

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
AUGUST 17, 2015

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

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice of the meeting on the bulletin board in the municipal building, Mays Landing, NJ, and by e-mailing a copy of the notice along with the agenda of this meeting to the Press of Atlantic City, Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place in the municipal building, Mays Landing, New Jersey at 6:30 PM on Monday, August 17, 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.

Presentation to Hamilton Township U11 Girls Soccer Team:

Mrs. Link and Mr. Kurtz made the presentation.

Proclamation

WHEREAS, the Hamilton Township U11 Soccer Team is comprised of girls ages 10 and 11 who live in Mays Landing, Estell Manor and Galloway Township, and who play in the South Jersey Girls Soccer League; and

WHEREAS, the Hamilton Township U11 Soccer Team recently won their third Division title after completing an undefeated (9-0) spring season, scoring 33 goals and giving up only 7 goals during the season;

NOW, THEREFORE, WE, the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, on this day August 17, 2015, do hereby recognize the

**Hamilton Township
U11 Soccer Team**

in honor of their remarkable accomplishment. This achievement is not only a credit to their hard work and dedication, but it is a credit to the support they have received from their families, coaches, teammates, and teachers. The members of the Hamilton Township U11 Soccer Team have set a wonderful example for the young people of the Township of Hamilton.

There was no executive session and no executive session confirmations.

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

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

- 9.A Insert names of businesses:
(1) Jay Communications Plus - retail cell phone & accessories kiosk
at Hamilton Mall.
- 10.D Authorize advertising for a full-time Building & Electrical Inspector.

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10.E Appoint Frank Primavera Acting Electrical Sub-code Official.

10.F Appoint Warren DaGrosa Acting Building Sub-code Official.

BE IT FURTHER RESOLVED that the Lot number in Agenda Item 9.D be corrected to read Lot 1; and

BE IT FURTHER RESOLVED that Item 11.A (1), approval of July 6, 2015 regular meeting minutes be deleted from the agenda.

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

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

Terry Dailey said that she doesn't have any strong feelings for or against the Senior Citizen Advisory Committee; there was nothing left for seniors once the building (former senior center) was closed; seniors don't have a lot of social interaction; her understanding is that the building is not used during the day; and she suggested the Township could use it for the seniors during the day and PAL could use it at the end of the day. Mayor Silva explained that the agreement the Township has with PAL is that the building is open to other organizations within the community to use when PAL isn't using it; if an organizations wants to use it they can get on the schedule. Mrs. Daily said the seniors may not be capable of organizing it themselves and need someone to do it for them and to provide the services that used to be there. Mrs. Dailey commented on working for the County, having seen what happens with Advisory Committees, and having been on one that did nothing. Mr. Guishard said he hopes she will make sure this Committee isn't just lip service.

Bruce Strigh said he thinks everyone wants to help seniors in the Township. He commented on a Resolution and an Ordinance for a Senior Citizen Advisory Board being discussed and explained he prefers the Resolution because it calls for representatives from the Township's three major senior developments; they have concerns like everyone else and he thinks it is important to include them in addition to the four At-Large group; he thinks many of the issues to be addressed would be redundant because the County provides transportation and all kinds of assistance to seniors; that as far as having a voice on legislation, everyone knows when Township Committee meets; there are public hearings on all Ordinances plus all the information that is on the website. Mr. Strigh said that as a former elected official he knows what it takes to run Boards and find volunteers and he thinks the Resolution would be far better option. Mr. Guishard asked Mr. Strigh what his basic reason was for his preference of a Resolution vs. an Ordinance. Mr. Strigh explained it was partly because of the content; it (the Resolution) specifically included the Fairways, Tavistock and Horizons. Mr. Guishard said it wasn't a question of a Resolution vs. an Ordinance, then, it was a question of things that were put into it. Mr. Strigh explained he isn't convinced that there is a unfulfilled need by seniors that isn't addressed by the County and said there are some real benefits that the Township has to get that information on out to the seniors. He said he thought adding a Board to the overall government was a little bit of over-reach because they aren't really being given any power. Mr. Strigh said he thinks the resolution is more efficient and not redundant of what the County provides.

Mr. Strigh asked if inspections are done and if Zoning and Code Enforcement sign off to make sure that businesses are in compliance with all zoning, Code and all other Ordinances when they come in for renewal of their Business Registration License. Mr. Sartorio explained a paper check is done to make sure it is a permitted use by Zoning or a continuation of a non-conforming use, that there are no outstanding violations of the Fire Prevention Code, and no outstanding permits or anything. Mr. Sartorio said if they are doing renovations or anything like that they have to come in for permits. In response to Mrs. Link's question, Mr. Sartorio explained the Township Clerk, not Community Development, issues the License after Township Committee approves it.

Mr. Strigh commented on clothing bins being another issue; the number of clothing bins on properties that are owned different entities throughout the Township; and clothing bins on vacant lots. Mr. Strigh said a clothing bin is considered an accessory structures; there has to be a primary structure for you to have one; and none of them appear on the site plan. Ms. Gatto said she thought Mr. Strigh was asking if the property is checked to see if there are any zoning or property maintenance violations. Mr. Strigh commented on TV sets, mattresses, etc. thrown outside of bins on vacant property and said they are eyesores. He said the State passed legislation allowing municipalities to regulate clothing bins and asked the Committee to take a strong look at clothing bins and authorize the Solicitor to look at the legislation enabling the Township to regulate them. Mr. Strigh said you don't have to get out of your car to see them. Ms. Gatto commented on needing to know what the Ordinance says; if it is written in the Business Registration Ordinance that the Township should be going to the site for any reason; and once the Committee knows that they decide whether or not they have to enhance it. Mr. Strigh said he thinks the Township should just adhere to the Ordinances. Mrs. Link asked who would be responsible to get rid of the clothing bin if vacant Gregorios property was in this Township and someone bought it. Mr. Strigh said the property owner is responsible. Mr. Strigh asked how much time is relegated towards Zoning Enforcement. Mr. Jacobs said "very little". Mr. Strigh commented on this being the largest municipality in the State and it doesn't even have a part-time Zoning Officer. Ms. Gatto said Mr. Sartorio is considered the Zoning Officer by title. Mayor Silva said there is a lot of work to be done and that he thinks there will be discussion on it later. Mr. Strigh commented on Routes 50, 322 and 40 being State highways and suggested talking to them about these issues.

Inter-local Snow Removal Services Agreement with County:

Mr. Jacobs explained the County and Township would switch responsibility for plowing Farragut Avenue from River Road to Route 40 (a County Road) to the Township and responsibility for plowing Unami Boulevard and Waburn Boulevard (Township Streets in the Industrial Park) to the County.

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

BE IT RESOLVED that the Inter-local Services Agreement between the County of Atlantic and the Township of Hamilton for the provision of snow removal services in certain areas of Hamilton Township, a copy of which is on file in the Township Clerk's Office and the terms of which are incorporated herein as if recited in full, be and is hereby approved and that the Mayor and 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.

Authorize sale of Cologne fire truck on GovDeals:

Mr. Jacobs explained this the old truck that was just replaced; it had been offered for sale on GovDeals before with a \$25,000.00 minimum bid; the highest offer received was \$5,100.00; and based on that he is recommending it be put on GovDeals again with a minimum of \$5,000.00. In answer to Mr. Guishard and Mrs. Link's questions Mr. Jacobs said GovDeals is nationally publicized and Mayor Silva explained there was concern about truck having to be left outside; a lot of equipment was removed and utilized; and any department that bought it would have to look at what equipment they would need to replace

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that authorization is hereby given to offer the 1989 Pierce Pumper Fire Truck (Cologne Fire Department Asset # 228) for sale on GovDeals with a minimum bid of \$5,000.00.

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

Proposed Senior Citizens Advisory Committee Resolution:

Mayor Silva said that there was a lot of discussion on this over the past several meetings; he isn't in favor of legislating something that can be done a lot simpler; he is in favor of doing it by resolution; at the last meeting it was brought out from the audience that (some Members) weren't in favor of appointing anybody from the Fairways, Tavistock or Horizons; he thinks that may have been an affront to those seniors; there are 992 housing units and possibly 1800 seniors in those three developments; the advantage to using them would be the use of their community centers and being able to rotate meetings between them; they put on health fairs; he commented on what Stockton College, ACC, and Woodview Estates do and services the County Intergenerational Department provides; he said (the Committee) could use the PAL Building, Town Hall, or any number of other sites for their meetings.; and that an Ordinance didn't make sense to him when it could be done a lot quicker and simpler by Resolution. Mr. Guishard commented on being surprised that this was on the agenda because it is in direct competition with the Ordinance that was introduced at the last meeting; the Township can't have them both; and it seemed to him that the Committee should resolve the Ordinance before bringing the Resolution up. Mr. Guishard explained he and Mrs. Link aren't opposed to having members from the Fairways, Tavistock or Horizons; they would like to have membership across the board; the Township Committee approves the appointments and can make sure it has appropriate representation; there is nothing preventing the Committee from appointing people from those communities; he doesn't see any advantage to specifying it in the Ordinance; there are 27,000 people in the community, many of them are seniors; and there is no need to be specific in the Ordinance. Mayor Silva explained there would be one (member) from the western end of the Township, one from the central area and one from the eastern end of the Township with seniors in those areas. Ms. Gatto explained that, to her, it puts it in a better position for success because it is starting with groups that are already organized and already have resources, contacts, and partnerships; giving them a seat at the table gives the team a running start; she doesn't see how you can have a Senior Advisory Committee and not have Senior Communities represented; that is a very important point to her; she thinks the Committee Members all want to get to the same destination; she sees the Resolution as a path of least resistance, a way to get it done and to get it moving; she doesn't feel that the resolution got enough discussion at the last meeting; she doesn't feel that there was any compromise on it. Ms. Gatto explained that she was trying to be agreeable but was berated and told that she didn't know what she was talking about and doesn't have enough experience to have an opinion on it because she isn't a senior. Ms. Gatto said that she thinks the Resolution is the better way to go because it gives voices to 1800 residents from the senior developments and there are still 4 at-large positions; it sets up a quality approach that means success. Mr. Kurtz commented on doing more research into what is available for seniors through the County and what is coming up at Stockton College; talking to many seniors and the feeling is that seniors want less government; and he would rather have something done in Resolution form where it isn't quite so structured.

He commented on being on a couple of Boards over the last 10 years; seeing all the things the secretary had to do ahead of the meeting; and the meeting having to be cancelled because not enough people showed up to have a quorum. Mr. Kurtz explained that with a Resolution, he thinks more seniors would be brought to the table and discuss what their needs are and could give the Township more insight in some areas. Mrs. Link said that posting of meetings and having a secretary to take official minutes was what caused the Ordinance to be postponed at the last meeting. Ms. Gatto said the Ordinance wasn't postponed, it was introduced. Mrs. Link commented the public hearing being moved to September 8th because the Ordinance couldn't be published in the newspaper in a timely fashion because it wasn't corrected. She said the Ordinance was introduced with a 4-1 vote; she was shocked to see the Resolution on the agenda in between and taking advantage of the fact the Ordinance couldn't be heard tonight; if (the other members) don't want the Ordinance they can change their vote on September 8th; they are putting a stumbling block into the public hearing; and people who read the advertisement for a public hearing on September 8th really won't have the chance to comment on it. Mrs. Link said an Ordinance is better because it gives (the Board) a great deal of respect; there are all sorts of grants for seniors; the first thing looked at when they apply for grants is whether the entity is respectable, has some depth and is going to last; an Ordinance can be rescinded (by another Ordinance) but it has to be introduced, advertised and a final vote taken before it is rescinded; a resolution can be rescinded right away; the Resolution says there will be new members every year; the Ordinance gives them 3 years to prove themselves; the County Intergenerational Department likes smaller groups because it helps funnel people to their services; and just because something hasn't done or produced anything over the years doesn't mean it can't succeed. She said Tavistock is a 55 and over, age restricted development; they aren't seniors until they are 65; that she asked Carol Young who is on the Board at Woods Landing if she would be interested in serving; she will reach out to people who are aggressive and can do something but there are seniors that don't have computers or the wear-with-all to get to Stockton or the County; she thinks the Committee should give the Ordinance a chance and they can rescind it later on if they don't think it's worthwhile. Ms. Gatto said this has been on the agenda for discussion the last couple of meetings; there wasn't any public outcry; she doesn't think the Resolution diminishes respect towards seniors; she thinks it gives the Township Committee an opportunity to give them a fair chance; it is structured exactly the same way as the Green Team; the content is exactly the same as what was in the Ordinance; she thinks the Committee should get it going tonight and they could start making appointments at the next meeting. Ms. Gatto then made a motion to adopt the resolution.

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

**Township of Hamilton
Resolution to Establish a Senior Citizens Advisory Committee**

WHEREAS, the Township of Hamilton has determined that it is in the best interest of the Township of Hamilton to enable an ad hoc group to assist the Township Committee in addressing issues and problems facing senior citizens, and;

WHEREAS, the Township of Hamilton sees the importance of communicating with other agencies in order to render suggestions, opinions and recommendations with regard to senior citizens, and;

WHEREAS, participation in these and other activities require dedicated volunteers and, more specifically, the establishment of a Senior Citizens Advisory Committee to advise regarding these activities, and;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Hamilton that we do hereby establish the Senior Citizens Advisory Committee consisting of a total of seven (7) members appointed by the Township Committee. Three (3) members shall be the president or designee in each of the age restricted community Home Owner Associations including The Fairways, Tavistock and Woods Landing; four (4) members shall be residents of the Township of Hamilton aged fifty-five (55) and older. Members shall be appointed annually on or about January 1 by resolution but the initial term of appointment shall be through December 31, 2015. The Senior Citizens Advisory Committee shall report to the Community Development liaisons to Township Committee. The Senior Citizens Advisory Committee shall have general powers with reference to education for senior citizen issues, health services and other related services to assist in grant writing and may respond to any ordinance introduced by the Township Committee with respect to pending legislation at the county and state level which may impact senior citizens. The Senior Citizens Advisory Committee shall have general responsibilities as it relates to senior citizens issues to advise the Township Committee as it sees fit on any issue relating to senior citizens. The Senior Citizens Advisory Board shall have no additional authority to expend public monies. .

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Hamilton that the following persons are hereby appointed to serve on the Senior Citizens Advisory Committee until December 31, 2015.

NAME	POSITION
_____	The Fairways Representative
_____	Tavistock Representative
_____	Woods Landing Representative
_____	Citizen Representative
_____	Citizen Representative
_____	Citizen Representative
_____	Citizen Representative
<u>John Kurtz</u>	Township Committee Liaison to Community Development
<u>Judy Link</u>	Township Committee Deputy Liaison to Community Development

DISCUSSION ON THE MOTION: Mr. Guishard referred to Mr. Kurtz's comments about talking to seniors and said he made (the Ordinance) sound very bureaucratic; he didn't think it was a fair representation of the way the Ordinance was written; that he would like to see the Board to be part of the Township structure; that is what the Ordinance does; and he is very much in favor of the Ordinance approach. Mrs. Link said the Senior Center was closed with the stroke of a pen; she knows that a lot of thought went into that because of the budget situation at the time; she thinks most seniors she has spoken to have been heartbroken ever since that happened; having a resolution and not an Ordinance speaks volumes to her of how Committee Members regard seniors; seniors make up most of the taxes in the Township; she was asked why tax bills aren't sent by computer to save money; most seniors come in and pay their taxes by cash but she can't speak for the young people; there are difficulties that come along but seniors are a specific group that pay their taxes time and time again. Ms. Gatto said she thought Mrs. Links statements were completely unfair to those who aren't in the senior age bracket and found them offensive. Mrs. Link said that she took offense to Ms. Gatto putting the resolution up tonight; that Ms. Gatto has the prerogative to vote against the Ordinance in September; and that putting the resolution before something that was voted on wasn't right. Ms. Gatto explained that "to set the record straight" the Senior Center was not removed by the stroke of a pen; it was done through very lengthy and hard budget discussions when there was a multi-million dollar structural deficit in the budget; the Center was serving approximately 50 seniors a day; half of them were not from this Township; it was costing \$250,000.00 to serve approximately 25 people from the Township and 25 who were not; it was a very tough decision made at the same time the Committee had to lay off one-third of the work force and make

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other cuts across the board to get the Township revenue in line with its expenses. She said the greatest respect the Committee can show to its seniors and the rest of the residents is to keep their tax bill as stable and affordable as possible so that they can continue to live in their homes. Mayor Silva said Ms. Gatto was right that they were tough decision years; it was a bipartisan Committee - Tom Palmentieri, Harvey Kesselman, Charles Cain, Ms. Gatto and himself; no decision was made with the stroke of a pen; there was a \$2.4 million structural deficit; the Strategic Planning Committee chaired by Mr. Kesselman met at various places all over the community, got input from everyone, and everyone understood what the result was going to be; the Township Committee made some of the toughest decisions they ever had to make; Mrs. Link even said in the newspapers that it was done with a bipartisan Committee; the Township Committee paid down over \$10 million in debt and built stability in the community so they could move ahead in tough times and help the community survive; the Police Force was sent from 71 to 49. Mayor Silva said that nothing is taken away from the seniors; seniors get the same from their taxes as everyone else on the municipal lever - police, fire, emergency services, emergency management, garbage pick-up and governmental administration. He commented on the Goal of the Committee being to continue stabilizing the community and that he thought people have to thank the bipartisan Township Committees for that. Mr. Guishard said the Mayor was making it sound as if the proposed Ordinance is going to destabilize the community; the way it is written there is no cost; there is no budget so there is very little government involvement; if the Committee is set up and the seniors don't participate, it will dissolve itself; and he thinks the Ordinance should be given a chance. Mr. Kurtz commented on Mrs. Link and Mr. Guishard withdrawing their motion and second at the meeting on introduction of the Ordinance and the Committee discussing points that Ms. Gatto brought up; and said that after thinking about it, it sounded more like a resolution than an Ordinance to him. Mrs. Link said an Ordinance goes into the official Code Book; a Resolution can be done at this meeting and go into the minutes but not into the official Code Book. Mr. Guishard said he failed to see the reason for making this transitory decision; to see and the reluctance to write an Ordinance to make it part of the Township Structure since it would be at no cost and the Township Committee can dissolve it if it doesn't work; and the Committee should at least give it a try.

Mayor Silva asked for a roll call on the **Resolution to Establish a Senior Citizens Advisory Committee** as set forth above.

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

Ms. Gatto asked Mr. Jacobs to have a notice put on the website and message board that people can submit applications for appointment to the Senior Advisory Committee. Mrs. Link said she thought it should wait until after the hearing on the Ordinance. Mr. Sandman said that there will be a public hearing on the Ordinance on September 8th. He explained that approval of resolution didn't abrogate the fact that the Ordinance was introduced at the last meeting; and it was announced there would be a public hearing on it on September 8th.

Public Hearing/Adoption of Ordinance #1795-2015:

Bruce Strigh, North Street, Mays Landing, asked if this added a position. Ms. Gatto explained it doesn't add a position; a job description is being changed; the person with the title will be doing some of the work a Clerk would have been doing and the Deputy Tax Collector responsibilities.

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

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

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

WHEREAS, Ordinance #1795-2015 was introduced and passed first reading on August 3, 2015 and was duly advertised in the August 5, 2015 issue of the Atlantic County Record for a public hearing to be held on August 17, 2015; and

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

NOW, THEREFORE, BE IT RESOLVED that Ordinance #1795-2015 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. 1795-2015**

**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 eliminate the Finance Clerk Position in the Tax Collection office and replace it with a Deputy Tax Collector; and

WHEREAS, this change will increase the cost to the Township's operating budget, by the difference between the two salaries; and

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

SECTION 1. Create Position

Amend Exhibit "A" Section #1, entitled FULL-TIME DEPUTIES AND DIVISION CHIEFS by adding the following additional position:

Deputy Tax Collector.....\$60,000

SECTION 2. Amend Staffing Chart

Amend Staffing Chart to delete the "finance clerk" from the Tax Collection Office.

SECTION 3. Amend Staffing Chart

Amend Staffing Chart to add one "Deputy Tax Collector" in the Tax Collection Office.

SECTION 4. 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 5. 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 J. Silva, Mayor

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

ORDINANCE #1795- 2015 INTRODUCED AND PASSED FIRST READING August 3, 2015
ORDINANCE #1795- 2015 ADOPTED SEPTEMBER 8, 2015.

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

BE IT RESOLVED that Change Order #5 for Centerra Integrated Services, LLC, for fleet unit adjustment for prior years for a net increase of \$10,930.30 is hereby approved as follows:

Original Contract Price:	\$1,042,567.49
2014 extension:	\$463,116.58
2015 extension:	\$474,486.28
Total Contract w/o Change Orders:	\$1,980,170.35
Amount of previous change orders:	-\$15,305.80
Contract prior to this Change Order:	\$1,964,864.55
Net Increase of this Change Order:	\$10,930.30
%of change 0.56	
Contract Price with all approved change orders:	\$1,975,794.85

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 Bowman & Company, LLP Terms of Engagement to provide Professional Services to the Township of Hamilton for the administration of the Section 125 Cafeteria Plan for the 2016 Plan Year Bowman & Company, LLP, are hereby approved and the contract for said services awarded to them as set forth in their letter dated August 1, 2015.

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

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

WHEREAS, the following sealed bids for Furnishing and Installation of Football Field Goalposts at the Liepe Tract Recreation Complex (Bid #2015-05) were received and opened on August 11, 2015:

Warriner's Construction, Inc.	\$28,000.00
Ronald Janney Electrical Contractor, Inc.	\$28,500.00
West Bay Construction, Inc.	\$47,000.00

WHEREAS, said bids have been reviewed by the Township Engineer and CFO and Warriner's Construction, Inc. was deemed the lowest responsible bidder,

NOW, THEREFORE, BE IT RESOLVED that the bid of Warriner's Construction, Inc., 127 Summit Avenue, Egg Harbor Township, NJ 08234 be accepted and the contract for Furnishing and Installation of Football Field Goalposts at the Liepe Tract Recreation Complex (Bid #2015-05) awarded to them in the amount of \$28,000.00 as recommended by Robert J. Smith III Township Engineer on August 11, 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 the Business Registration License for Jay Communications Plus, a retail cell phone & accessories kiosk at Hamilton Mall is hereby approved.

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

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

BE IT RESOLVED that a Transient Vendor License for Kimberly A. Bond for food vending at the boat races at Lake Lenape on September 12 and 13, 2015 is hereby approved.

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

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

RESOLUTION

**RESOLUTION OF THE TOWNSHIP OF HAMILTON,
COUNTY OF ATLANTIC, STATE OF NEW JERSEY,
TO CANCEL 2015 TAXES**

WHEREAS, there are two block and lots that were granted a 100% Totally Disabled Veteran exemption status by the Tax Assessor; and,

WHEREAS, taxes were assessed on these properties for 2015 which must be cancelled due to the exemption; and,

WHEREAS, the taxes will be cancelled as follows:

<u>Block/Lot</u>	<u>Owner</u>	<u>Amount</u>
1132.18/96	Schenck, Michael	\$ 4,148.75 to be cancelled
793/1	Kelusak, Richard	\$ 3,363.78 to be cancelled

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that 2015 taxes be cancelled in the amount of \$ 7,512.53.

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 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, the Tax Assessor has confirmed that there are no contiguous owners due to said property being bounded on all sides by paper streets,

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>
482/Lot 1	1.12 acres	Eighth Avenue	RD-4	\$600.00

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 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 adopted.

BE IT RESOLVED that the Mayor is hereby authorized to execute the Municipal Alliance Grant Agreement with the County of Atlantic for July 1, 2015 through June 30, 2016.

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

August 17, 2015

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

BE IT RESOLVED that extensions of Post Sandy Planning Grants for the Mays Landing Neighborhood Plan (**Agreement #CDNP-ML-2014-0112-208**) and the Preliminary Investigation & Redevelopment Plan for Historic Mays Landing (**Agreement #REDEV-M-2014-0112-223**) from September 4, 2015 to December 4, 2015 are hereby approved.

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

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

BE IT RESOLVED that installation of **"AUTISTIC CHILD AREA"** warning signs on Driftwood Lane at locations identified by the Hamilton Township Police Department is hereby authorized.

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 release of \$15,108.00 escrow site work performance guarantee for Jiang Wen Yang 6142 Old Harding Highway project (Block732/Lots 51 & 52; Twp. file #ZB 27-2011/Engineer's file #0112-1-128) contingent upon Jiang Wen Yang posting the following maintenance guarantees as recommended by Robert J. Smith III, Township Engineer, on August 11, 2015:

- 1) 4-yr. \$1,211.40 stormwater management system maintenance guarantee.
- 2) 2-yr. \$1,054.80 maintenance guarantee for all other site improvements.

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.

BE IT RESOLVED that the following Township of Hamilton Rescue Squad Fee Schedule be approved:

- (1) BLS Emergency Transport: \$700.00
- (2) BLS Loaded Mileage: \$15.00

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 Remington Vernick Engineers is hereby authorized to apply for the NJDEP 5G3 Construction Activity Stormwater General Permit for the 2015 Road Program and the FY2015 NJDOT Municipal Aid Project - Reconstruction of Malaga Road-Section 4.

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

August 17, 2015

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

WHEREAS, on August 13, 2015, the Township of Hamilton held a public land sale of Township-owned property known as Block 631, Lot 8 located on First Avenue, Mays Landing, NJ; and

WHEREAS, said property was advertised and sold without special conditions; and

WHEREAS, Jack Verseput IV and Jack Verseput III offered a bid of Two Thousand Dollars (\$2,000.00) and no other bids were received,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the bid of Jack Verseput IV and Jack Verseput III be and is hereby accepted.

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, on August 13, 2015, the Township of Hamilton held a public land sale of Township-owned property known as Block 632, Lots 1 and 13 located on First and Belmont Avenues, Mays Landing, NJ; and

WHEREAS, said property was advertised and sold without special conditions; and

WHEREAS, Jack Verseput IV and Jack Verseput III offered a bid of Six Thousand Five Hundred Dollars (\$6,500.00) and no other bids were received,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the bid of Jack Verseput IV and Jack Verseput III be and is hereby accepted.

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

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

BE IT RESOLVED that Jane Bash be and is hereby appointed full-time Administrative Assistant in the Township Clerk's Office at \$42,000.00 annual salary effective September 9, 2015.

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 Registrar OF Vital Statistic's appointment of Jane Bash as Deputy Registrar of Vital Statistics T \$1,991.63 annual salary effective September 9, 2015 be and is hereby confirmed.

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

Ms. Gatto moved, seconded by Mr. Guishard, that authorization is hereby given to advertise for a Deputy Tax Collector.

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

August 17, 2015

Mr. Kurtz moved, seconded by Ms. Gatto, that authorization is hereby given to advertise for a full-time Building & Electrical Inspector.

MOTION CARRIED 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 Frank Primavera is hereby appointed Acting Electrical Sub-code Official.

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 Warren DaGrosa is hereby appointed Acting Building Sub-code Official.

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

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

BE IT RESOLVED that the August 3, 2015 regular meeting minutes are hereby approved and adopted as published.

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 August 3, 2015 executive session minutes are hereby approved and adopted.

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 all properly executed and approved payrolls and bills are hereby ordered to be paid, the bill list totaling \$3,763,879.09.

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

Reports:

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

Mr. Sandman had nothing to report.

Mr. Smith reported the paving on Rundle Avenue was done by the Gas Company's subcontractor at no cost to the Township; the Township should have been notified but wasn't; the subcontractor scheduled the work and the Gas Company may not have known it; it had nothing to do with the Township's Park Road project; and they will be doing Crocus Street from Route 40 to Benson Avenue and a couple of other roads because of gas main replacements. Ms. Gatto asked Mr. Jacobs contact the Gas Company and let them know that this is not acceptable.

Mrs. Link reported she attended the opening of The Paragon, a new business in town, last Sunday; the new owners are very nice; she thinks it will be successful and have a different tone than Testa's did; and she encouraged people to go there. Mayor Silva commented on having attended the "soft Opening" a couple of weeks ago and agreed with Mrs. Link's comments about the owners.

Mr. Kurtz commended the Public Works on the work they did at the sports fields; painting the rest rooms and making sure the fixtures were working; and arranging for two fire departments to repair two lights that are out at Underhill Park. He reported there are still some bathroom facilities issues at Underhill that have to be addressed; there may be a need for additional bathrooms for the number of people who go there for the games. Mr. Kurtz reported the second movie in War Memorial Park will be on August 28th and that brochures on the Wine Festival available from businesses in Town, at Town Hall, and on the Merchants' Association website.

Mr. Guishard reported he also attended the opening of the Paragon and agreed with Mr. Link's comments. Mr. Guishard said he seconded Mr. Kurtz's comments about the Public Works Department and commented on there being hundreds of kids using the facilities. Mr. Guishard referred to comments made about Code Enforcement and said there is an unbelievable amount of work out there; a lot of violations are caused by the economy and people not being able to afford to do the work.

Ms. Gatto reported there is a new farm market business where the Petals (Flower) Shop was on Somers Point Road. Ms. Gatto reported she saw some properties badly in need of repair when she was out with the Oakcrest High School Welcome Wagon event and said the Township has an Ordinance on dilapidated structures that reverts it to the County and that she asked Mr. Jacobs to look at the Ordinance to see if there is an opportunity to make changes to it to have the Township take the initiative; if there are, the Committee will have to make a decision going into the 2016 budget about funding it. Ms. Gatto reported Horizons at Woods Landing will be giving one of the Township's newer police officers, Officer Silvio, a commendation for some heroic work she did in that neighborhood. Ms. Gatto thanked Lisa Marcolongo for coming across a Program for Fire Company Volunteers to get Tuition Credits just for serving; and the proposed resolution is being forwarded to the ESAB Board for their consideration and recommendation on whether or not it should be pursued. Ms. Gatto commended Oakcrest High School on its second annual Welcome Wagon Event. She explained what it is and who participated in it.

Mayor Silva reported on the summer camp on science, technology, engineering and math that was sponsored by the HYAA at ACC; the youngest participant was 6 and the oldest 14. The Mayor commented on not knowing why young people commit suicide and said that HYAA is trying to get them to understand they have choices. He thanked Jennie Ayres for all she did to put the program together. Mayor Silva reported there is supposed to be a meeting with NJDOT on Wednesday to talk about timing of traffic lights and other traffic issues that have the residents upset but he isn't sure the NJDOT representatives will really come. Mayor Silva reported a new business, Bob's Furniture, is opening behind the Hamilton Mall where the Flyers used to be. He explained that he and Ms. Gatto met with the owner of Hamilton Mall; he is very interested in and a big promoter of the community; he is making changes to the inside of the Mall, and trying to bring in other types of businesses; he is giving scholarship money to ACC and to Stockton; and he has been talking to Dean Dr. Mora about possibly bringing some of the ACCC services into the Mall. Ms. Gatto said the ACC Culinary Arts students are having a cooking demonstration at the Mall on September 20th. Mr. Guishard asked the Mayor to compliment the Mall owner for keeping it in such great shape whenever he has the opportunity to do so. Mayor Silva commented on the upgrades that are being made at Festival Mall and said the owners are putting their money back into the properties.

August 17, 2015

Public Comment:

Terry Dailey commented on derelict properties and said that she thought the Township could do the work that needs to be done and put liens on them. Ms. Gatto explained there are a lot of properties that caught fire; the Township can keep the weeds and lawn down but can't do much right now if the owners are abandoning the property or are waiting for insurance money; and the question is whether the Township wants to take on the cost and responsibility for tearing it down and putting a lien on the property. Mr. Sandman explained that the Ordinances the Township adopted prior to the UCC Code being amended have to be adjusted and that the County is working with the Township. Mrs. Dailey referred to rumors that the Township was approached by the County to take over the Lake Lenape and said she is strongly opposed to that because Public Works can barely keep up with the roads without adding that on them; she doesn't think the Park can be a money maker or Edwina Hansen or Larry Boylan would still own it; she likes having Park Rangers on both sides of the Lake; the County owns the Lake and it is their responsibility if someone gets hurt or drowns there; the Lake is shallow there and people unfamiliar with it don't know where the tree stumps are. She referred to rumor about switching swimming from the Cove to Lenape Park beach and someone thought they could sell the Cove and put houses there. She said that she isn't opposed to switching the swimming but she doesn't believe selling the Cove is permissible if the Township ever accepted Green Acres money because that encumbers all Township-owned Open Space in perpetuity. Mayor Silva said that the County Executive did offer Lake Lenape Park to the Township at one time but, to his knowledge, there has been no attempt to do it.

Susan Rocap explained that she lives on Lake Lenape; the noise from music at the Watering Hole Café has been a problem for years; she has called the police numerous times about it; people she spoke to said they were told that there is no decibel meter in the Township and that the Noise Ordinance is confusing; she has had the Police come sit on her deck so they could hear it; and she doesn't like to call the police for this and take them away from their other work; and the Township shouldn't need a decibel meter if she can hear it at her house. Mr. Kurtz explained he has spoken to Mrs. Rocap's husband about it on two occasions; the decibel meter and Noise Ordinance were brought up at a meeting with the Administrator; he thinks that there should be some discussion with the property owner prior to any other enforcement takes place.; he knows of other people that are affected by it. Mrs. Rocap explained the band starts at 10 PM and goes to about 1:30 AM; it is usually Thursday through Saturday or Sunday. Mr. Guishard suggested they might be able to put up sound barriers like those on highways. Mayor Silva explained they have a stage outside and inside. Mrs. Rocap explained she asked the Police Department for a list of how many noise complaints but was told that list them by the name of the person that calls, not the Watering Hole. Chief Tappeiner said they can print the list Mrs. Rocap wants. Mayor Silva said that he, the Administrator and one other Committee Member will go there this week and speak to the owner and maybe he will understand what he is doing to the neighborhood,

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".

August 17, 2015

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that this meeting be adjourned to an executive session to discuss the following matters which are exempt from public discussion pursuant to the New Jersey Open Public Meetings Law:

- 1) Timber Glen v. Hamilton Township litigation.
- 2) Hamilton Township v. Harry B. Scheeler, Jr., litigation.

BE IT FURTHER RESOLVED that the governing body will reconvene in public session and confirm the results of the executive session if there is a majority consensus for action to be taken on the matter tonight.

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

Public Session adjourned: 8:35 PM.
Public session reconvened: 9:23 PM

Mr. Sandman announced the time; that there was no member of the public in the room, waiting in the hallway or on the porch; that the only matters discussed in executive session were those listed on the agenda; that no formal action was taken; and that the minutes of the executive session will be available at such time as the confidential nature of the matter discussed is no longer confidential.

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

BE IT RESOLVED by the Township Committee of the Township that, in accordance with the executive session discussions, the Joey T, LLC/Cologne Gardens Apartments demand for a refund of all apartment license fees dated August 14, 2015, be and is hereby denied in accordance with the executive session discussions.

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 by the Township Committee of the Township of Hamilton that, in accordance with the executive session discussions, the Township Administrator is hereby authorized to administratively deny any and all future requests for refund of Rental License fees similar to that of Joey T, LLC/Cologne Gardens Apartments.

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

There being no further matters of business to be discussed, Ms. Gatto moved, seconded by 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