

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
JUNE 15, 2015 MINUTES

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, June 15, 2015 at 6:30 PM in the municipal building, Mays Landing, New Jersey.

The meeting was video-taped and will be posted for viewing on the Township website.

A moment of silence for private reflection was observed.

There was no executive session and no executive session confirmation.

Mayor Silva introduced Margaret Gallagher, the new CFO, to the public.

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:

- 9.A Insert names of businesses:
 - (1) Shoe Carnival, Inc. - a retail footwear store in Hamilton Commons
- 9.J Resolutions authorizing renewal of Liquor Licenses that have been filed and received tax clearance certificates for the 2015-2016.
 - (1) Plenary Retail Distribution Licenses
 - (2) Plenary Retail Consumption Licenses
- 9.K Authorize in-house posting and advertising for full-time Administrative Assistant in Township Clerk's Office.
- 10.F Resolution to delete Cynthia Lindsay as a banking signatory and add Dorothy Gallagher as an authorized signatory in accordance with the Township's Cash Management Plan.

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

There was no early public comment on agenda items not listed for public hearing.

Introduction of Ordinance #1792-2015:

Mr. Sandman explained the Ordinance was recommended by the Industrial Commission and their marketing agent because they felt they weren't able to compete with other towns that have the program; the Commission unanimously voted to put it before Township Committee as recommended by their subcommittee; and he and his Associate Evan Labov believe it is consistent with State Statute. In answer to Members' questions, Mr. Labov said the Ordinance is readable, easy to understand and most established businesses or developers will be able to execute it step by step to receive the abatement for a new building or for an improvement. Ms. Gatto said it is very clear and concise. Mr. Guishard said that he hadn't read it yet but he would. Michael Collazo, a member of the Industrial Commission, owner of the Anytime

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Fitness, and Vice President of the Mays Landing Merchant's Association (MLMA) said that the Ordinance will at least attract businesses to visit the Park; that there are some towns that are giving longer abatements depending on how many jobs the business will create; that the Township has to do this to become more pro-business; and it is a great first step. He commented on explaining to the MLMA that when those businesses come in, they will need places to live and other services. Mrs. Link said that businesses that are going to locate here need to be comfortable that the Township is going to encourage and work with them. She asked if the Township owned all of the property listed in the Ordinance. Mr. Sandman explained that not all of it but the vast majority of property in the Industrial Business Park Zone is in the Industrial Park. Ms. Gatto asked how the application fee compared to other municipalities. Mr. Labov explained there is an application and fee for improvements and a separate one for actual new construction or construction that increases the volume of the building by more than 30%; the fee for the construction application is \$250.00, it is voluminous and comes to Township Committee after it is reviewed by the Tax Assessor. Ms. Gatto asked if the Committee had the flexibility to apply the Ordinance elsewhere in the Township and modify the length of time. if this is successful. Mr. Sandman said they do as long it is declared an area in need of rehabilitation; it would require fact findings and basis for doing it; and the same steps would apply as what was done here. The new construction application compares favorably. He said the Ordinance entices businesses to come here; entices businesses that are already here to add on or make improvements; and provides tax abatement on new additions.

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

BE IT RESOLVED that Ordinance #1792-2015 be and is hereby introduced and passed on first reading and that the Township Clerk is authorized to advertise same in the June 17, 2015 issue of the Atlantic County Record for a public hearing to be held at 6:30 PM in the municipal building, 6101 Thirteenth Street, Mays Landing, NJ on Monday, July 6, 2015.

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

TOWNSHIP OF HAMILTON
ORDINANCE NO.1792-2015

CREATING ARTICLES II AND III OF CHAPTER 269, "TAXATION", TO BE ENTITLED, RESPECTIVELY, "FIVE-YEAR EXEMPTION PROGRAM FOR CONSTRUCTION IN THE INDUSTRIAL BUSINESS PARK ZONE" AND "FIVE-YEAR EXEMPTION PROGRAM FOR IMPROVEMENTS IN THE INDUSTRIAL BUSINESS PARK ZONE"

WHEREAS, Article 8, Section 1, Paragraph 6 of the New Jersey Constitution authorizes the State Legislature to enact general laws under which municipalities may adopt ordinances granting exemptions or abatements from taxation on commercial and industrial buildings and structures and the land on which they are situate in areas declared in need of rehabilitation.

WHEREAS, The State Legislature has adopted the "Five-Year Exemption and Abatement Law", N.J.S.A. 40A:21-1 et seq., under said constitutional authority for the purpose of providing municipalities the greatest flexibility possible within the constitutional limitations to address problems of deterioration and decay while preserving the salient features of existing tax exemption and abatement programs.

WHEREAS, Pursuant to the "Local Redevelopment and Housing Law", N.J.S.A. 40A:12A-1 et seq., by Resolution dated April 20, 2015, the Township of Hamilton determined that certain areas of the Industrial Business Park Zone are in need of rehabilitation.

WHEREAS, The Township of Hamilton finds and declares that a tax exemption program, requiring the entrance into a Tax Agreement providing for payments in lieu of taxes on a gradually increasing basis during the exemption period, for the construction of new commercial and industrial structures, and a limited tax exemption program for improvements to commercial and industrial structures where the square footages of such structures are increased and the improvement increases the assessed value of the property by more than \$50,000.00 as authorized by N.J.S.A. 40A:21-1, et seq., will promote rehabilitation in the areas designated herein by incentivizing investment.

WHEREAS, Subject to the requirement of review for each individual project, the Township of Hamilton finds and declares that the investments incentivized will be of such a nature that they will have both short-term and long-term substantial, positive impacts on the local economy.

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

SECTION I. CREATION OF ARTICLE II OF CHAPTER 269

Article II of Chapter 269 of the Township Code is hereby created and shall be as follows:

Article II. Five-Year Exemption Program for Construction in the Industrial Business Park Zone

§ 269-7 Legislative Authority

- A. Article 8, Section 1, Paragraph 6 of the New Jersey Constitution authorizes the State Legislature to enact general laws under which municipalities may adopt ordinances granting exemptions or abatements from taxation on commercial and industrial buildings and structures and the land on which they are situate in areas declared in need of rehabilitation.
- B, The State Legislature has adopted the "Five-Year Exemption and Abatement Law", N.J.S.A. 40A:21-1 et seq., under said constitutional authority for the purpose of providing municipalities the greatest flexibility possible within the constitutional limitations to address problems of deterioration and decay while preserving the salient features of existing tax exemption and abatement programs.
- C. The Township of Hamilton creates this Article under the authority provided by N.J.S.A. 40A:21-1 et seq.

§ 269-8 Findings and Purpose

- A. Pursuant to the "Local Redevelopment and Housing Law", N.J.S.A. 40A:12A-1 et seq., by Resolution dated April 20, 2015, the Township of Hamilton determined that certain areas of the Industrial Business Park Zone are in need of rehabilitation.
- B. The Township of Hamilton finds and declares that a tax exemption program, requiring the entrance into a Tax Agreement providing for payments in lieu of taxes on a gradually increasing basis during the exemption period, for the construction of new commercial and industrial structures, as authorized by N.J.S.A. 40A:21-1, et seq., will promote rehabilitation in the areas designated herein by incentivizing investment.

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- C. Subject to the requirement of review for each individual project, the Township of Hamilton finds and declares that the investments incentivized will be of such a nature that they will have both short-term and long-term substantial, positive impacts on the local economy.

§ 269-9 Definitions

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

Abatement

The portion of the assessed value of a property as it existed prior to Construction, which is exempted from taxation pursuant to this Article.

Annual Period

The duration of time comprising 365 days, or 366 days when the included month of February has 29 days, that commences on the date that an exemption or abatement for a project becomes effective pursuant to N.J.S.A. 40A:21-16 and this Article.

Assessor

The Assessor of the Township of Hamilton who is charged with the duty of assessing real property for the purpose of general taxation.

Commercial or Industrial Structure

A structure or part thereof used for the manufacturing, processing or assembling of material or manufactured products, or for research, office, industrial, commercial, retail, recreational, hotel or motel facilities, or warehousing purposes, or for any combination thereof, which the governing body determines will tend to maintain or provide gainful employment within the municipality; assist in the economic development of the municipality; maintain or increase the tax base of the municipality; and maintain, or diversify and expand, commerce within the municipality. It shall not include any structure or part thereof used or to be used by any business relocated from another municipality which has designated any area therein as an "area in need of rehabilitation" as defined in N.J.S.A. 40A:21-3(b). References to "Structure" herein shall mean "Commercial or Industrial Structure" unless otherwise specified.

Completion

Substantially ready for the intended use for which a building or structure is constructed or improved.

Construction

The provision of a new commercial or industrial structure, or the enlargement of the volume of an existing commercial or industrial structure by more than 30%, but not the conversion of an existing building or structure to another use.

Exemption

That portion of the Assessor's full and true value of any improvement or construction not regarded as increasing the taxable value of a property pursuant to this Article.

Improvement

A modernization, rehabilitation, renovation, alteration or repair which produces a physical change in an existing building or structure that improves the safety, sanitation, decency or attractiveness of the building or structure as a place for human habitation or work, and which does not change its permitted use. It shall not include ordinary painting, repairs and replacement of maintenance items, or an enlargement of the volume of an existing structure by more than 30%. In no case shall it include the repair of fire or other damage to a property for which payment of a claim was received by any person from an insurance

company at any time during the three year period immediately preceding the filing of an application pursuant to this act.

Project

The Construction or Improvement of a Structure in an area in need of rehabilitation that would qualify for an exemption pursuant to this Article.

§ 269-10 Lots for Which Exemptions are Available

The following Lots shall comprise the "area in need of rehabilitation" pursuant to N.J.S.A. 40A:21-3 and the Township's Resolution of April 20, 2015 providing for same and shall be the only Lots subject to the provisions of this Article:

A. Lots in the Hamilton Township Business Park

Block	Lot(s)
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

B. Industrial Business Park Zone Lots Adjacent to Hamilton Township Business Park

Block	Lot(s)
987	1-4
1029	1, 2.01, 4
1030.03	2.02, 4.01

§ 269-11 Exemptions for Commercial and Industrial Construction Projects

A. Owners of any lot or lots referenced in § 269-10 shall be entitled to apply for an exemption under this Article for the Construction of Industrial or Commercial Structures planned for said lot or lots. Exemptions shall only be granted through Tax Agreements as provided for in § 269-16 of this Chapter.

B. Exemptions shall not be granted for any Structure which will be utilized in its entirety by a business relocated from another municipality which has designated any area therein as an "area in need of rehabilitation" as defined in N.J.S.A. 40A:21-3(b). Where only a portion of a Structure will be utilized by a business relocated from a qualified municipality, the exemption shall only apply to the increase in assessed value of the property attributable to that portion of the Structure not utilized by the relocating business. For the purpose of this provision a business does not "utilize" common space in a Structure unless the relocating business's activities are primarily carried out in common space.

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- C. A Construction Project may be completed in phases with the exemptions provided by the Tax Agreement becoming effective as to each phase on January 1st in the year after Completion of the phase. Each phase must consist of the Construction of at least one Structure separated from all other Structures on the property. Structures will be considered separated if there is no roofed physical connection between them or the connection between them consists solely of a walkway of a minimum length of twenty feet. The Construction of any particular Structure may not be part of more than one phase.
- D. In no event shall separate dates of Completion be attributed to different portions of a single Structure or multiple Structures which are not separated.

§ 269-12 Application for Tax Agreement

- A. Approval of an Application for Tax Agreement shall be required for any exemption for Commercial and Industrial Construction Projects.
- B. The current Owner or Owners of the lot on which the Project will occur shall be the applicant. However, if the Industrial or Commercial Structured will be owned or operated by another individual or entity or there is a prospective purchaser of the lot whose purchase is contingent on receiving an exemption, that individual, entity, or prospective purchaser shall be a co-applicant with the Owner or Owners.
- C. The application shall set forth:
 - 1. The full legal name of the applicant and any co-applicant, and if the applicant or co-applicant is a legal entity, a certified copy of the entity or entities' Status Report from the State of New Jersey, Department of the Treasury, Division of Revenue and Finance;
 - 2. A general description of the Project for which exemption is sought;
 - 3. A legal description of all real estate necessary for the Project;
 - 4. Plans or drawings of the Project and a narrative statement of the design of the Project sufficient to fully apprise the Township of the design and structure of the Project;
 - 5. Any and all land use approvals from the municipality, county, State, or any agencies thereof and documents demonstrating such approvals;
 - 6. An estimated date of Completion; where the Project is to be completed in Phases, an estimated date of Completion for each Phase shall be provided.
 - 7. A description of the number, classes and types of employees to be employed at the Project site within two years of the Project's completion;
 - 8. An estimate of the number, classes, and types of person to be employed by the Owner or the Owner's contractors to complete the Construction or Improvement;

9. A statement of the reasons for seeking a tax exemption on the Project, and a description of the benefits to be realized by the applicant if a Tax Agreement is granted;
 10. Estimates of the cost of completing the Project;
 11. A statement showing (1) the real property taxes currently being assessed at the project site; (2) estimated tax payments that would be made annually by the applicant on the project during the period of the agreement; and (3) estimated tax payments that would be made by the applicant on the Project during the first full year following the termination of the Agreement;
 12. A statement and supporting documents demonstrating that no property taxes are delinquent or remain unpaid and that there are no unpaid penalties for nonpayment of taxes in relation to the lot or lots on which the Project is to occur;
 13. A description of any lease agreements between the applicant and any co-applicant or other proposed users of the Project, and a history and description of the users' business; and
 14. A statement that no business who will utilize the space is relocating from a another municipality which has designated any area therein as an "area in need of rehabilitation" as defined in N.J.S.A. 40A:21-3(b); or a statement identifying the portion of the Structure that will be utilized by such a relocating business, specifically the square footage utilized by that business and a detailed description of the interior design of the area utilized by that business must be provided.
- D. The applicant and any co-applicant shall certify that to the best of their knowledge, that the application is complete and the information therein is true and accurate.

§ 269-13 Submission and Approval of Application for Tax Agreement

- A. The applicant shall submit eight (8) copies of its application materials to the Tax Assessor prior to commencing physical, on-site work on the Project.
- B. The application shall be accompanied by non-refundable payment in the amount of \$250.00 to cover costs associated with review.
- C. The Assessor shall review the application materials within ten (10) days of receipt. If the application appears complete on its face, the Assessor shall provide the application materials to the Township Committee within fourteen (14) days of receipt. If the application appears incomplete on its face, the Assessor shall notify the applicant of the additional materials required within fourteen (14) days of receipt. An applicant must correct any deficiencies noted by the Assessor within sixty (60) days or its application shall be deemed void; if the applicant believes its application complete, within sixty (60) days of the Assessor's notice of incompleteness it may request the Assessor forward the application to the Township Committee in the normal course and the Assessor shall forward same.

- D. The Assessor's determination of completeness is not a final determination of the Township and is not binding on the Township Committee. In all cases, the Township Committee shall independently consider the completeness of an application without deference to the prior determinations of the Assessor.
- E. At the time the Assessor forwards the application to the Township Committee, he or she shall also forward to the Township Committee a draft Tax Agreement and draft ordinance authorizing the Township's entrance into same.
- F. The Township Committee shall schedule a public hearing on the application to be held within seventy-five (75) days of the receipt of the application by the Assessor.
- G. The applicant and any co-applicant, or representatives thereof, shall be present at the public hearing and subject to questioning by the Township Committee, the Township Solicitor, and any other Township professional under oath or affirmation. The applicant and any co-applicant shall have the right, but not obligation, to present sworn testimony in support of the application. Any member of the public, including the representative of any legal entity, shall have the right to comment at the time of the hearing.
- H. The Township Committee shall grant the application upon a demonstration by the applicant and any co-applicant that the terms and conditions of this Article have been met in their entirety and that the Project will: tend to maintain or provide gainful employment within the Township; assist in the economic development of the Township; maintain or increase the tax base of the Township; and maintain, or diversify and expand, commerce within the Township.
- I. During the first regular public meeting following the hearing, the Township shall: (a) introduce and pass on first reading an ordinance approving the application and authorizing the entrance into a Tax Agreement; or (b) adopt a resolution denying the application. Where the Township intends to approve the application, it shall thereafter adopt the approving and authorizing ordinance at its next regular meeting. The final form of the Tax Agreement shall include all provisions required by § 269-14 of this Article.

§ 269-14 Scope of Tax Agreement; Calculation of Payment in Lieu of Full-Property Taxes; and Required Terms

- A. The Tax Agreement shall be between the Township, the Owner or Owners of the property, and any co-applicant.
- B. The Tax Agreement shall fully describe the scope of the real property and Construction subject to its terms. This description shall include an identification of the subject block and lot, a metes and bounds of the property and, additionally but alternatively, may be provided by reference to drawings, site plans, or surveys appended to the Tax Agreement and made a part thereof.
- C. The Tax Agreement shall require that the Owner and any co-applicant follow the terms of this Article; The Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq.; and all applicable federal, State, and local laws and regulations on pollution control, worker safety, discrimination in employment, housing provision, zoning, planning and building code requirements.

D. The Tax Agreement shall provide:

"If during any tax year prior to the termination of the Tax Agreement, the property owner or co-applicant ceases to operate or disposes of the property, fails to meet the conditions for qualifying, or violates the Tax Agreement then the tax which would have otherwise been payable for each tax year shall become due and payable from the property owner as if no exemption had been granted. The Township shall notify the property owner and tax collector forthwith and the tax collector shall within 15 days thereof notify the owner of the property of the amount of taxes due.

However, with respect to the disposal of the property, where it is determined that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property, no tax shall be due, the exemption shall continue, and the agreement shall remain in effect. In order for the benefits of this Tax Agreement to continue under these circumstances, prior to disposal, the new owner to be must execute a confirming agreement with the Township."

There shall be no such determination unless the new owner executes an agreement with the Township to the effect that it will abide by all terms of the Tax Agreement in exchange for the continuation of benefits thereunder. The Township shall authorize the execution of such agreements by Resolution of the Township Committee.

E. The Tax Agreement shall provide:

"At the termination of this Tax Agreement, the project and property described herein shall be subject to all applicable real property taxes as provided by State law and regulation and local ordinance; but nothing herein shall prohibit a project, at the termination of this Tax Agreement, from qualifying for and receiving the full benefits of any other tax preferences provided by law."

F. The Tax Agreement shall require that during the pendency of Construction, the assessed value of the property shall remain unchanged, and the Owner or Owners shall pay the full amount of taxes due as determined by generally applicable rates except to the extent that the property is subject to an existing abatement, exemption, or other special tax status. Where, after the most recent assessment but prior to completion of Construction on the project, demolition of any structure occurs on the property, that demolition shall not cause a reduction in the assessed value of the property.

G There shall be no abatement on the value of the land or of any improvement or structure on the property that existed prior to the commencement of the Construction project, nor shall there be an exemption from taxation on such assessed value or an increase therein.

H. The Tax Agreement shall provide that, starting January 1st of the year following completion of the Construction Project, on application of the Owner or Owners in accordance with § 269-15 of this Article, the Owner or Owners shall make payments as follows:

- a. The full amount of taxes due upon on the land and any structures and improvements pre-existing the commencement of the Construction Project; and

- b. Payments in lieu of taxes on the fully-assessed value of the completed Construction Project, as determined by § 269-16 of this Article, as follows:
 - In the first full year after Completion: no payment;
 - In the second full year after Completion: 20% of taxes otherwise due;
 - In the third full year after Completion: 40% of taxes otherwise due;
 - In the fourth full year after Completion: 60% of taxes otherwise due;
 - In the fifth full year after Completion: 80% of taxes otherwise due.
- I. If the Construction Project has separate dates of completion for different phases of the Project, the Tax Agreement shall provide that the payments in lieu of taxes shall not be triggered for a particular phase until January 1st in the year after that phase is completed.
- J. The Township and the Owner or Owners and any co-applicant shall at all times abide by the terms of the Tax Agreement until the Tax Agreement is terminated.

§ 269-15 Application for Exemption Pursuant to Tax Agreement Following Completion of Construction

- A. No exemption provided for in a Tax Agreement shall become effective except upon written application filed with and approved by the Assessor.
- B. Within 30 days, including Saturdays and Sundays (but not legal holidays), of the Completion of a Construction Project subject to a Tax Agreement, or a phase of a Project subject to a Tax Agreement, the Owner or Owners must apply in writing for the approval of an exemption. If the 30th day falls on a Saturday, Sunday, or legal holiday, the time shall be extended until the next day that is not a Saturday, Sunday, or legal holiday.
- C. The application shall be on the form prescribed by the Director of the Division of Taxation in the Department of the Treasury, which form shall be available to the public in the office of the Assessor. The form need not be retrieved from the office of the Assessor if the applicant obtains the correct form from another source.
- D. The application shall be granted by the Assessor upon his or her determination that the application is consistent with the provisions of this Article, consistent with the Tax Agreement or ordinance adopting same, and the Project qualifies as Construction under the terms of this Article and the definition of "Construction" found in N.J.S.A. 40A:21-3.

§ 269-16 Assessment of Value of New Construction

- A. On October 1st of the year following the date of the Completion of the Construction project or any phase thereof, the Assessor shall determine the true taxable value thereof to be applied on January 1st of the following year.

- B. Where the Completion does not occur until after October 1st in a given year, the Assessor shall determine the true taxable value on October 1st of the following year and that assessment shall relate back to January 1st of the year in which the value is determined for purposes of determining payments under the Tax Agreement.

§ 269-17 Additional Improvements or Construction

- A. An additional Improvement or Construction completed on a property granted a previous exemption under a Tax Agreement pursuant to this Article during the period in which the previous exemption is in effect, shall be qualified for an exemption just as if such property had not received a previous exemption.
- B. In such case, the additional Improvement or Construction shall be considered as separate for the purposes of calculating exemptions pursuant to this Article or Article II of this Chapter 269, except that the assessed value of any previous Construction shall be added to the assessed valuation as it was prior to that Construction for the purpose of determining the assessed valuation of the property from which any additional abatement is to be subtracted.

§ 269-18 Ineligibility of Property with Outstanding Taxes or Penalties

No exemption under this Article may be granted, or Tax Agreement entered into, with respect to any property for which property taxes are delinquent or remain unpaid, or for which penalties for nonpayment of taxes are due.

§ 269-19 Property Taxes Subject to Exemption

- A. The exemption of real property taxes provided by the Township pursuant to this Article shall apply to property taxes believed for municipal purposes, school purposes, county government purposes, and for the purposes of funding any other property tax exemptions or abatements.
- B. The percentage of the tax payment otherwise owing that is paid in lieu of property taxes shall be applied to the valuation of the property to determine the reduced valuation of the property to be included in the valuation of the Township for determining equalization for county tax apportionment and school aid during the term of the Tax Agreements covering the properties; and at the termination of a Tax Agreement for a property, this reduced valuation procedure shall no longer apply.

§ 269-20 Regular Reporting Requirements; Preparation and Submission of Annual Report; Recording Requirements

- A. Within 30 days after the execution of a Tax Agreement under this Article, the Township shall forward a copy of the Tax Agreement to the Director of the Division of Local Government Services in the Department of Community Affairs.
- B. The Township Committee shall report, on or before October 1st of each year, to the Director of the Division of Local Government Services in the Department of Community Affairs and to the Director of the Division of Taxation in the Department of the Treasury: (1) the total amount of real property taxes exempted within the municipality in the current tax year for each of the following Improvements of Commercial or Industrial Structures under Article III of this Chapter 269; and (2) for all Construction of Commercial or Industrial Structures under Tax Agreements under this Article II of Chapter 269, the total amount of

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payments made in lieu of taxes according to each formula utilized by the Township, and the difference between that total amount and the total amount of real property taxes which would have been paid on the Project had the tax agreement not been in effect for the current tax year.

- C. The grant of an exemption and Tax Agreement under this Article shall be recorded and made a permanent part of the official tax record of the Township, which record shall contain a notice of the termination date thereof.

§ 269-21 Effect of Amendment to Article; Automatic Expiration and Required Reauthorization

- A. This Article may be amended from time to time.
- B. An amendment to this Article, or the adoption of an Ordinance otherwise affecting this Article, shall not affect any exemption and Tax Agreement in force prior to the adoption of the amendment.
- C. No exemption and Tax Agreement authorized by this Article shall be applied for, entered into, or take initial effect in the eleventh tax year after this Article is first adopted or in any year thereafter. Except as provided in sub-part D of this section, any such application or Tax Agreement and exemption shall be void *ab initio* where it is apparent on the face of the application or Tax Agreement that the exemption and Tax Agreement would not take effect until such a year. Except as provided in sub-part D of this section, where it is not apparent on the face of the application and Tax Agreement, but the completion of the Construction is delayed such that the exemption or Tax Agreement will not take effect until the eleventh tax year after this Article is first adopted or thereafter, the exemption or Agreement shall be void on January 1st of said eleventh year.
- D. The provisions of this Article may be readopted by ordinance at any time during or after the tenth tax year after this Article is initially adopted. Exemptions and Tax Agreements which on their face will not take effect until the eleventh year after this Article is first adopted, or thereafter, shall not be void *ab initio* if the application for such exemption and Tax Agreement is filed after the adoption of an ordinance readopting this Article. Exemptions and Tax Agreements which, by virtue of delayed completion of the Construction, do not take effect until the eleventh tax year after this Article is first adopted or thereafter, shall not be void if this Article is readopted during the tenth year after this Article is initially adopted.
- E. Notwithstanding anything in this Article to the contrary, under no circumstances may an application be filed or approved for an Exemption and Tax Agreement that, on its face, would not take effect until the eleventh tax year after the application is filed.

SECTION II. CREATION OF ARTICLE III OF CHAPTER 269

Article III of Chapter 269 of the Township Code is hereby created and shall be as follows:

Article II. Five-Year Exemption Program for Improvements in the Industrial Business Park Zone

§ 269-22 Legislative Authority

This Article is authorized in the manner described in Article II of this Chapter 269.

§ 269-23 Findings and Purpose

- A. Pursuant to the "Local Redevelopment and Housing Law", N.J.S.A. 40A:12A-1 et seq., by Resolution dated April 20, 2015, the Township of Hamilton determined that certain areas of the Industrial Business Park Zone are in need of rehabilitation.
- B. The Township of Hamilton finds and declares that a limited tax exemption program for improvements to commercial and industrial structures where the square footages of such structures are increased and the improvement increases the assessed value of the property by more than \$50,000.00, as authorized by N.J.S.A. 40A:21-1, et seq., will promote rehabilitation in the areas designated herein by incentivizing investment.
- C. Subject to the requirement of review for each individual project, the Township of Hamilton finds and declares that the investments incentivized will be of such a nature that they will have both short-term and long-term substantial, positive impacts on the local economy.

§ 269-24 Definitions

As used in this Article, the definitions provided for in Article II of this Chapter 269 shall apply.

§ 269-25 Lots for Which Exemptions are Available

The Lots specified in Article II of this Chapter 269 shall comprise the "area in need of rehabilitation" pursuant to N.J.S.A. 40A:21-3 and the Township's Resolution of April 20, 2015 providing for same and shall be the only Lots subject to the provisions of this Article.

§ 269-26 Exemptions for Commercial and Industrial Improvement Projects

- A. Owners of any lot or lots referenced in § 269-26 and § 269-10 shall be entitled to apply for an exemption under this Article for the Improvement of an Industrial or Commercial Structure planned for said lot or lots where the Improvement increases the square footage of the structure.
- B. To qualify for an exemption, the additional square footage must consist of interior, four-walled space with a permanent roof.
- C. To the extent the additional square footage is part of a broader Improvement, the exemption shall only apply to the increase in assessed value of the property attributable to the portion of the Improvement that has added square footage to the structure. For example, where an Owner adds a new wing to an existing structure and also renovates the existing structure the exemption is available for the amount the tax assessment is increased as a result of the interior, four-walled, permanent-roofed space of the new wing and everything therein but is not available for any increase in assessment arising from the renovation.
- D. Exemptions shall not be granted for any Improvement which will be utilized in its entirety by a business relocated from another municipality which has designated any area therein as an "area in need of rehabilitation" as defined

in N.J.S.A. 40A:21-3(b). Where only a portion of an Improvement will be utilized by a business relocated from a qualified municipality, the exemption shall only apply to the increase in assessed value of the property attributable to that portion of the Improvement not utilized by the relocating business. For the purpose of this provision a business does not "utilize" common space in an Improvement unless the relocating business's activities are primarily carried out in common space.

- E. Exemptions shall not be granted for any Improvement which will increase the full and true assessed value of the property by less than \$50,000.00.

§ 269-27 Submission and Approval of Applications

- A. No exemption shall be approved for an Improvement except upon written application filed with and approved by the Assessor and thereafter granted by the Township Committee.
- B. Within 30 days, including Saturdays and Sundays (but not legal holidays), of the Completion of an Improvement the Owner or Owners must apply in writing for the approval of an exemption. If the 30th day falls on a Saturday, Sunday, or legal holiday, the time shall be extended until the next day that is not a Saturday, Sunday, or legal holiday.
- C. The application shall be on the form prescribed by the Director of the Division of Taxation in the Department of the Treasury, which form shall be available to the public in the office of the Assessor. The form need not be retrieved from the office of the Assessor if the applicant obtains the correct form from another source.
- D. The applicant shall submit eight (8) copies of its application materials to the Tax Assessor along with a non-refundable payment in the amount of \$50.00 to cover costs associated with review.
- E. The Assessor shall review the application within ten (10) days of receipt. The application shall be approved by the Assessor upon his or her determination that the application is consistent with the provisions of this Article, including but not limited to the limitations on the availability of exemptions provided for in § 269-26 of this Article and the Project qualifies as an Improvement under the terms of this Article and the definition of "Improvement" found in N.J.S.A. 40A:21-3.
- F. Within fourteen (14) days of the Assessor's receipt of the application, and upon his or her approval, the Assessor shall forward the application to the Township Committee.
- G. The Township Committee shall schedule a public hearing on the application to be held within seventy-five (75) days of the receipt of the application by the Assessor.
- H. The applicant and any co-applicant, or representatives thereof, shall be present at the public hearing and subject to questioning by the Township Committee, the Township Solicitor, and any other Township professional under oath or affirmation. The applicant and any co-applicant shall have the right, but not obligation, to present sworn testimony in support of the application. Any member of the public, including the representative of any legal entity, shall have the right to comment at the time of the hearing.
- I. The Township Committee shall grant the application upon a demonstration by the applicant and any co-applicant that the terms and conditions of this Article have been met in their entirety and that the Project will: tend to maintain

or provide gainful employment within the Township; assist in the economic development of the Township; maintain or increase the tax base of the Township; and maintain, or diversify and expand, commerce within the Township.

- J. During the first regular public meeting following the hearing, the Township shall: (a) adopt a resolution granting the requested exemption; or (b) adopt a resolution denying the application.

§ 269-28 Assessment of Value of Improvement; Effective as of Completion

- A. On October 1st of the year following the date of the Completion of the Improvement Project, the Assessor shall determine the true taxable value thereof.
- B. The amount of tax to be paid for the tax year in which the Improvement Project is completed shall be based on the assessed valuation of the property for the current tax year plus any portion of the assessed valuation of the Improvement not allowed an exemption pursuant to this Article, prorated.
- C. The property shall continue to be treated in the appropriate manner for each of the four tax years subsequent to the original determination by the Assessor and shall be prorated in the final tax year in which the exemption expires to the last day of the fifth Annual Period from the date of Completion.

§ 269-29 Scope of Exemption

- A. During the exemption period, the assessment of the property shall not be less than the assessment thereon immediately prior to the Improvements unless there is damage to the Structure through action of the elements sufficient to warrant a reduction.
- B. The full and true value of the Improvement, as determined by the Assessor, shall be exempt from taxation for five annual periods from the date of Completion.

§ 269-30 Additional Improvements or Construction

- A. An additional Improvement or Construction completed on a property granted a previous exemption for an Improvement pursuant to this Article during the period in which the previous exemption is in effect, shall be qualified for an exemption just as if such property had not received a previous exemption.
- B. In such case, the additional Improvement or Construction shall be considered as separate for the purposes of calculating exemptions pursuant to this Article or Article II of this Chapter 269, except that the assessed value of any previous Improvement shall be added to the assessed valuation as it was prior to that Improvement for the purpose of determining the assessed valuation of the property from which any additional abatement is to be subtracted.

§ 269-31 Ineligibility of Property with Outstanding Taxes or Penalties

No exemption under this Article may be granted with respect to any property for which property taxes are delinquent or remain unpaid, or for which penalties for nonpayment of taxes are due.

§ 269-32 Property Taxes Subject to Exemption

The exemption of real property taxes provided by the Township pursuant to this Article shall apply to property taxes believed for municipal purposes, school purposes, county government purposes, and for the purposes of funding any other property tax exemptions or abatements.

§ 269-33 Recording of Exemption; Preparation and Submission of Annual Report

- A. The grant of an exemption pursuant this Article shall be recorded and made a permanent part of the official tax record of the Township, which record shall contain a notice of the termination date thereof.
- B. The Township Committee shall meet its reporting obligations under this Article by filing a report as required by §269-20 of this Chapter 269.

§ 269-34 Effect of Amendment to Article; Automatic Expiration and Required Reauthorization

- A. This Article may be amended from time to time.
- B. An amendment to this Article, or the adoption of an Ordinance otherwise affecting this Article, shall not affect any exemption in force prior to the adoption of the amendment.
- C. No exemption authorized by this Article shall be applied for, entered into, or take initial effect in the eleventh tax year after this Article is first adopted or in any year thereafter. Except as provided in sub-part D of this section, any such application or exemption shall be void *ab initio* where it is apparent on the face of the application that the exemption would not take effect until such a year. Except as provided in sub-part D of this section, where it is not apparent on the face of the application, but the Improvement's completion is delayed such that the exemption will not take effect until the eleventh tax year after this Article is first adopted or thereafter, the exemption shall be void on January 1st of the said eleventh year.
- D. The provisions of this Article may be readopted by ordinance at any time during or after the tenth tax year after this Article is initially adopted. Exemptions which on their face will not take effect until the eleventh year after this Article is first adopted, or thereafter, shall not be void *ab initio* if the application for such exemption is filed after the adoption of an ordinance readopting this Article. Exemptions which, by virtue of delayed completion of the Improvement, do not take effect until the eleventh tax year after this Article is first adopted or thereafter, shall not be void if this Article is readopted during the tenth year after this Article is initially adopted.
- E. Notwithstanding anything in this Article to the contrary, under no circumstances may an application be filed or approved for an exemption that, on its face, would not take effect until the eleventh tax year after the application is filed.

SECTION III . SEVERABILITY and REPEALER

(a) If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or enforceable 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 V. EFFECTIVE DATE.

This Ordinance shall take effect upon its final passage and publication as provided by 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: GATTO "AYE"
GUISHARD "AYE"
KURTZ "AYE"
LINK "AYE"
SILVA "AYE"**

ORDINANCE #1792-2015 INTRODUCED AND PASSED FIRST READING JUNE 15 , 2015.

Introduction of Ordinance #1793-2015:

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

BE IT RESOLVED that Ordinance #1793-2015 be and is hereby introduced and passed on first reading and that the Township Clerk is authorized to advertise same in the June 17, 2015 issue of the Atlantic County Record for a public hearing to be held at 6:30 PM in the municipal building, 6101 Thirteenth Street, Mays Landing, NJ on Monday, July 6, 2015.

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

**TOWNSHIP OF HAMILTON
ORDINANCE NO. 1793-2015**

**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 Township Committee has determined that it is in the best interest of the Township to add a temporary full-time as needed, Laborer in the Public Works Department and;

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to add a temporary part-time as needed, Administrative Assistant position in the Township Clerks Office and;

WHEREAS, current staffing needs in Clerks Office and the Public Works Department support these changes on an as needed basis; and

June 15, 2015

WHEREAS, these changes will increase the cost to the Township's operating budget;
June 15, 2015

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 TEMPORARY FULL-TIME AS NEEDED by adding the following additional position:

Laborer\$15.00 per hour

SECTION 2. Create Position

Amend Exhibit "A" Section #1, entitled PART-TIME AS NEEDED by adding the following additional position:

Administrative Assistant.....\$20.00 per hour

SECTION 3. Amend Staffing Chart

Amend Staffing Chart to include a third "temporary full-time as needed" Laborer position in the Public Works Department.

SECTION 4. Amend Staffing Chart

Amend Staffing Chart to include one "part-time as needed" Administrative Assistant Position in the Clerk's Office.

SECTION 5. 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 6. Effective Date.

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

ATTEST:

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

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

Roger Silva, Mayor

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

ORDINANCE #1793-2015 INTRODUCED AND PASSED FIRST READING JUNE 15, 2015.

Filing for Declaratory Judgment for Township Affordable Housing Plan:

Mr. Sandman explained this was the recommendation of the Township's COAH Counsel Stephen Eisdorfer and himself as discussed in the June 1st executive session.

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

BE IT RESOLVED that Stephen M. Eisdorfer, Special Counsel, is hereby authorized to file for a Declaratory Judgment that the Hamilton Township Affordable Housing Plan is presumptively valid.

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

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

BE IT RESOLVED that purchase of one (1) 2015 Jeep Patriot 4-wheel drive vehicle from Hetrich Fleet Services, Inc., Milford, DE at a cost of \$19,211.50 is hereby authorized with funding from the 2015 Code Enforcement Budget.

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

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

BE IT RESOLVED that The Design Collaborative proposal to provide Architectural Services for Town Hall ADA improvements at a cost not to exceed \$8,000.00 dated June 8, 2015 is hereby accepted.

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

R & V proposal for 2015 Road Program supplemental work:

Mr. Jacobs explained it is for speed bumps (traffic calming devices) on Pinehurst Drive and striping on Dr. Dennis Foreman Drive and Denmead Drive. Mr. Smith said that it will be bid as part of the Road Program.

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

BE IT RESOLVED that the Remington and Vernick proposal to provide supplemental work for the 2015 Road Program at a fixed fee not to exceed \$7,700.00 is hereby accepted.

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

Consent Agenda Items "E" and "F" were acted on separately at the request of Mayor Silva and Ms. Gatto respectively.

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

BE IT RESOLVED that the Business Registration License for Shoe Carnival, Inc., a retail footwear store in Hamilton Commons is hereby approved.

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

June 15, 2015

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

BE IT RESOLVED that release of the following Travelers Casualty & Surety Co. of America performance bonds for Baker Residential Deerfield Major Subdivision (Victoria Pointe) is hereby authorized as recommended by Robert J. Smith III, Township Engineer on May 28, 2015 with no maintenance guarantees required:

- (1) \$46,308.30 bond #104451549 guarantee for the temporary sales trailer (PB file # SP12-04/Township Engineer's file #0112-1-013).
- (2) \$23,444.00 bond #105093087 guarantee for the model home park (PB file #SD6-95.01/Township Engineer's file #0112-1-013).

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 St. Vincent de Paul Parish cash escrow maintenance guarantee for the non-stormwater management system components of their Church Building and Rectory project is hereby denied due to uncompleted punch list items.

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

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

RESOLUTION AUTHORIZING PUBLIC LAND SALE

WHEREAS, the Township of Hamilton is the owner of lands hereinafter described; and

WHEREAS, a request has been made for said lands to be offered for public sale because there are no contiguous owner or owners thereto; and

WHEREAS, in the judgment of the Township of Hamilton, said lands are of no further use for public purposes, are not needed for public use, and should be disposed of by sale at public auction in accordance with the statute in such case made and provided; and

WHEREAS, all owners of property contiguous to said property were notified by certified mail, return receipt requested, of their right to prior refusal to purchase said land under Ordinance #1789-2015 and no bids were received,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that all of the right, title and interest of the Township of Hamilton, Atlantic County, NJ in and to the lands described as follows shall be sold to the highest bidder at a public sale to be held in the municipal building, 6101 Thirteenth Street, Mays Landing, NJ subject to the terms and conditions set forth in the Notice of Public Land Sale Advertisement and such other conditions as may be stated at the time of sale:

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

SPECIAL CONDITION: NONE

BE IT FURTHER RESOLVED that the full terms and conditions shall be included in the legal advertisement of Notice of Public Sale as published in accordance with law and available in the Township Clerk's Office. Said terms and all conditions shall survive closing and transfer of title.

BE IT FURTHER RESOLVED that the date and time of sale shall be determined by the Township Clerk and Administrator.

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

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

RESOLUTION AUTHORIZING PUBLIC LAND SALE

WHEREAS, the Township of Hamilton is the owner of lands hereinafter described; and

WHEREAS, a request has been made for said lands to be offered for public sale because there are no contiguous owner or owners thereto; and

WHEREAS, in the judgment of the Township of Hamilton, said lands are of no further use for public purposes, are not needed for public use, and should be disposed of by sale at public auction in accordance with the statute in such case made and provided; and

WHEREAS, all owners of property contiguous to said property were notified by certified mail, return receipt requested, of their right to prior refusal to purchase said land under Ordinance #1790-2015 and no bids were received,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that all of the right, title and interest of the Township of Hamilton, Atlantic County, NJ in and to the lands described as follows shall be sold to the highest bidder at a public sale to be held in the municipal building, 6101 Thirteenth Street, Mays Landing, NJ subject to the terms and conditions set forth in the Notice of Public Land Sale Advertisement and such other conditions as may be stated at the time of sale:

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

SPECIAL CONDITION: NONE

BE IT FURTHER RESOLVED that the full terms and conditions shall be included in the legal advertisement of Notice of Public Sale as published in accordance with law and available in the Township Clerk's Office. Said terms and all conditions shall survive closing and transfer of title.

BE IT FURTHER RESOLVED that the date and time of sale shall be determined by the Township Clerk and Administrator.

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 sum of \$42.00 is hereby authorized to be paid to Zlotnick & Feinberg, PA for professional legal services rendered during May 2015 in Misty Pines Estates Phases 3 & 4; and

BE IT FURTHER RESOLVED that the aforesaid sum of \$42.00 is authorized to be paid from the Special Accounts established pursuant to an Escrow Agreement between Dayco Holding Corp., the Township of Hamilton and Susquehanna Patriot Bank (formerly Minotola Bank) dated November 23, 2005.

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

June 15, 2015

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

BE IT RESOLVED that the May 18, 2015 resolution authorizing the transfer of Liquor License #0112-33-021-009 from Tokyo Sushi Buffet & Hibachi, Inc. to Baker & Carlson LLC is hereby amended to read as follows:

RESOLUTION AUTHORIZING A PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE #0112-33-021-009

WHEREAS, an application has been filed for a Person-to-Person AND Place-to-Place transfer of Plenary Retail Consumption License #0112-33-021-009, heretofore issued to Tokyo Sushi Buffet & Hibachi, Inc. to Baker & Carlson LLC for premises located at 2300 Wrangleboro Road, Unit 29, Consumer Square, Mays Landing, NJ 08330; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton, County of Atlantic, does hereby approve the Person-to-Person and Place-to-Place transfer of aforesaid Plenary Retail Consumption License #0112-33-021-009 to Baker & Carlson LLC for premises located at 2300 Wrangleboro Road, Unit 29, Consumer Square, Mays Landing, NJ 08330 effective May 20, 2015 and the Township Clerk is hereby directed to endorse the license certificate to the new ownership as follows: ***"This license, subject to all of its terms and conditions, is hereby transferred to Baker & Carlson LLC for premises located at 2300 Wrangleboro Road, Unit 29, Consumer Square, Mays Landing, NJ 08330 effective May 20, 2015."***

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", 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		5/29/2016
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		4/30/2016
MARTURANO RECREATION	81411	RECREATION		5/14/2016
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		6/28/2016
SJ AUTO SUPPLY	73718	AUTO PARTS & SUPPLIES		3/17/2016
SOFTWARE HOUSE INT.	77560	TECHNOLOGY		6/30/2015
TRICO EQUIPMENT	76917	AUTO PARTS & SUPPLIES		6/28/2016
TURF EQUIPMENT & SUPPLY	76923	AUTO PARTS & SUPPLIES		6/28/2016
VINELAND AUTO ELEC	73720	AUTO PARTS & SUPPLIES		7/15/2015
WITMER ASSOC.	80947 80950 80955 80965 80974	FIRE SAFETY		3/31/2016
WB MASON	88839	PAPER & OFFICE SUPPLIES		5/6/2018

Ms. Gatto moved, seconded by Mr. Kurtz, 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 2015-2016 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,

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, 2015 through June 30, 2016, both dates inclusive, be and are hereby approved and issued as follows:

PLENARY RETAIL DISTRIBUTION LICENSES

RAYT MANGAL SINGH 0112-44-038-005		130 Spruce Trail Woolrich, NJ 08085
SEHDAL ENTERPRISES INC. 0112-44-041-007 08330	VICTOR'S LIQUORS	78 MILL STREET MAYS LANDING, NJ

PLENRY RETAIL CONSUMPTION LICENSES

AVOCADOS & ZEBRAS, INC. 0112-33-001-003 08330	YE OLDE MILL STREET PUB	6033 MAIN STREET MAYS LANDING, NJ
RED ROBIN INTERNATIONAL INC. 0112-33-006-010	RED ROBIN AMERICA'S GOURMET BURGERS AND SPIRITS	4259 BLACK HORSE PIKE MAYS LANDING, NJ 08330
ITALCORP 0112-33-009-008	CAVALLINO NERO	4760 BLACK HORSE PIKE MAYS LANDING, NJ 08330
TARANDIEHL ENTERPRISES INC. 0112-33-016-004	The Golden Pyramid	6032 BLACK HORSE PIKE MAYS LANDING, NJ 08330
LAURELDALE RT 50 LLC 0112-33-020-006 08330	LAURELDALE PUB & GRILLE	2301 ROUTE 50 MAYS LANDING, NJ
PALACE RESTAURANT & OUTFITTERS LLC 0112-33-025-007	PALACE RESTAURANT & OUTFITTERS	6924 BLACK HORSE PIKE MAYS LANDING, NJ 08330
KOI FISH CAFÉ 0112-33-026-006		c/o THOMAS LOCAVARRA P. O. BOX 485 LINWOOD, NJ 08221 (mailing purposes only)
RUBY TUESDAY INC. 0112-33-031-005	RUBY TUESDAY	4403 BLACK HORSE PIKE 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
APPLE NEW JERSEY LLC 0112-33-039-010	APPLEBEE'S NEIGHBORHOOD GRILL & BAR	700 CONSUMER SQUARE WRANGLEBORO ROAD MAYS LANDING, NJ 08330

BE IT FURTHER RESOLVED that the License certificates for Retail Consumption License #0112-33-026-006, and Retail Distribution License #0112-44-038-005 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",

Ms. Gatto moved, seconded by Mr. Kurtz, 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, 2015 through June 30, 2016; 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, 2015 to June 30, 2016, 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>
THE CLUB HOUSE AT HAMILTON, LLC 0112-33-007-003	THE CLUB HOUSE	c/o Sarah C. Bready P. O. Box 291 Tuckerton, NJ 08250

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".

Bank of America Letter of Credit (LOC) for Toys "R" Us:

Mr. Sandman explained that the letter-of-credit (LOC) was issued on a year-to-year basis in 2007 for sidewalks, curbing and lighting; there is still an (outstanding) punch list; from Mr. Smith's observation there are still some items that are deteriorated or uncompleted; the Bank of America sent a letter stating they are exercising their right not to renew the LOC; that the Township may lose its protection if the LOC expires; and that he provided the governing body an Attorney/Client privileged opinion with respect to the matter. Mr. Sandman asked the governing body to authorize him to put the Bank on notice and, if the matter isn't resolved on or before the termination date, to institute suit.

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

BE IT RESOLVED that the Township Solicitor is hereby authorized to put Bank of America on notice and institute suit regarding Irrevocable Letter of Credit #6801352, the performance guarantee for Toys "R" Us expansion project; and

BE IT FURTHER RESOLVED that the Township Engineer is hereby authorized to do inspection of the property and prepare an updated site improvements punch list.

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 Construction Official is hereby authorized to waive the Electrical Inspection fees for the Mays Landing Merchants' Association for its Hometown Celebration at Lake Lenape Park on June 27 and 28, 2015.

RESOLUTION ADOPTED WITH MEMBERS GATTO, GUISHARD, LINK AND SILVA VOTING "AYE", NO "NAY" AND MEMBER KURTZ ABSTAINED DUE TO BEING A MEMBER OF THE ASSOCIATION.

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

BE IT RESOLVED that the hourly rate of pay for Class II Special Officers Arthur Train, Robert McRae and Ryan Brady is hereby increased **from \$14.38 to \$19.00** per hour effective June 18, 2015.

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

June 15, 2015

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

BE IT RESOLVED that Robert Stevens and Danielle Hunter are hereby appointed part-time Communications Officers at \$15.00 per hour effective June 16, 2015.

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

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

BE IT RESOLVED that Samantha Arrasmith is hereby transferred **from** part-time Police Records Clerk **to** full-time Communications Officer at \$37,541.95 effective June 22, 2015.

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

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

BE IT RESOLVED that posting and/or advertising for one (1) part-time Police Records Clerk is hereby authorized.

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 Anton Brown is hereby appointed a part-time Regular Housing Inspector at \$20.00 per hour with an effective date to be determined.

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 in-house posting and advertising for a full-time Administrative Assistant in the Township Clerk's Office is hereby authorized.

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

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

BE IT RESOLVED that the June 1, 2015 regular meeting minutes are hereby approved and adopted as published.

RESOLUTION ADOPTED WITH MEMBERS GUSHARD, KURTZ, LINK AND SILVA VOTING "AYE", NO "NAY" AND MS. GATTO ABSTAINED DUE TO BEING ABSENT FROM THAT MEETING.

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

BE IT RESOLVED that the June 1, 2015 executive session minutes are hereby approved and adopted.

RESOLUTION ADOPTED WITH MEMBERS GUSHARD, KURTZ, LINK AND SILVA VOTING "AYE", NO "NAY" AND MS. GATTO ABSTAINED DUE TO BEING ABSENT FROM THAT MEETING.

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

BE IT RESOLVED that the April 20, 2015 regular meeting minutes are hereby approved and adopted as published.

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

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

BE IT RESOLVED that the April 20, 2015 executive session minutes are hereby approved and adopted.

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 the May 14, 2015 special meeting minutes are hereby approved and adopted as published.

RESOLUTION ADOPTED WITH MEMBERS GATTO, KURTZ AND SILVA VOTING "AYE", NO "NAY", MEMBERS GUISHARD AND LINK ABSTAINED DUE TO BEING ABSENT FROM THAT MEETING.

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

BE IT RESOLVED that the May 14, 2015 executive session minutes are hereby approved and adopted.

RESOLUTION ADOPTED WITH MEMBERS GATTO, KURTZ AND SILVA VOTING "AYE", NO "NAY", MEMBERS GUISHARD AND LINK ABSTAINED DUE TO BEING ABSENT FROM THAT MEETING.

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

BE IT RESOLVED that the May 18, 2015 executive session minutes are hereby approved and adopted.

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 all properly executed and approved payrolls and bills totaling \$607,522.02 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 explained that he had omitted the phrase "in a time frame to be determined" from the Late List Consent Agenda Item 9.K. He apologized and asked that it be added at the end of the original motion.

Ms. Gatto moved, seconded by Mr. Kurtz, that Consent Agenda Item 9.K be removed from original vote approving the Consent Agenda and the motion as amended be voted on separately.

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

June 15, 2015

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

BE IT RESOLVED that Cynthia Lindsay be deleted as an authorized banking signatory and that Dorothy Gallagher be added as an authorized banking signatory in accordance with the Township's Cash Management Plan", in a time frame to be determined.

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

Mr. Jacobs commented on the recent article in the Press of Atlantic City about Officer Schalek being outstanding and a great reflection on the Township Police Department. Mayor Silva said it was outstanding to have it on the front page in light of all the negative things about police forces and individuals today. The Mayor said the caliber of the personnel in the Police Department is second to none. Ms. Gatto explained the article was about Officer Schalek and the 3 young men he met in a troublesome situation, took under his wing and turned their lives around; that all of them are going to college with scholarships; and they attributed a lot of their success to Detective Schalek. Mayor Silva asked Chief Tappeiner to pass the Committee's congratulations on to Detective Schalek for the good work he has done and continues to do.

Mr. Sandman had nothing to report.

Mr. Smith reported of the status of the 2015 Road Program and the Malaga Road project; that once he has more accurate cost estimates on Park Road he will let the Committee know if they will be able to do all of the roadways in the program or have to do some alternates to be sure they can award the base bid; that he will try to advertise both projects at the same time and it will always be budget and funding dependent. Mrs. Link questioned work done on Mill Street. Mr. Smith explained the MUA replaced the sewer main, some curb, and some sidewalk in that area; the base pavement was allowed to settle; and the contractor came back about 2 weeks ago and milled and repaved it.

Mr. Kurtz commented on the plans for Hometown Celebration on June 27th and 28th and encouraged everyone to come out to it.

Mr. Guishard reported on the projects being worked on by the Green Team and commended the people involved and Ingrid Perez for the work they have done. Mr. Guishard reported there will be an award ceremony on July 1st at the Hamilton Mall at 11 AM recognizing Lou Green for his service to thousands of Veterans and Veteran Organizations throughout the County. Mr. Guishard commented on attending the Cologne Fire Company BBQ having an opportunity to look at the new fire truck again. Mayor Siva commented on the Fire Company being invited to the Convention in Wildwood so others can see the truck because it is new, especially the lighting, and said they that is sure they will come to the Committee for permission.

Mrs. Link commented on people not pulling over for fire trucks and said the lighting system on the new fire truck will slow people down. Mrs. Link reported the registration form for participation in the Pooch Parade during Hometown Celebration is available on line and invited people to participate in and attend it. Mrs. Link commented on being asked at every Hometown Celebration, why the lighthouse is so dilapidated. She explained that she asked the County Executive at the last Mays Landing Merchants Association meeting what the County is going to do with the lighthouse; that he said they really aren't going to do the structural repairs they feel are necessary which will cost between \$400,000 and \$500,000.; that when she asked about the possibility of having volunteer restore it the County Executive said that would work beautifully; that Elmer Ripley suggested she go to the Friends of the Park first because they are a 501C organization that can do fund raising; and that she feels that John Kurtz and Fred Knebles are gearing up for a Friends of the Light House at Lenape Park organization. Mrs. Link said she believes the Senior Citizen Advisory Committee Ordinance will be presented at the next meeting. Mayor Silva

said that the members haven't seen the Ordinance yet.

Ms. Gatto welcomed Dorothy Gallagher the new CFO. Ms. Gatto commented on the Cologne Fire Company selling out at their BBQ and the need for the public to support their local Volunteer Fire Companies. Ms. Gatto commented on the summer BBQs that Brownies Squared holds that are free to the community; she explained there is an early summer one and a late summer one; she commented on it bringing people to Main Street; she commended and thanked the owner for it; and she encouraged the residents to support him and all of the small businesses in town. Ms. Gatto reported Mike Collazo, the owner of Anytime Fitness is trying to get a grant for Main Street and that people can go on Face Book daily to vote for it people can on face book daily Ms. Gatto reported Hammonton held its first Food Truck Festival last week; that she received a kit if calls asking if it was something that could be done in Hamilton Township; that she asked everyone who contacted her if they would serve on a committee and they all said they would. Ms. Gatto reported Mrs. Anderson had forwarded information on the proposed changes to the Open Public Meeting and the Open Public Records Acts;. She said that they are disgraceful; Township employees; they are unfunded mandates in terms of what the Township would be required to do; they would pile unnecessary bureaucracy on the municipality; pile on work for the Township employees; and would put an unnecessary drain on Township resources. S. Gatto asked that it be on the next agenda. Ms. Gatto apologized for not attending the last meeting; she explained she was very sick with the flu. Ms. Gatto congratulated the Oakcrest graduates and the 8th graders that will graduate on Wednesday, many of whom were in Town Hall for Youth in Government Day.

Mayor Silva commented on the key to the County Executive's speaking at the Merchants' Association meeting was to keep in mind and caution everybody about the movement to take casino gambling north; it is more serious than people realize; people have to be encouraged to get out and vote; they (Legislature) are talking about a referendum next year because they don't think enough voters will come out to vote on it this year. He said it will destroy any plan for Atlantic City. He commented on the need for sustainability and on it being nice to do a lot of projects but there is a lot more at stake. He said that there are a lot of vacant homes, a lot of people without jobs, and there has to be concern for that. He commented there being enough vacant houses to take care of COAH but they don't want to hear that; COAH causing a lot of problems in a lot of municipalities; COAH being handled by the Courts now; there is a shortage of Judges Court; Dockets being overloaded. He commented on a lot of the problems in Egg Harbor, Galloway and Hamilton Townships were brought on by gambling in Atlantic City but he thinks they have an opportunity to deal with them as intelligent people who can get through it in a non-partisan way and make sure casino gambling doesn't go north.

Public comment:

Dominic Francesco thanked the Committee, Police Department and Engineer for all they are doing on Pinehurst Drive. Mr. Francesco commented on speeding on Pinehurst Drive. He said the STOP Signs have made a difference but they are kind of high and people aren't seeing them because the trees have overgrown them. Mr. Francesco said asked why there was no STOP sign on Berry Drive when it is a school bus stop and if some kind of ripple strips could be put on Pinehurst. He commented on kids from Sweet Gum have to walk all the way to Berry, because it is a long walk with no sidewalks and people speeding. Mr. Smith explained striping Pinehurst was Phase 1; speed tables to calm traffic are to be Phase 2; and the other intersections didn't meet the warrant guidelines for a STOP sign; you can't use STOP signs to slow traffic. Mayor Silva asked Chief Tappeiner to have Officer Wade Smith take another look at Pinehurst and Berry. The Chief said he thinks people will slow down when the speed tables go in.

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 EMBERS VOTING "AYE", NO "NAY" AND NO

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

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

ATTEST:

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