

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

RESOLUTION  
DESIGNATING THE HAMILTON BUSINESS PARK  
AND ADJACENT INDUSTRIALLY ZONED LAND  
IN THE TOWNSHIP OF HAMILTON, ATLANTIC COUNTY NJ  
AS AN AREA IN NEED OF REHABILITATION

WHEREAS, rehabilitation is a process which can be used by local government to prevent further deterioration of an area and promote overall development in the community; and,

WHEREAS, the Local Redevelopment and Housing Law (NJSA 40A:12A-1 et seq.) provides municipalities with the authority to designate areas in need of rehabilitation based on the conditions set forth in the Section 14 of that statute; and,

WHEREAS, one of the conditions that warrant the designation of an area in need of rehabilitation is a finding that there is a pattern of vacancy, abandonment or underutilization of properties in the area; and,

WHEREAS, the Industrial Commission of the Township of Hamilton (Industrial Commission) is responsible for the development and marketing of the Hamilton Business Park, an approximately 700 acre area established in 1976 comprised of the lands listed in Attachment A of this resolution for light industrial and commercial uses; and,

WHEREAS, in addition to the lands in the Business Park there are other adjacent properties listed in Attachment B of this resolution that are also zoned for light industrial and commercial use; and,

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WHEREAS, for the purposes of this Resolution the properties listed in Attachments A and B are collectively referred to as the IBP Zone; and,

WHEREAS, at the request of the Industrial Commission the Director of Community Development has conducted a review and analysis of the Assessor's records and found 424 acres or 52 percent of IBP Zone, including other public lands not controlled by the Industrial Commission, are classified as unimproved. Excluding the other public lands the unimproved property represents 70 percent of the property available in the Zone for light industrial and commercial use; and,

WHEREAS, based on the findings of this analysis the Industrial Commission has recommended that Township Committee make a finding that there is a pattern of vacancy and underutilization in the IBP Zone and a program of rehabilitation as defined in NJSA 40A:12A-3 will prevent further deterioration and promote the overall development of the IBP Zone; and,

WHEREAS, the IBP Zone is located in a New Jersey Pinelands Commission designated Regional Growth Area, which is an area where development and redevelopment are encouraged; and,

WHEREAS, prior to adoption of this resolution a copy thereof was forwarded to the Hamilton Township Planning Board for its review and recommendation.

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

1. There exists a pattern of vacancy and underutilization of properties in the area identified herein as the IBP Zone.
2. The IBP Zone is hereby found to be an area in need of rehabilitation.
3. Prior to the adoption of this resolution it was forwarded to the Hamilton Township Planning Board for review and recommendation.
4. A copy of this resolution shall be forwarded to the Commissioner of the Department of Community Affairs.

ATTACHMENT A  
LANDS IN THE HAMILTON TOWNSHIP BUSINESS PARK

<b>BLOCK</b>	<b>LOT(S)</b>
987	5, 5.01
987.01	5.02
991	1-3, 3.01, 16.01, 16.02, 17-19, 19.01, 20.01, 20.02, 21, 22.01, 22.02, 23.01, 23.02, 33-39
992	1
993	1
994	1-10, 11.01, 12-18, 19.01, 31- 45, 46.01, 47-50, 58.01, 58.02, 58.05, 58.07, 58.12-58.23
994.01	1, 6-10
994.02	1-4
994.03	1-10
994.04	1-10
994.05	20-30
995	1.01, 1.02, 1.03, 2

ATTACHMENT B  
INDUSTRIAL ZONED PROPERTIES ADJACENT TO THE  
HAMILTON BUSINESS PARK

<b>BLOCK</b>	<b>LOT(S)</b>
987	1-4
1029	1, 2.01, 4
1030.03	2.02, 4.01

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

Advertising Signs at Recreation Areas:

Michael Angelo explained where the MLAA wants to put the signs at the softball fields. Mr. Sandman explained the existing user agreement only allows signs up to 3'x 6' and would have to be amended to accommodate the larger ones. He recommended it be for the Liepe Tract in its entirety.

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

BE IT RESOLVED that the Advertising Signs Clause in the User Agreement with the MLAA be amended to allow advertising signs up to 44" wide by 9' long (approximately 33 square feet) to be placed on Recreation Areas covered by the Agreement.

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

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

BE IT RESOLVED that Ordinance #1789-2015 is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the April 22, 2015 issue of the Atlantic County Record for a public hearing to be held thereon in the municipal building, Mays Landing, NJ at 6:30 PM on Monday, May 4, 2015.

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

April 20, 2015

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 offset 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.

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.

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

BE IT RESOLVED that Ordinance #1790-2015 is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the April 22, 2015 issue of the Atlantic County Record for a public hearing to be held thereon in the municipal building, Mays Landing, NJ at 6:30 PM on Monday, May 4, 2015.

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 offset 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>
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

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

BE IT RESOLVED that the Business Registration License for Juli's Pink Ice Cream - ice cream truck, a mobile vending company located in Egg Harbor Township, is hereby approved.

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.

BE IT RESOLVED that a Non-profit, Charitable Organization Solicitation Permit is hereby approved for Lana Samuels/People In Crisis, Inc. effective April 21, 2015 through July 20, 2015.

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

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

**TOWNSHP OF HAMILTON (ATLANTIC COUNTY)  
RESOLUTION SUPPORTING THE 2015 *CLICK IT or TICKET*  
SEAT BELT MOBILIZATION MAY 18, 2015 THROUGH MAY 31, 2015.**

WHEREAS, the most effective device for preventing deaths and injuries in motor vehicle crashes remains the seat belt. In May 2001 the State of New Jersey enacted a Primary Seat Belt Law for front seat occupants. The most recent statewide survey, undertaken in June 2013, determined the seat belt usage rate in New Jersey to be 91%.

WHEREAS, an enforcement mobilization is planned to combat occupants of motor vehicles not wearing their seat belts; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Nationwide 2015 *Click It or Ticket* seat belt mobilization; and

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WHEREAS, the project will involve increased driving enforcement from May 18, 2015 through May 31, 2015; and

WHEREAS, when used consistently, seat belts save lives and reduce serious injuries,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton (Atlantic County) declares its support for the

**2015 Click It or Ticket Seat Belt Mobilization**

from May 18, 2015 through May 31, 2015 and pledges to assist with increased awareness of this campaign and the goal of statewide seat belt usage in motor vehicles.

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.

BE IT RESOLVED that submission of an application for a \$4,000.00 Click It or Ticket Seat Belt Mobilization Grant is hereby authorized and that the Mayor and CF are authorized to sign same on behalf of the Township.

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  
RESOLUTION OF THE TOWNSHIP OF HAMILTON,  
COUNTY OF ATLANTIC, STATE OF NEW JERSEY,  
TO REFUND A PAYMENT MADE ON EXEMPT PROPERTY**

WHEREAS, the Township received a bulk payment from State of New Jersey Department of the Treasury, for Homestead Benefit credits for over 2,896 residents; and,

WHEREAS, four of the payments were for properties that are tax exempt due to Totally Disabled Veteran Status on the properties, and;

WHEREAS, these payments must be refunded to the owners of record as follows:

Block/Lot/Qual.	Assessed Owner	Amount
23/6	Bell, Eric L.	\$ 530.95
846/5	Coppolecchia, Michael J.	334.53
996.04/35	Koch, D. Bruce	451.09
793/1	Kelusak, Richard	266.33

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the payments made by State of New Jersey on the above mentioned accounts be refunded.

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.

BE IT RESOLVED that release of the maintenance bond posted by Arawak Paving Company, Inc. for the FY2011 NJDOT Municipal Aid Project, Reconstruction of Malaga Road-Section 1, Engineer's file #0112-U-015, is hereby authorized as recommended by Robert J. Smith III, Township Engineer, on April 7, 2015.

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.

BE IT RESOLVED that release of Fidelity & Deposit Company of Maryland bond #09103234 TR8509, non-stormwater management system maintenance bond for the Walmart Expansion Project (Township PB file #208-02/Engineer's file #0112-1-096) is hereby denied due to uncompleted punch list items as recommended by Robert J. Smith II, Township Engineer, on April 7, 2015.

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.

BE IT RESOLVED that release of Travelers Casualty & Surety Company of America bond #105936454, maintenance bond for the T-Mobile Northeast, LLC Telecommunication facility on Block 1135.01/Lot 10.01 (Township PB file #2010-009/Engineer's file #0112-1-091) is hereby denied due to uncompleted punch list items as recommended by Robert J. Smith II, Township Engineer, on April 9, 2015.

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.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that purchases from the list of State Contract Vendors set forth below is hereby approved as recommended by the Chief Financial Officer.

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

	STATE CONTRACT NUMBER	COMMODITY		EXPRIES
A.E. STONE	82251	ROAD MATERIAL		08/31/2015
CDW GOVT.	70263	TECHNOLOGY		09/03/2015
CDW GOVT.	70262	TECHNOLOGY		09/30/2015
CDW GOVT.	74851	TECHNOLOGY		09/30/2015
CDW GOVT.	74922	TECHNOLOGY		09/30/2015
CDW GOVT.	75579	TECHNOLOGY		09/30/2015
CDW GOVT.	75580	TECHNOLOGY		09/30/2015
CDW GOVT.	75583	TECHNOLOGY		09/30/2015
CDW GOVT.	75585	TECHNOLOGY		09/30/2015
CONTINENTAL FIRE & SAFETY	80970, 80971, 80974, 80945	FIRE SAFETY		3/31/2016
CONTINENTAL FIRE & SAFETY	80952, 80953, 80956, 80964	FIRE SAFETY		3/31/2016
CRAFT OIL CO.	81514	AUTO PARTS & SUPPLIES		5/29/2015

DELL	70256	TECHNOLOGY		9/30/2015
DELL	77003	TECHNOLOGY		6/30/2015
DREAGER SAFETY	80962	FIRE SAFETY		3/31/2016
FIRE FIGHTER ONE LLC	80946 80949 80953 80954 80955 80964 80965 80969	FIRE SAFETY		3/31/2016
GOV CONNECT	70263	TECHNOLOGY		9/30/2015
H.A. DEHART & SON	73771	AUTO PARTS & SUPPLIES		7/15/2015
JC MILLER DBA NAPA	73739	AUTO PARTS & SUPPLIES		7/15/2015
LAWMEN SUPPLY	82100	PUBLIC SAFETY		4/30/2015
MARTURANO RECREATION	81411	RECREATION		5/14/2015
MAZZA CARPETING	81748 81751	CARPET/FLOORING		6/30/2017
MUNICIPAL EMERG. SRVCS	80966	FIRE SAFETY		3/31/2016
NAT. ALEXANDER	80946 80953	FIRE SAFETY		3/31/2016
PEACH COUNTRY FORD TRAC.	76911	AUTO PARTS & SUPPLIES		6/28/2015
SJ AUTO SUPPLY	73718	AUTO PARTS & SUPPLIES		3/17/2016
SOFTWARE HOUSE INT.	77560	TECHNOLOGY		6/30/2015
STAPLES	77249	OFFICE SUPPLIES		5/06/2014
TRICO EQUIPMENT	76917	AUTO PARTS & SUPPLIES		6/28/2015
TURF EQUIPMENT & SUPPLY	76923	AUTO PARTS & SUPPLIES		6/28/2015
VINELAND AUTO ELEC	73720	AUTO PARTS & SUPPLIES		7/15/2015
WITMER ASSOC.	80947 80950 80955 80965 80974	FIRE SAFETY		3/31/2016

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

BE IT RESOLVED that Philip Sartorio is hereby authorized to submit the Certification of Completion of the 2014 Affordable Housing Project/Unit Monitoring in the Department of Community Affairs (DCA) CTM System.

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.

**WHEREAS,** The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS,** It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS,** The New Jersey Department of Environmental Protection has promulgated recycling regulations to  
Implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS,** The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS,** A resolution authorizing this municipality to apply for such tonnage grants for 2014 will memorialize the commitment of this municipality to recycling and to indicate the assent of Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS,** Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of Township of Hamilton that Township of Hamilton hereby endorses the submission of the 2014 Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection and designates Ingrid Perez to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the 2014 Recycling Tonnage Grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following items are authorized to be offered for sale on GovDeals as recommended by the Director of Public Works including the fire truck from Cologne:

- 1989 Pierce Pumper Fire Truck - Cologne Fire Department (Asset # 228)
- 2001 Dodge Durango - Construction Office (VIN# 1B4HS28N11F644837)
- 2004 Ford Expedition - Laureldale Fire Department (VIN# last 5 58281)
- 2009 Ford Crown Vic - Police Department (VIN# 2FAHP71V69X111660)
- 2000 Dodge Dakota - Construction (VIN# 1B7GG26X9YS558665)
- 1999 Ford Pickup - Public Works (VIN# 1FDNFXEE59018)
- Cages from police vehicles
- Hard seats out of police vehicles
- Bumpers from police vehicles
- Lot of miscellaneous vehicle parts - Public Works

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.

**WHEREAS,** N.J.S.A. 40A:4-19 provides that the governing body may, and if any contracts, commitments or payments are to be made before the adoption of the budget, shall by resolution adopted prior to January 31 of the fiscal year, make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the budget, and

WHEREAS, after January 31 any appropriation which becomes necessary before the adoption of the budget, and which has not been included in the Temporary Budget, must be made by adoption of a resolution amending the temporary budget provided for in N.J.S.A. 40A:4-20

NOW THEREFORE, BE IT RESOLVED that the following appropriations shall constitute an amendment to the Temporary Budget of the Township of Hamilton, County of Atlantic.

20-115-1	Human Resources S&W	2,000.00
20-130-2	Finance O&E	7,000.00
20-150-2	Tax Assessor O&E	(40,000.00)
20-155-2	Legal O&E	15,000.00
21-185-1	Board of Adjustments S&W	1,000.00
22-195-1	Construction Official S&W	2,000.00
23-210-2	Liability Insurance	77,000.00
23-215-2	Workers Compensation	172,000.00
23-220-2	Employee Group Ins.	200,000.00
25-240-1	Police S&W	300,000.00
25-266-2	LOSAP	59,000.00
25-275-2	Prosecutors O&E	10,000.00
36-473-2	DCRP	1,000.00
36-472-2	Social Security	25,000.00
37-340-2	Animal Control O&E	5,000.00
	Total Current Fund	836,000.00

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

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton hereby confirms that Cynthia Lindsay shall continue to serve as the Township's Qualified Purchasing Agent.

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

Ms. Gatto moved, seconded by Mr. Guishard, that authorization is hereby given to hire Lori Friddell as a part-time Administrative Assistant in the Township Clerk's Office at \$20.00 hour, not to exceed 24 hours per week, effective date to be determined by the Township Clerk.

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

Ms. Gatto explained this hiring was necessary because an average of 20 hours per week is being spent on OPRA requests and they can't keep up.

April 20, 2015

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

BE IT RESOLVED that the May 2, 2014 executive minutes are hereby approved and adopted.

RESOLUTION ADOPTED WITH MEMBERS GATTO, GUISHARD, LINK AND SILVA VOTING "AYE", NO "NAY" AND MEMBER KURTZ ABSTAINED DUE TO NOT BEING A COMMITTEE MEMBER AT THE TIME.

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

BE IT RESOLVED that the November 10, 2014 executive minutes are hereby approved and adopted.

RESOLUTION ADOPTED WITH MEMBERS GATTO, GUISHARD, LINK AND SILVA VOTING "AYE", NO "NAY" AND MEMBER KURTZ ABSTAINED DUE TO NOT BEING A COMMITTEE MEMBER AT THE TIME.

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

BE IT RESOLVED that the December 1, 2014 executive minutes are hereby approved and adopted.

RESOLUTION ADOPTED WITH MEMBERS GATTO, GUISHARD, LINK AND SILVA VOTING "AYE", NO "NAY" AND MEMBER KURTZ ABSTAINED DUE TO NOT BEING A COMMITTEE MEMBER AT THE TIME.

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

BE IT RESOLVED that all properly executed and approved payrolls and bills are hereby ordered to be paid, the bill list totaling \$1,805,519.09.

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

Reports:

Mr. Jacobs reported the Township bond sale will be held in town hall tomorrow.

Mr. Sandman reported he had argued the Timber Glen lawsuit against the Township Landlord Registration Ordinance in the Appellate Court today and that the 3-Judge Panel will send their decision in writing sometime in the future.

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

Mr. Kurtz commented on the importance of the resolution for the Industrial Park to advertising the Park and moving some of those properties.

Mr. Guishard explained that he thought the Township might be interested in an offer made by a Vendor at the League of Municipalities meeting last Friday to video-tape the Township for free; it is a nationwide organization supported by the vendors who advertise on the video. Mrs. Link explained that those who advertise on it are charged fee. Mayor Silva suggested Mr. Guishard have them get in touch with the Administrator and getting feedback from other municipalities before getting into it. Mr. Guishard reported the Atlantic County Women's Center lost over \$1 million in grant funding through a bidding process that Rutgers University won; it is principally local people and the Center hopes Rutgers can pick most of them up; the Center will continue to exist but on a much lower level. Mr. Guishard reported many people participated in the Earth Day Event on Saturday; Ingrid Perez was the one who put it together; Landis (Avenue) is

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one of the roads that was cleaned up. Mr. Guishard reported the Green Team is looking to work with the schools and that Green Teams in other areas are looking to set up farmers' markets.

Mrs. Link asked Ingrid Perez if this year's Earth Day was better than last year and if it was successful. Ingrid said it was about equal; there were over 60 volunteers cleaning up; people came in steadily all day for shredding and to drop off electronics. Mrs. Link commented on her tour of the new Cologne Fire truck.

Ms. Gatto reported Cologne Fire Chief Shawn Vallauri received a Valor award on Wednesday for actions he took at a structure fire in 2014. She commended the Cologne Fire Company's fire truck committee for all the work they did on the bid specs and for adding a new requirement for videos of the vehicle as it was being constructed to make sure it was built according to the specs and suggested it be put in all future contracts. Mr. Guishard commended the Administrator and staff for the work they did on it. Ms. Gatto reported that she, Mr. Jacobs, Mr. Kurtz and Mayor Silva met with the County Administrator, Freeholder Will Pauls, last Friday; Mr. Kurtz was only there for the first half of the meeting and Mayor Silva was only there for the second half; while Mr. Kurtz was there they talked about happening on Main Street from the County's perspective and things the Township would like to see accomplished on Main Street; while Mayor Silva was there they talked about Lake Lenape Dam and Countywide Dispatch; they told the County Administrator the Township continues to oppose County Dispatch because they haven't seen one shred of evidence showing that it will save taxpayers money; they haven't seen anything that assures the services Hamilton Township and Egg Harbor City provide through the shared services agreement will be replicated; County Dispatch is something that has been a plan that as long as she has been on Township Committee and still hasn't come to fruition; it might save taxpayers a penny or two; they didn't have an answer to the question about the rumor that the Township's State will be reduced and go to the County instead that will leave a \$700,000.00 hole in the Township Budget and the Township will also lose the \$180,000.00 in revenue from the Shared Services with Egg Harbor City. Mayor Silva said the Township has a state-of-the-art Dispatch Center that the County was given tour of; the County will need 128 Dispatchers; the Township employees are highly trained, effective and are constantly being recognized for their work. Mrs. Link asked if the Township could get other communities to join. Mayor Silva explained he thought it was too late because the County is already committed to putting it at Stockton and he thinks it will cost more than the \$5-\$76 million they estimated. Mr. Guishard said the Township will be charged for it whether it agrees to participate or not. Ms. Gatto said one good thing for the residents is that Mr. Pauls is now the Chairman of the Central Dispatch Committee. The Mayor said that he and Ms. Gatto have been very vocal about this; Dispatchers would be Civil Service there; and that they told the County the only way they would consider it was if they took the Township' dispatchers in. Ms. Gatto reported the last thing they talked about was Lake Lenape Park and they asked if the Township had anything they want to partner with them on.

Mayor Silva thanked everyone regarding the Cologne Fire Truck and said Mr. Pritchard will have an article with pictures in the paper this week.

Public Comment:

John Coyne commented on trying to get someone to come out when it rains to look at the flooding on his property on McCall Avenue; he said it started after a new street was put in in 1997; and photographs that he brought were given to Mr. Jacobs. Mayor Silva asked Mr. Jacobs to get contact information and talk to Mr. Smith about it.

Arlene Blosch asked if consideration was given to the Mays Landing Merchants' Association up-coming major event on Park Road. Mayor Silva said it was and that he didn't think Park Road paving will take place before the event; it will probably be right after it.

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Jennie Ayres announced the following fundraising events: Mays Landing Merchants' Association fundraiser at Cousin Mario's on Wednesday; Atlantic County Cape College community yard sale at the college on Saturday; and Cologne Fire Company community yard sale on Sunday. Mrs. Ayres said that June is National Organ Donors month and suggested that everyone become one. At the Mayor's insistence, Mrs. Ayres announced there will be fundraiser at Cousin Mario's on Sunday for her daughter-in-law who needs a Kidney transplant.

Teresa Albani asked questions about the walking track at Liepe Tract and why it was a priority over bathrooms and a concession stand. Mayor Silva explained the Walking Track was always part of the grand plan for Liepe; the approval tonight was only to apply for a \$24,000.00 grant. Ms. Gatto said she thought the concern is about time-lines for getting the concession stand and bathrooms done. Mr. Jacobs explained they are working on the Master Plan; the Track isn't at a point where it could be built yet because it has to go through Pinelands and some other agencies; and the Township is trying to get approvals for the site plan and will then establish a construction plan. Mrs. Albani commented having only 1 way in and 1 way out where she lives and asked when the Park Road patching will start and where it will start and end Ms. Gatto explained the Road Program has been approved and the Engineer was authorized to do the engineering for it. Mrs. Albani commented on kids who drive to school illegally parking on Dr. Dennis Foreman Drive at the Route 33 end. Mrs. Albani said she is concerned about safety in the Township because of the number of vacant homes and the recent fight at the (Hamilton) Mall. Chief Tappeiner explained the incident at the Mall involved a few kids; arrests have been made; and the Mall Security Staff was there right away. The Chief explained the Police Department does regular patrols; they do routine property checks; the complexes provide updated reports monthly of the unit numbers of all vacant units and they do property checks on them; the Police meet with the Property Managers; the Department doesn't get reports on properties that are foreclosed on but the Sergeants and patrols are aware of areas where there are vacant units. Chief Tappeiner suggested Mrs. Albani call if she sees something.

Mike Angelo commended the Public Works on doing a great job at the Liepe Tract. He said he would like to see a sign outside of it to identify it as the Liepe Tract.

Jim Link said the designation of the Industrial Business Park is a major step forward. He commented on the possible development of the old Zaberer's property about 10 years ago being lost because they weren't offered any kind of incentives.

There being no further questions or comments from the public, Ms. Gatto moved, seconded by Mr. Kurtz, 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. Kurtz, 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 Township of Hamilton vs. Harry B. Scheeler, Jr. 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 "ABSTAIN".

ADJOURNMENT TO EXECUTVE SESSION: 9:18 PM  
EXECUTIVE SESSION ADJOURNMENT: 9:36 PM

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The governing body reconvened in public session at 9:38 PM.

Mr. Sandman confirmed that it was announced that the meeting would reconvene in public session to take action; that no members of the public were present in the meeting room or outside; that only the matter announced was discussed; and the minutes of the session will be made available at such time as the basis for confidentiality is no longer confidential.

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 an amendment be filed to add two (2) counts and one (1) additional defendant in the matter of Hamilton Township versus Sheeler and that it be nunc pro tunc.

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 his meeting be adjourned,

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

ATTEST:

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