

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
JULY 6, 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 in the municipal building, Mays Landing, New Jersey at 6:30 PM on Monday, July 6, 2015.

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

A moment of silence for private reflection was observed. Mayor Silva read a list of names of long-time residents who had passed away during the past week and asked the public to keep them in mind.

Mayor Silva explained that the Honor & Remember presentation to Lou Green was postponed until July 20, 2015 because Mr. Green was unable to attend tonight's meeting.

There was no executive session and no executive session confirmation.

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

BE IT RESOLVED that the Honor & Remember presentation to Lou Green be deleted from tonight's agenda and the presentation be postponed until the July 20, 2015 meeting.

BE IT FURTHER RESOLVED that the following correction and items be added to the agenda for consideration and action to be taken thereon tonight:

7. Correct effective date to read **"July 1, 2015 through December 31, 2017"**.
- 8.A Insert names of businesses:
 - (1) Garage - Retail girls' clothing at Hamilton Mall
 - (2) Supercuts -Hair salon at Hamilton Commons

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

All early public comments were related to Item 5.B, discussion of a proposed Ordinance creating a Senior Citizens' Advisory Board.

Dr. Bob Kahrman said he personally supported it.

Paul Raetsch, President of the Woods Landing Homeowners' Association, explained that their Board voted to support it. Mayor Silva asked where they heard about it because it is relatively news to (Committee Members). Mr. Raetsch said they heard it from Bob Campbell. He said the Association was thinking about having a Senior Services meeting but this sounded like would be the same thing.

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Carol Pickett-Young explained she is also on the Woods Landing Association Board and that she thought it was an excellent idea. She said people in Woods Landing look out for each other but many other residents in the Township don't have that opportunity.

Jeanette Campbell said that there is nothing for seniors in the Township since the Senior Center closed; there aren't any senior health care events in the Township; not one health fair she went to compared to the one Millie Messina ran in Weymouth Township; she doesn't belong to any senior development and is hoping for something here. Mayor Silva explained there are a lot of senior services out there; the County has a wealth of services available; Stockton College has a whole center dedicated to seniors; Woodview Estates in Mays Landing has a whole list of programs; and that he doesn't think a lot of people avail themselves of them.

Mayor Silva thanked everyone for their comments.

Proposed agreement with CGI Communications (full discussion recorded and video-taped & can be viewed on the Township website):

Mr. Guishard explained that CGI offered to video the community at no cost to the Township; businesses will have the opportunity to be part of the video and people looking at the video would see those businesses; that he and Mr. Kurtz talked to the firm's representative on the phone and agreed that it is something worth pursuing. Mr. Kurtz explained that 20% of the work would be done by the Township; he thought the Township could relieve the 20% by working with groups like the Merchants' Association; when he discussed the program with businesses in communities like Linwood and Northfield that had done this through the County there were some good and some not so good comments, particularly about the pressure and amount of money put on the local businesses; when he brought that up in the phone conference, CGI seemed to be agreeable to lowering the fee if 2 or 3 businesses went in. He said that in his opinion, it was premature to make that decision tonight without gathering more information and suggested the Committee might be able to do something through the Industrial Commission's Marketing Agent or find out what they have available that that is similar to the program CGI is suggesting. Mayor Silva said the DVD Oakcrest High School Media Department did for the 200th Anniversary Celebration showcased the community beautifully from an historic and an aesthetic point of view; and it can still be seen on the Township website. The Mayor said he agreed that the Industrial Park Broker of Record could put something together; there are other options available like the Media Departments at Oakcrest, other schools in the area, the Vocational School and the College that probably wouldn't cost anything; many businesses are going through an extremely difficult time now and serious consideration has to be given to any amount of money that they have to lay out to promote the video. In response to Mayor Silva's question on what happens if no businesses participate, Mr. Guishard said the Township would still get the video; it would go on the County website; he sees no disadvantage to doing it; and it is fine if the businesses prefer having it done by Oakcrest. In response to Mrs. Link's question on the cost to advertise on the video, Mr. Kurtz said it would be in the \$1,000 to \$1,500 range and that seemed to rule out some smaller business taking advantage of the program; the CGI person seemed agreeable on the phone to working to lower it; and maybe 2 or 3 small businesses could go in together for \$500. Mayor Silva sked if the Merchants' Association endorsed the program. Mr. Kurtz explained that they discussed it but haven't formally endorsed it; they want to look at the school system, and the Industrial Park sales management firm to see if they were missing something and to do a straw poll of businesses in the Association to find out how much support they would get for it before going with it. Mrs. Link asked about the quality of the

video and if Mr. Guishard or Mr. Kurtz had seen one. Mr. Guishard said they hadn't; CGI does this all over the country and they are professionals; they said they would accept whatever the Township could provide; there would be no cost to the Township; if businesses want to participate, they would negotiate to maybe get a better price; and that the Committee's choices are to do nothing or to take advantage of the opportunity. Mayor Silva said the Committee could also wait to hear from the Merchants' Association. Ms. Gatto explained she preferred to wait for the Merchants Association to have a formal discussion and get feedback from them; she would like input from the Industrial Commission and to know what their Marketing Agent says about it; and she doesn't want any of the businesses to feel this is something the Township Committee is cramming down their throats and saying that they really want them to do it. Ms. Gatto read the portions of the contract that said "We feel this video program can be widely successful" and "it will dramatically improve visibility and drive more action to your website" and asked how you define success, if the Township knew whether the County website hits went up or down after their video was aired, and if there is any evidence that it was widely successful. Mr. Guishard said he didn't know and didn't care whether it was successful or not; the video could just be about the Township Committee and how they work together; it is the Township Committee's decision on whether they want the video; and the merchants' decision is totally theirs. Ms. Gatto explained that she is skeptical when she sees something that is allegedly free; if CGI is relying on sponsorships, that falls on the merchants and the Township relies heavily on the merchants volunteer efforts in putting on community events; the contract says that CGI shall assume all costs for the video program during the term of the agreement but she doesn't know if there was any small print that the Committee missed or if Mr. Sandman had reviewed the contract. Mr. Sandman said that he reviewed the content of the contract; discussed it with Nicole Rondo and her Associate Andrea today; he viewed the County website; it is very well done; they have 10 or 12 vendors on it; and you can buy what you want in the scheme of advertising. Mr. Sandman said that he doesn't like the 3-year contract term; if CGI would do a 2-year term the Committee could revisit it later because CGI retains all of the copyrights with respect to what is produced and has the right to use the name of the Township with respect to those copyrights. He explained his concern about the contract provision requiring the Township to represent and warrant that all photos, videos and other content it submits for production doesn't infringe on any third party copyright material, trade mark or any other copy rights because the Township Committee wouldn't know that if they were doing a video and a truck went by with a political sign or some First Amendment Right Statement on it. Mr. Sandman explained that he told CGI that he didn't like the Committee having to represent and warrant that they had studied everything they gave to them and that there was no intellectual property rights with respect to it; the agreement should be redrafted at least with respect to those concerns; that he has no problem with the rest of it; and the Township Committee controls the video content because it is subject to their approval. In response to Mrs. Link's question, Mr. Sandman said they have to get waivers from anybody that appears in the video. Ms. Gatto said that she wants feedback from the Merchants' Association and Industrial Commission if the Committee is going to move forward with this; she would like to know who the in-house point person and liaison are going to be; if the 20% Mr. Kurtz talks about the Township picking up is going to fall on somebody's plate and something else is going to fall off; and she wants those questions answered before signing anything. Mr. Kurtz explained he didn't ask if the quality of the presentation and service is the same if only 1 or no businesses are involved as it is if 20 there are and it is important to find that out. Mr. Sandman said that it is according to the contract. Mr. Guishard said the issue is whether or not the Township Committee wants to have a professionally made video that helps sell the community available at the County and other places; it is a Township Committee decision, not a Merchant's decision; and the Committee has to do anything it can to help sell the Township businesses and attract more businesses. Ms. Gatto said she didn't think anyone on Committee disagreed but they have to be diligent when implementing new programs;

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having dynamic discussion is dotting the "i's" and crossing the "t's"; that she thought the Mayor's suggestion to incorporate the schools was interesting as well because it is an opportunity for media students who are learning to make professional videos to put together a story board and a very quality product; and it is a good opportunity to partner with the school. She commented on understanding it if there is a need but she questioned if it had to be someone the Committee has to contract with if they have an opportunity to partner with the school again. Mr. Guishard said the Committee has to help the businesses as much as they can and there is nothing preventing the Committee from moving ahead with this and giving the school the opportunity to do it anyway. Mrs. Link said that the committee had to stop dragging its feet and get started on promoting the business community and if this needs to go before the merchants, they should all be notified. Ms. Gatto said she thinks the Township Committee has done a lot to enable, support and partner with businesses; the (Industrial Park) PILOT Program is a prime example of what the Committee is trying to do; and that this was starting to sound political. Mrs. Link said it wasn't political; the Committee has an opportunity to put forth the community; and people by Hamilton Mall don't even know Mays Landing exists. Mayor Silva commented on the Hometown Celebration and said people come from out of the area to enjoy the community because of what it has to offer; most people understand that the Township is the retail center of the County; everybody knows about the Township especially because of the good things that have happened in the past 8 or 9 years. He explained that he isn't in favor of doing this until he hears from the Mays Landing Merchants' Association, the Industrial Commission and a lot of other people in the area who feel the Township needs to be promoted with video. Mr. Sandman suggested that the committee consider a shorter term of 2 years instead of 3, and rewriting the language he had read into the record if this proceeds to discussions with the Merchants' Association or Industrial Commission. Ms. Gatto agreed and explained that she isn't necessarily opposed to the idea; she thinks anything the Committee can do to support businesses and have the Township shed in a positive light is good; the Committee has the Solicitor's input which was important to her; she would like input from the Merchants' Association and Industrial Commission if they are areas that are going to be highlighted; the Industrial Commission doesn't have to be involved if the Industrial Park isn't going to be talked about; and she would like information from Mr. Jacobs on who the point person is and how that is going to be handled. Mr. Guishard said it's an opportunity to have professionals represent the Township to the outside world and perhaps bring in more business; it doesn't prevent the schools from doing whatever they can; and he doesn't see how the Committee cannot accept the offer. Mr. Kurtz explained there is close to 100 merchants in the Association; he believes they have to be all in or all out; they have to make sure the largest number of merchants are interested in becoming part of the program because the larger the number, the better the end product is; this does affect the Township because the Association works hand in hand with the Township on events; and he believes this requires a little more discussion. Mrs. Link commented on possibly having to table the matter in order to get feedback from the Merchants' Association. Ms. Gatto said the contract has to be rewritten and questioned why the merchants couldn't be notified that the Committee wanted them to know about the program is and that they are going to vote on the new language in two weeks. Mrs. Link said the Association only meets on the first Wednesday of the month. Mr. Kurtz said they have e-mail distribution capability. Mayor Silva said Mrs. Link is a resident, business owner and Township Committeewoman and when making decisions as a Committeewoman she has to put the other two aside. He said he didn't see where waiting will harm anything. Mr. Sandman explained this could be tabled and put on the next agenda and he could work out the details he is concerned about in the interim; CGI is sending him an advertising price list that he could get to Mr. Kurtz and Mrs. Link for the Association. He also said that the issues of changing the term from 3 years to 2 years and changes to the copyright language could be dealt with now and the Committee could vote on the matter tonight. Mayor Silva said he didn't want to do it piece-meal. Ms. Gatto explained she wasn't ready to vote on it until she gets more

and would abstain if a motion was made.

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

BE IT RESOLVED that the proposal of CGI Communications, Inc. for a 2015 Community Video Program be accepted with the two exceptions specified and recommended by the Solicitor.

RESOLUTION **DEFEATED** WITH MEMBERS GUISHARD AND LINK VOTING "YES", MEMBER SILVA VOTING "NO", MS. GATTO ABSTAINED FOR REASONS STATED ON THE RECORD, AND MR. KURTZ ABSTAINED BECAUSE HE DIDN'T FEEL HE HAD ANSWERS TO THE AREAS OF NEED, COST AND PARTICIPATION.

Mayor Silva said he thinks there are more serious things in the Township that need attention that he would rather dedicate Township Committee time to.

Proposed Ordinance Creating a new Chapter in the Township Code to create a Senior Citizens' Advisory Board (full discussion recorded and video-taped & can be viewed on the Township website):

Mrs. Link explained the Ordinance is based on the one in Weymouth Township; they put on a health fair for Senior Citizens once a year with help from volunteers; Mrs. Messina said she would do a health fair in Weymouth in October and Mrs. Link could do one here in the spring. Mrs. Link commented on it being hard for the seniors to get to Stockton and Egg Harbor Township; the Township needing the Advisory Board; and that she would like to present the Ordinance for consideration by the Township Committee. Mr. Guishard explained that one of his goals from the time the Township had to close its Senior Citizen Center several years ago was to do something for seniors; he thinks something can be done in a way that takes advantage of seniors who are here and doesn't cost the community. He said that he and Mrs. Link started talking to seniors a year or two ago to try to get feedback from them and establish something like what is being proposed. Mr. Guishard explained that the Strategic Planning Quality of Life Committee was to find ways to improve the community; he thinks this is a Quality of Life issue; it provides an opportunity for seniors to be better represented; it would be an Advisory Committee; the budget would be small; he envisions most of the activities being arranged and accomplished by members of the Committee and that the meetings would be rotated around the community. Mayor Silva said there is enough out there now without reinventing the wheel. He read a list of available services through Stockton Council on Successful Aging (SCOSA) and participating organizations throughout the County and said that there is a wealth of things in the County for seniors; Stockton has been doing a lot of research and building a data base on this; people can go on the computer and find out what there is; and there is no reason not to avail ourselves of it. Mr. Guishard said the SCOSA is one of the resources the Advisory Committee would go through, make recommendations, and have events on their own. Mayor Silva said seniors are concerned about being able to live here and they should be able to do it without putting another layer on the Township.

Following discussion on the motion, Mrs. Link and Mr. Guishard withdrew their motion and second to introduce the proposed Ordinance Creating a new Chapter 93 in the Township Code providing for the Creation of a Senior Citizens Advisory Board.

Public Hearing-Adoption - Ordinance #1792-2015:

There being no questions or comments on the Ordinance, 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".

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

WHEREAS, Ordinance #1792-2015 was introduced and passed first reading on June 15, 2015 and was duly advertised in the June 17, 2015 issue of the Atlantic County Record for a public hearing to be held in the municipal building, Mays Landing, NJ on July 6, 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1792-2015 be and is hereby adopted.

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

TOWNSHIP OF HAMILTON
ORDINANCE NO.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.
- 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.
- 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 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 "YES"
 GUISHARD "YES"
 KURTZ "YES"
 LINK "YES"
 SILVA "YES"**

**ORDINANCE #1792 – 2015 INTRODUCED AND PASSED FIRST READING JUNE 15 , 2015.
ORDINANCE #1792 - 2015 ADOPTED JULY 6, 2015.**

Public Hearing-Adoption - Ordinance #1793-2015:

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

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

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

WHEREAS, Ordinance #1793-2015 was introduced and passed first reading on June 15, 2015 and was duly advertised in the June 17, 2015 issue of the Atlantic County Record for a public hearing to be held in the municipal building, Mays Landing, NJ on July 6, 2015; and

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

July 6, 2015

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1793-2015 be and is hereby adopted.

RESOLUTION ADOPTED WITH MEMBERS GUISHARD, KURTZ, LINK AND SILVA VOTING "YES", NO "NAY" AND MEMBER GATTO ABSTAINED ON ROLL CALL VOTE. MS. GATTO EXPLAINED SHE ABSTAINED DUE TO APPOINTMENT OF A RELATIVE BEING ON TONIGHT'S AGENDA AND THAT SHE WAS NOT AWARE THEY APPLIED WHEN SHE VOTED FOR THE ORDINANCE ON INTRODUCTION.

**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

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

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.

**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 | “ABSTAIN” |
| GUISHARD | “YES” |
| KURTZ | “YES” |
| LINK | “YES” |
| SILVA | “YES” |

ORDINANCE #1793–2015 INTRODUCED AND PASSED FIRST READING JUNE 15, 2015.
ORDINANCE #1793-2015 ADOPTED JULY 6 , 2015.

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

BE IT RESOLVED that the Inter-local Agreement between the Township of Hamilton and Hamilton Township Board of Education for Solid Waste Collection Services for the Joseph C. Shaner, George L. Hess and William B. Davies Schools for the period July 1, 2015 through December 31, 2017 at a cost of \$2,211.00 per month, not to exceed \$66,330.00 for thirty (30) month period and the Mayor and Township Clerk are authorized to execute same on behalf of the Township.

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 Inter-local Agreement between the Township of Hamilton and the Atlantic County Special Services School for Solid Waste Collection Services for the Atlantic County Special Services School for the period July 1, 2015 through December 31, 2017 at a cost of \$935.00 per month, not to exceed \$28,050.00 for thirty (30) month period and the Mayor and Township Clerk are authorized to execute same on behalf of the Township.

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

July 6, 2015

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

BE IT RESOLVED that the Inter-local Agreement between the Township of Hamilton and the Atlantic County Institute of Technology (ACIT) for Solid Waste Collection Services for the Atlantic County Institute of Technology (ACIT) Atlantic County Institute of Technology (ACIT) for the period July 1, 2015 through December 31, 2017 at a cost of \$2,280.00 per month for two (2) 8 cy containers and two (2) 6cy containers, not to exceed \$68,400.00 and additional 30 cy containers upon request at \$225.00 each for tipping and hauling fees for thirty (30) month period and the Mayor and Township Clerk are authorized to execute same on behalf of the Township.

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

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

BE IT RESOLVED that the following Business Registration Licenses are hereby approved:

- (1) Garage - Retail girls' clothing at Hamilton Mall
- (2) Supercuts -Hair salon at Hamilton Commons

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 following bond and check are hereby accepted as the Performance Guarantee for Phase 4 of the Papparone Homes of NJ Artists Walk project totaling \$194,618.15:

- 1) Bond Safeguard Insurance Company performance bond #50422221 in the amount of \$175,156.33.(80% of the total guarantee.
- 2) Artists Walk, LLC, check #1534 in the amount of \$19,461.82 (the 10% required cash escrow).

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 Phoenix Advisors, LLC, Bordentown, NJ is hereby authorized to act as the Continuing Disclosure Agent to the Township for require, scheduled filings for the current Fiscal Year ending December 31, 2015 at accost not to exceed \$1,000.00.

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 that the Mizpah Volunteer Fire Company application for a permit to hold coin drops at the Landis Avenue and Estelle Avenue intersection on July 11 & 12, 2015 and September 5 & 6, 2015 is hereby approved and the Clerk is authorized to issue same.

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

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

BE IT RESOLVED that the Township Committee of the Township of Hamilton has no objection to NJDOT approving and/or issuing permits to Atlantic Cape Family Support Organization, Inc. for coin drops to be held at the intersection of Route 40 & 50 on July 17, 2015 and on August 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.

WHEREAS the Hamilton Township Planning Board reviewed the request of Roseann Mendoza for vacation of the portion of Thirty-First Street between Block 432 Lot 1 and Block 437 Lot 1 as shown on the Township Tax Map and voted unanimously on June 4, 2015 to recommend approval of said request,

NOW, THEREFORE, BE IT RESOLVED that the Solicitor s authorized to prepare an Ordinance to vacate the portion of Thirty-First Street between Block 432 Lot 1 and Block 437 Lot 1 as recommended by the Planning Board on June 4, 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 Change Order #4 to the Centerra Integrated Services, LLC fleet maintenance and management contract for the annual Fleet Unit Adjustment is hereby approved, a net reduction of \$9,909.00 for the remainder of the year 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 the following items are authorized to be offered for sale on GovDeals as recommended by the Director of Public Works:

Cologne Fire Company Auction Items.

- 8 – Zico SCBA brackets
- 20 – Akron Tri-Loc mounts
- 6 – axe blade mounts
- 2 – 4.5" floating strainers
- 1 – 6" PIRV
- 5 – 2.5" elbows with 1.5" adapter caps
- 1 – Akron hose jacket
- 2 – salvage covers
- 2 – fire ext. bkts.
- 1 – 6" steamer cap

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

July 6, 2015

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

BE IT RESOLVED that the \$14,554.53 RLI Surety bond #CMS0268688, maintenance guarantee for non-stormwater components of SBA Towers IV, LLC (formerly Capital Telecom, LLC) communications tower project on Vienna Avenue (Block 1093/Lot 12) Planning Board file #9-11/Township Engineer's file #0112-1-108, is hereby authorized to be released as recommended by Robert J. Smith III, Township Engineer on June 11, 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.

WHEREAS, an application has been filed for the extension of Plenary Retail Consumption License #0112-33-036-008 to the Executor of the Estate of John J. D'Amico, sole owner of the license; and

WHEREAS, the submitted application form is complete in all respects, including proof of appointment of Linda J. D'Amico to act as the Executor,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hamilton does hereby approve, effective July 1, 2015, the extension of the aforesaid Plenary Retail Consumption License to Linda J. D'Amico to conduct business under the privileges, terms and conditions of the license as executor of the Estate of John J. D'Amico for the benefit of the estate until such time as the will is probated and the license may be transferred in compliance therewith and directs the Township Clerk to endorse the License Certificate as follows: "This license is hereby extended, subject to all of its terms and conditions to Linda J. D'Amico, Executor effective July 1, 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.

WHEREAS, the New Jersey Division of Alcoholic Beverage Control (the Division of A.B.C.) has implemented a new liquor license renewal process whereby licensees will file their renewal applications and pay the State fees directly with the Division and all licensees are required to pay their local municipal renewal fee only directly to the municipality; and

WHEREAS, the following individuals, partners and/or corporations have paid the municipal fee for renewal of their respective Plenary Retail Distribution, Plenary Retail Consumption and/or Club Licenses for the 2015-2016 License Year, in accordance with the provisions of the New Jersey Alcoholic Beverage Control Laws,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, that the following Alcoholic Beverage Licenses are hereby approved for the period July 1, 2015 through June 30, 2016, both dates inclusive:

PLENARY RETAIL DISTRIBUTION LICENSES

RAYT MANGAL SINGH
0112-44-038-005

130 Spruce Trail
Woolrich, NJ 08085

SEHDAL ENTERPRISES INC.
0112-44-041-007

VICTOR'S LIQUORS

78 MILL STREET
MAYS LANDING, NJ 08330

July 6, 2015

CLUB LICENSES

GUINTA & MARUCCI POST #220 V.F.W.
0112-31-044-001

1209 ROUTE 50,
P.O. BOX 689
MAYS LANDING, NJ 08330

PLENARY RETAIL CONSUMPTION LICENSES

| | | |
|--|--|--|
| AVOCADOS & ZEBRAS, INC. 0112-33-001-003 | YE OLDE MILL STREET PUB | 6033 MAIN STREET MAYS LANDING, NJ 08330 |
| LINDA JIM LLC 0112-33-005-005 | MAPLEWOOD II | 6126 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| RED ROBIN INTERNATIONAL INC. 0112-33-006-010 | RED ROBIN AMERICA'S GOURMET BURGERS AND SPIRITS | 4259 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| THE CLUB HOUSE AT HAMILTON, LLC 0112-33-007-003 | BIG ED'S BBQ | c/o Sarah C. Bready P. O. Box 291 Tuckerton, NJ 08250 (mailing purposes only) |
| MAYS LANDING COUNTRY CLUB, INC. 0112-33-008-002 | MAYS LANDING GOLF CLUB | 1855 CATES ROAD MAYS LANDING, NJ 08330 |
| ITALCORP 0112-33-009-008 | CAVALLINO NERO | 4760 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| DON DECKERT, INC. 0112-33-010-001 | MAYS LANDING INN | 58 MILL STREET MAYS LANDING, NJ 08330 |
| HAMILTON HOSPITALITY INC. 0112-33-011-008 | HAMILTON TRAILS GOLF CLUB | 620 HARBOR ROAD MAYS LANDING, NJ 08330 |
| RESTAURANT PROJECTS INC. 0112-33-012-004 | THE INN AT SUGAR HILL | 5704 MAYS LANDING - SOMERS POINT ROAD MAYS LANDING, NJ 08330 |
| FINNERTY'S INC. 0112-33-013-002 | FINNERTY'S HUT | 7134 BLACK HORSE PIKE Mays Landing, NJ 08330 |
| WATERING HOLE CAFÉ LLC 0112-33-014-016 | WATERING HOLE CAFÉ | 6494 WEYMOUTH ROAD MAYS LANDING, NJ 08330 |
| TARANDIEHL ENTERPRISES INC. 0112-33-016-004 | THE GOLDEN PYRAMID | 6032 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| GMRI 0112-33-017-011 | THE OLIVE GARDEN ITALIAN RESTAURANT #1482 | 4403 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| Red Lobster Restaurants, LLC 0112-33-018-009 | RED LOBSTER #575 | 4411 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| VHDH LL HOLDINGS LLC 0112-33-019-008 | PARAGON BR & GRILL | 5698 MAYS LANDING - SOMERS POINT ROAD Mays Landing, NJ 08330 |
| LAURELDALE RT 50 LLC 0112-33-020-006 | LAURELDALE PUB & GRILLE | 2301 ROUTE 50 MAYS LANDING, NJ 08330 |
| BAKER & CARLSON LLC 0112-33-021-009 | MAYS LANDING LIQUORS | 2300 Wrangleboro Rd., UNIT 29 MAYS LANDING, NJ 08330 |
| MEL-TOM INC. 0112-33-022-003 | JONESEY'S BAR | 6928 ROUTE 40 P.O. BOX 445 MIZPAH, NJ 08342 |
| RARE HOSPITALITY INTERNATIONAL, INC. 0112-33-023-008 | LONGHORNE STEAKHOUSE #5484 | 4417 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| COUSIN MARIO SONS LLC 0112-33-024-014 | COUSIN MARIO'S | 5401 HARDING HIGHWAY MAYS LANDING, NJ 08330 |

July 6, 2015

| | | |
|--|--|---|
| 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) |
| GRAYLING CORP. 0112-33-027-006 | CHILI'S GRILL & BAR | 4305 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| MAYS LANDING SAKURA, LLC 0112-33-028-010 | SAKURA JAPANESE STEAK SEAFOOD & SUSHI BAR | 4215 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| MAGAZINERS DISCOUNT LIQUORS, LLC 0112-32-029-016 | CANAL'S DISCOUNT LIQUOR MART | 4212 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| RUBY TUESDAY INC. 0112-33-031-005 | RUBY TUESDAY | 4403 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| HOWARD ROBINSON SOMERS 0112-33-032-007 | ROBINSON'S RIVERSIDE INN | 5397 MAYS LANDING - POINT ROAD MAYS LANDING, NJ 08330 |
| BWW JERSEY WINGS, INC. 0112-33-033-016 | BUFFALO WILD WINGS GRILL & BAR | 4311 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| GREENWOOD ACRA INC. 0112-33-034-006 | | 3001 Street Road Bensalem, PA 19020 (mailing purposes only) |
| FAMOUS DAVE'S RIBS INC. 0112-33-035-009 | FAMOUS DAVE'S BBQ | 4215 BLACK HORSE PIKE MAYS LANDING, NJ 08330 |
| PLATINUM SHOWCASE LLC 0112-33-036-008 | PLATINUM PLAYGROUND | 7685 BLACK HORSE PIKE HAMMONTON, NJ 08037 |
| APPLE NEW JERSEY LLC 0112-33-039-010 | APPLEBEE'S NEIGHBORHOOD GRILL & BAR | 700 CONSUMER SQUARE WRANGLEBORO ROAD MAYS LANDING, NJ 08330 |
| BRICK HOUSE PUB & GRILLE LLC 0112-33-040-010 | BRICK HOUSE PUB & GRILLE | 4450 BLACK HORSE PIKE #3944-3946 MAYS LANDING, NJ 08330 |

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 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 an inactive liquor license that require a 12.39 Special Ruling of the Division of Alcoholic Beverage Control before they can be approved for renewal for the License Year July 1, 2015 through June 30, 2016; and

WHEREAS, the said individuals and/or corporations have paid the municipal renewal fee for their Plenary Retail Distribution License 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 fee paid is 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> |
|---|-------------------|--|
| C. RICHARD TUNNEY INC. 0112-44-046-001 | | 6044 HARDING HIGHWAY MAYS LANDING, NJ 08330 |

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

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

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

BE IT RESOLVED that advertising for a full-time Truck Driver/Laborer (Masonry/Concrete) is hereby authorized.

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

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

BE IT RESOLVED that transfer of Stacey Wellington **from** Tax Collection **to** Finance Clerk III at her present salary of \$34,057.25, effective date to be determined.

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 Edward Hyman, Jr., is hereby appointed a full-time Temporary Laborer at \$15.00 per hour effective July 8, 2015.

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

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

BE IT RESOLVED that Anthony Gatto is hereby appointed a full-time Temporary Laborer at \$15.00 per hour effective July 8, 2015.

RESOLUTION ADOPTED WITH MEMBERS GUSHARD, KURTZ, LINK AND SILVA VOTING "AYE", NO "NO" AND MS. GATTO ABSTAINED DUE TO BEING A RELATIVE OF THE APOINTEE.

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

BE IT RESOLVED that the June 15, 2015 regular meeting minutes are hereby approved and adopted.

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 all properly executed and approved payrolls and bills are hereby ordered to be paid, the bill list totaling \$4,308,999.34.

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

July 6, 2015

Reports:

Mr. Jacobs

Mr. Sandman had nothing to report.

Mr. Smith reported on the progress and status of the Road Projects.

Mr. Kurtz

Mr. Guishard

Mrs. Link

Ms. Gatto

Mayor Silva

Public Comment:

Lisa Avis asked if there were other companies other than CGI; if the Committee had looked into CG's background; . She commented on looking CGI up on the computer and there being a number of complaints against them.

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

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

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

