

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
SEPTEMBER 21, 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, September 21, 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 asked the public to remember the family of Ayana Toliver, a Township Employee, who recently passed away.

Presentation to Shema'yah El:

Ms. Gatto and Mayor Silva presented Shema'yah El a proclamation in recognition of her school activities and accomplishments and her upcoming participation in the Miss New Jersey Teen USA Pageant with Teen Suicide Prevention as her platform. Shema'yah thanked her grandmother, reporter Charles Pritchard, and the school district. She said she hoped to inspire other teens to accomplish great things as well.

There was no executive session and no executive session confirmations.

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

BE IT RESOLVED that the following items are hereby deleted from the agenda for this meeting:

- Item 5.B Donald Targan request for Pine Creek performance guarantee reduction (reschedule the discussion to October 5, 2015.)
- Item 5.C Proposed Amendments to Chap. 66 of the Township Code to incorporate reorganization of Community Development Dept.
- Item 9.A (3) September 8, 2015 regular meeting minutes.

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

9.A Insert names of businesses:

- (1) Good Boy Biscuits & Bones - pet supply store on Harding Hwy.
- (2) Bellyssimo, LLC -Prenatal services & baby product sales at Hamilton Mall.
- (3) Bob's Discount Furniture - retail furniture store at Hamilton Mall.
- (4) Sensational Seconds - new & used women's clothes & Accessories store on Main Street.
- (5) Boost Mobile (Jay Communication) - Prepaid cell phone sales cart at Hamilton Mall.
- (6) Caballo Negro, LLC- restaurant on Black Horse (former Cavalino Nero site)

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

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

Lake Lenape Dam update can be seen in full on the Township website:

Mr. Sandman's explained he was constrained as to what he could report because the matter is in mediation and there is a confidentiality clause in it. He gave a brief history of the Dam, when it was built, how the County and Township became partners in ownership of it; the dam being listed as a "hazard dam" by NJDEP; O'Brien & Geer Engineering being hired to prepare a conceptual plan for repairs required by DEP; Agate being awarded the contract to do the repairs laid out by O'Brien & Geer; Agate hiring Duffield Associates and buying their Design-Build Plan that included construction of a permanent coffer dam; Agate being responsible for the level of the lake during construction; some of the sheet pilings on the coffer dam being 2 feet higher than they should have been and deflecting during a weather event on February 28, 2011 due to pressure from the extra 2 feet of water in the lake; and the County and Township considered that to be a failure. Mr. Sandman explained the Lake Lenape Dam Committee that consists of 3 members from the Township, 3 Members from the County and the County Engineer County who has final say if there is a deadlock is trying to get the contractor back to finish the work. He said that at the end of February, Agate advised the County they had completed all the work available to them and that the County owes them money; the County determined the contract with Agate should be terminated and they should be removed from the project because it was a Design-Build Contract that Agate bought from Duffield Associates and it didn't work. He commented on the County and Township hiring a qualified engineering firm to dewater the site in the coffer dam; Agate's position being that it couldn't be dewatered but they did it and tried but couldn't put baffles in to stop the water from coming through what was designed to be a permanent coffer dam. Mr. Sandman said that the County's position is that Agate did defective work, caused and are responsible for damages to the County and the Township; that under State Law requires going to the Alternate Dispute Resolution Process is mandatory in this case; the parties all agreed to go into negotiations; that process has been going on for 2 years; Agate now contends that because the dam was built in 1847 there were unknown site conditions they had to do extra work and are owed extra money; the County's position is that the design was improper, it didn't work, it was a design-build contract and Agate owes the County money. Mr. Sandman explained the liquidated damages clause in the contract Agate signed provides \$1,000.00 per day for the number of days the project went over the scheduled finish date; Agate's obligations are secured through performance bonds and insurance in the event consequential damages were caused; the contractor, his designer, and the County are involved in the mediation; he attends but is second seat; and the County Engineer has taken the position that the dam is safe and secure. He said that one good thing that came out of this is that there is a spillway dam and a coffer dam. Mr. Sandman explained that west embankment goes from the coffer dam to the power house building; that through the process they learned that the real risk was that there were serious voids in the west embankment that created instability of the largest part of the dam; the County bid out and paid contractor to excavate and fill the voids with appropriate material; and the western embankment is better now than it has ever been in terms of safety.

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

BE IT RESOLVED that Ordinance #1797-2015 be introduced and passed on first reading and the Township Clerk is authorized to advertise same in the September 23, 2015 issue of the Atlantic County Record for a public hearing to be held thereon in the Municipal Building, Mays Landing, New Jersey at 6:30 PM on Monday, October 5, 2015.

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

TOWNSHIP OF HAMILTON
ORDINANCE NO. 1797-2015

AN ORDINANCE AUTHORIZING THE SALE OF LOT(S) 14 AND 15 IN BLOCK 667 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HAMILTON AND GRANTING TO THE OWNER OR OWNERS OF SAID REAL PROPERTY CONTIGUOUS TO SAME THE RIGHT TO PRIOR REFUSAL TO PURCHASE SUCH LAND IN THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY.

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

SECTION 1. The following described lots and block numbers on the Hamilton Township Tax Map are hereby determined to be less than the minimum size required for development in said Township under the existing Developmental Ordinance and are without any capital improvements thereon.

SECTION 2. Upon final adoption of this Ordinance, owners of real property contiguous to the subject lot may thereafter submit an offer to the Township Clerk, as designee of this Governing Body, in writing and on forms prepared by the Township for a period of twenty (20) days following advertisement of the finally adopted Ordinance pursuant to N.J.S.A. 40A:12-13. All offers shall be made in a sealed envelope. No offer less than the minimum value established herein below for said lot shall be considered by the Township Committee.

SECTION 3. In the event of bids being submitted by more than one (1) contiguous property owner with respect to said lots, the sale shall be made, if at all, to the highest bidder. The Township Committee reserves the right to reject any and all bids and to thereafter advertise the subject property for public sale pursuant to N.J.S.A. 40A:12-13(a).

SECTION 4. The following conditions of sale shall apply:

- (a) The successful bidder shall submit a certified check made payable to the "Township of Hamilton" in the amount of twenty (20%) percent of the purchase price, which check shall be submitted in the sealed envelope at the time of submission of the bid. Persons bidding on behalf of a contiguous property owner shall be required to submit in writing satisfactory evidence of their authority. The balance of the purchase price plus FOUR HUNDRED, TWENTY-FIVE (\$425.00) DOLLARS to offset administrative costs including but not limited to advertising, legal and recording fees shall be paid in cash or certified check within ten (10) days after acceptance of the bid by the Township Committee and authorizing the sale to the high bidder.
- (b) The Deed prepared by the Township Committee shall not be tendered until the full purchase price is paid.
- (c) Title shall be conveyed by and through a Quitclaim Deed and shall Convey only the right, title and interest of the Township of Hamilton to the land, as described herein. No warranties and covenants are or shall be made by the Township of Hamilton and in no event shall there be any liability on the part of the Township by reason thereof. The right, title and interest of the successful bidder, as purchaser, shall be subject to the following conditions, covenants, restrictions, easements and exceptions which shall run with the land and shall also become part of the Deed granted to the purchaser for the recording:
 - (1) Easement of utility companies and of governmental agencies or bodies.
 - (2) Any encroachments, prescriptions, easements or other state of facts pertaining to said lands which may be ascertained upon a visual examination and inspection of the land and the lands surrounding said land and any restrictions and covenants of record.

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- (3) All existing federal, state, county and municipal laws, statutes, ordinances, rules and regulations including, by of description and not by limitation, existing zoning, health and planning board rules and regulations.
- (4) No representation of any kind is made that the land in question, surface as well as subterranean portions, is suitable or adaptable for any particular use whatsoever.
- (5) No representation of any kind is made concerning gas or electric service to the land.

(d) In the event that the Township cannot convey good and marketable title, subject to the above, the purchaser will be entitled to the return of the deposit, without interest, and the Township will not be responsible or liable in any other manner and for any other amount.

(e) In the event that the purchaser defaults in making payment to the Township, as set forth above, or if the purchaser cannot make settlement in accordance with the terms thereof, the deposit made by the successful bidder on account of the purchase will be retained by the Township as and for its liquidated damages and the land may be resold. This remedy shall be in addition to the Township's right to compel specific performance of the purchaser's obligation hereunder. Time is of the essence.

SECTION 5. The Township owned lots and minimum bid established therefore are as follows:

<u>Block/Lot(s)</u>	<u>Lot Size</u>	<u>Location</u>	<u>Zoning</u>	<u>Minimum Bid</u>
667 / 14 AND 15	9.72 acres	Railroad Blvd.	FA-70	\$5,000.00

SECTION 6. SPECIAL CONDITIONS: Purchaser shall be required to EXECUTE AND RECORD A Deed of Consolidation AT THEIR OWN EXPENSE and submit a copy of the recorded Deed of Consolidation to the Township Clerk within 30 days from receipt of the deed conveying Lots 14 and 15 in Block 667 to them. This condition shall be incorporated in the deed of conveyance.

SECTION 7. All Ordinances and parts of Ordinances of Hamilton Township heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 9. This Ordinance shall take effect immediately upon its publication after final passage as required by law.

ATTEST:

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
COUNTY OF ATLANTIC, NJ

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

ROGER SILVA, MAYOR

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

ORDINANCE #1797-2015 INTRODUCED AND PASSED FIRST READING ON SEPTEMBER 21, 2015.

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

BE IT RESOLVED that Ordinance #1798-2015 be introduced and passed on first reading and the Township Clerk is authorized to advertise same in the September 23, 2015 issue of the Atlantic County Record for a public hearing to be held thereon in the Municipal Building, Mays Landing, New Jersey at 6:30 PM on Monday, October 5, 2015.

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

TOWNSHIP OF HAMILTON
ORDINANCE NO. 1798-2015

AN ORDINANCE AUTHORIZING THE SALE OF LOTS 7, 8, AND 11 THROUGH 15 IN BLOCK 375 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HAMILTON, AND GRANTING TO THE OWNER OR OWNERS OF SAID REAL PROPERTY CONTIGUOUS TO SAME THE RIGHT TO PRIOR REFUSAL TO PURCHASE SUCH LAND IN THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC, AND STATE OF NEW JERSEY.

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

SECTION 1. The following described lots and block numbers on the Hamilton Township Tax Map are hereby determined to be less than the minimum size required for development in said Township under the existing Developmental Ordinance and are without any capital improvements thereon.

SECTION 2. Upon final adoption of this Ordinance, owners of real property contiguous to the subject lot may thereafter submit an offer to the Township Clerk, as designee of this Governing Body, in writing and on forms prepared by the Township for a period of twenty (20) days following advertisement of the finally adopted Ordinance pursuant to N.J.S.A. 40A:12-13. All offers shall be made in a sealed envelope. No offer less than the minimum value established herein below for said lot shall be considered by the Township Committee.

SECTION 3. In the event of bids being submitted by more than one (1) contiguous property owner with respect to said lots, the sale shall be made, if at all, to the highest bidder. The Township Committee reserves the right to reject any and all bids and to thereafter advertise the subject property for public sale pursuant to N.J.S.A. 40A:12-13(a).

SECTION 4. The following conditions of sale shall apply:

- (a) The successful bidder shall submit a certified check made payable to the "Township of Hamilton" in the amount of twenty (20%) percent of the purchase price, which check shall be submitted in the sealed envelope at the time of submission of the bid. Persons bidding on behalf of a contiguous property owner shall be required to submit in writing satisfactory evidence of their authority. The balance of the purchase price plus FOUR HUNDRED, TWENTY-FIVE (\$425.00) DOLLARS to off-set administrative costs including but not limited to advertising, legal and recording fees shall be paid in cash or certified check within ten (10) days after acceptance of the bid by the Township Committee and authorizing the sale to the high bidder.
- (b) The Deed prepared by the Township Committee shall not be tendered until the full purchase price is paid.
- (c) Title shall be conveyed by and through a Quitclaim Deed and shall Convey only the right, title and interest of the Township of Hamilton to the land, as described herein. No warranties and covenants are or shall be made by the Township of Hamilton and in no event shall there be any liability on the part of the Township by reason thereof. The right, title and interest of the successful bidder, as purchaser, shall be subject to the

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following conditions, covenants, restrictions, easements and exceptions which shall run with the land and shall also become part of the Deed granted to the purchaser for the recording:

- (1) Easement of utility companies and of governmental agencies or bodies.
 - (2) Any encroachments, prescriptions, easements or other state of facts pertaining to said lands which may be ascertained upon a visual examination and inspection of the land and the lands surrounding said land and any restrictions and covenants of record.
 - (3) All existing federal, state, county and municipal laws, statutes, ordinances, rules and regulations including, by of description and not by limitation, existing zoning, health and planning board rules and regulations.
 - (4) No representation of any kind is made that the land in question, surface as well as subterranean portions, is suitable or adaptable for any particular use whatsoever.
 - (5) No representation of any kind is made concerning gas or electric service to the land.
- (d) In the event that the Township cannot convey good and marketable title, subject to the above, the purchaser will be entitled to the return of the deposit, without interest, and the Township will not be responsible or liable in any other manner and for any other amount.
- (e) In the event that the purchaser defaults in making payment to the Township, as set forth above, or if the purchaser cannot make settlement in accordance with the terms thereof, the deposit made by the successful bidder on account of the purchase will be retained by the Township as and for its liquidated damages and the land may be resold. This remedy shall be in addition to the Township's right to compel specific performance of the purchaser's obligation hereunder. Time is of the essence.

SECTION 5. The Township owned lots and minimum bid established therefore are as follows:

<u>Block/Lot(s)</u>	<u>Lot Size</u>	<u>Location</u>	<u>Zoning</u>	<u>Minimum Bid</u>
375/LOTS 7,8 AND 11 THROUGH 15	0.40 acre	Scranton Ave.	MV	\$500.00

SECTION 6. SPECIAL CONDITIONS: NONE

SECTION 7. All Ordinances and parts of Ordinances of Hamilton Township heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 9. This Ordinance shall take effect immediately upon its publication after final passage as required by law.

ATTEST:

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
COUNTY OF ATLANTIC, NJ

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

ROGER SILVA, MAYOR

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

ORDINANCE #1798-2015 INTRODUCED AND PASSED FIRST READING ON SEPTEMBER 21, 2015.

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

BE IT RESOLVED that Ordinance #1799-2015 be introduced and passed on first reading and the Township Clerk is authorized to advertise same in the September 23, 2015 issue of the Atlantic County Record for a public hearing to be held thereon in the Municipal Building, Mays Landing, New Jersey at 6:30 PM on Monday, October 5, 2015.

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

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY
ORDINANCE # 1799-2015

AN ORDINANCE AMENDING ORDINANCE 1785-2015 AND SECTION 203 OF THE CODE OF THE TOWNSHIP OF HAMILTON REGARDING REGULATION OF HISTORIC DISTRICTS WITHIN THE TOWNSHIP.

WHEREAS, on April 6, 2015 the Township Committee of the Township of Hamilton adopted Ordinance 1785-2015, which repealed and replaces Section 203-10 (Historic Preservation Commission) and Section 203-208 (Historic District) of the Township Code; and

WHEREAS, as required by NJAC 7:50-3.45, a copy of Ordinance 1785-2015 was forwarded to the New Jersey Pinelands Commission for review and certification of conformance with the Pinelands Comprehensive Management Plan (NJAC 7:50 et.seq.); and

WHEREAS, the Pinelands Commission staff has identified the need for technical changes relating to demolition that need to be made in order to maintain consistency with the CMP; and

WHEREAS, there is also the need to revise the Historic District sign standards in order to be consistent with the recommendations made by the Planning Board in 2014.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hamilton, in the County of Atlantic and State of New Jersey, that Ordinance 1785-2015 and Chapter 203, Land Use and Development, of the Code of the Township of Hamilton shall be amended as follows:

Section 1. Amend Section 203-211, Certificate of Appropriateness, Subsection D.3) as follows:

D. Procedures.

- 3) Each application for a Certificate of Appropriateness or for a determination of non-necessity shall be accompanied by sketches, drawing, photographs, descriptions or other information to show the proposed alterations, additions, changes or new construction. Applications for demolition shall include current and historical photographs of the interior and exterior of the building and a report demonstrating that restoration of the structure is economically infeasible. If located in a Pinelands Area, applications for new construction or demolition shall be accompanied by a Certificate of Filing from the New Jersey Pinelands Commission. The Commission may require the subsequent submission of such additional materials as it reasonably requires to make an informed decision. Any such request shall not affect the time within which the Commission must make a decision pursuant to Subparagraph D.5) (below). To further assist the community there is a copy of the Township of Hamilton Historic District standards guide and a Fencing guide in the Zoning Office at the Township Hall.

Section 2. Amend Section 203-212, Standards and Criteria, Section G, Signs in historic areas, by inserting the following as new subsection 11:

- 11) A maximum one-foot (1') by two-foot (2') sign which displays the word "OPEN" is permitted within the historic district. Such sign shall be white lettering on a black background and shall be backlit if illumination is required.

Section 3. Amend Section 203-213, Demolitions and Relocations, subsection B.1) as follows:

B. Procedure.

- 1) Where Demolition is denied. In the event of a denial of an application for a Certificate of Appropriateness to demolish an Historic Landmark or a building, structure, site, object or improvement located in an Historic District, the owner shall, nevertheless, as a matter of right, be entitled to the issuance of a Certificate of Appropriateness to raze or demolish same provided that all of the following requirements have been fully met:
 - a) Appeal to Zoning Board of Adjustment. The owner has applied for the necessary Certificate of Appropriateness and has received notice of denial of same from the Zoning Official based on the report from the Planning Board or the Historic Preservation Commission if so authorized and has appealed to the Zoning Board of Adjustment, which has affirmed such denial.
 - b) Sale for Fair Market Value. The owner has prior to seeking demolition for a period of at least one hundred and eighty (180) days (the "offer period"), and at a price reasonable related to its fair market value, made a bona fide offer to sell such building, structure, site, object or improvement and the land pertaining thereto to any person, entity, organization, government or political subdivision thereof which gives reasonable assurance that it is willing to preserve the building, structure, site, object or improvement and the land pertaining thereto.
 - c) Demolition Notice Posted & Publication. Notice of any proposed demolition shall be posted on the exterior premises of the building, structure, site, object or improvement throughout the Notice Period in a location such that it is clearly readable. In addition, the applicant shall cause to be published in the official newspaper of the Township a notice setting forth the following:
 - (1) The applicant's intent to demolish, including a description of the subject property (by Block and Lot as well as by physical location) and a description of the building, structure, site, object or improvement to be demolished; and
 - (2) The applicant's proposed use of the property following demolition; and
 - (3) The anticipated time frame(s) associated with the demolition; and
 - (4) A statement indicating that the applicant shall consider any and all bona fide offers to sell the property to any person who wishes to preserve the building, structure, site, object or improvement; and
 - (5) The applicant's name and address, along with a telephone number where the applicant may be reached during normal business hours by any interested person who wishes to discuss the proposed demolition and/or to make an offer to purchase the property as set forth above. The notice shall be published as follows:
 - i At least once within the first (10) days of the Notice Period; and
 - ii At least once within the period of time that is not less than ten (10) nor more than fifteen (15) days prior to the expiration of the Notice Period; and
 - iii At least once each twenty (20) days between the above first and last notifications.
 - iv At the conclusion of the Notice Period, if the applicant still wishes to demolish the subject building, structure, site, object or improvement, it shall, prior to performing the demolition, perform the following:
 - v Advise the Commission in writing of its intention to proceed with the demolition; and
 - vi Certify in writing to its compliance with the provisions of Subparagraph (b) above relating to the 180-day "offer period"; and
 - vii Provide the Commission with a copy of the notice that appeared in the official newspaper of the Township and a listing of all dates on which the said notice appeared in the newspaper, and

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- viii Advise the Commission in writing as to whether any interested persons submitted an offer or offers to purchase the property, whether during the 180-day "offer period" or following the newspaper noticing referenced above, and set forth the terms and conditions relating to said offer(s) and the results of any negotiations pertaining thereto; and
- ix File copies of the affidavits of publication relating to the newspaper noticing with the Commission.

- d) Pinelands area. If the structure is located in a Pineland Area the applicant shall have received correspondence from the New Jersey Pinelands Commission concurring that preservation in place is economically infeasible and that recordation of the resource is an appropriate treatment.
- e) Notice Period. The period of time during which notice must be given in manner hereinbefore set forth shall be known as the "Notice Period" which shall commence on the tenth day following the date of the notice of denial of the appeal from the Zoning board of Adjustment and such Notice Period shall run for a period of time of sixty (60) days.

Section 4. Repealer. All Ordinances and parts of Ordinances of Hamilton Township heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. Severability. If the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance, or other ordinance enacted together with this Ordinance shall be judged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Ordinance, and of the ordinances enacted together with this Ordinance, are hereby declared to be severable.

Section 6. Effective date. This Ordinance shall take effect upon final passage, adoption & publication and certification by the New Jersey Pinelands Commission in the manner prescribed by law.

ATTEST

TOWNSHP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
ATLANTIC COUNTY, NJ

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

ROGER SILVA, MAYOR

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

ORDINANCE NO. 1799-2015 INTRODUCED AND PASSED FIRST READING ON SEPTEMBER 21, 2015.

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) Good Boy Biscuits & Bones - pet supply store on Harding Hwy.
- (2) Bellyssimo, LLC -Prenatal services & baby product sales at Hamilton Mall.
- (3) Bob's Discount Furniture - retail furniture store at Hamilton Mall.
- (4) Sensational Seconds - new & used women's clothes & Accessories store on Main Street.
- (5) Boost Mobile (Jay Communication) - Prepaid cell phone sales cart at Hamilton Mall.

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(6) Caballo Negro, LLC- restaurant on Black Horse (former Cavalino Nero site)

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 Memorandum of Understanding with the Atlantic County Prosecutor's Office to permit Frank Primavera to participate in an Arson Task Force is hereby approved; and

BE IT FURTHER RESOLVED that Mayor Roger Silva is authorized to sign the Memorandum of Understanding on behalf of the Township.

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

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

RESOLUTION AUTHORIZING PUBLIC LAND SALE

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

WHEREAS, a request has been made for said lands to be offered for public sale; 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

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 at 3:00 PM on THURSDAY, OCTOBER 8, 2015 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>
100 / 2, 3, 20 21 and 27	6 acres	St. Petersburg Ave.	RD-4	\$3,000.00

SPECIAL CONDITION: NONE

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

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 Township Committee of the Township of Hamilton has no objection to the Division of A.B.C. approving and/or issuing a permit to the Academy of Culinary Arts of Atlantic Cape Community College for a social affair to be held at the College from 5 PM to 9 PM on October 8, 2015 with beer only to be dispensed.

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

September 21, 2015

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 the Division of A.B.C. approving and/or issuing a permit to the Academy of Culinary Arts of Atlantic Cape Community College for a social affair to be held at the College from 6 PM to 10 PM on November 20, 2015 with wine on to be dispensed.

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 raffle licenses are hereby approved for the Cologne Volunteer Fire Company Ladies Auxiliary:

- (1) #18-2015 for on premise draw 50/50 to be held October 17, 2015.
- (2) #19-2015 for Tricky Tray to be held on October 17, 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 raffle license #20-2015 is hereby approved for the Mays Landing Athletic Association calendar raffle with drawings to be held on January 12, 2016 and on February 2, 2016.

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

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

BE IT RESOLVED that release of Fidelity & Deposit Company of Maryland bond #09103234, the \$412,842.72 maintenance guarantee for the Walmart expansion project non-stormwater management system components (PB file #2008-002/Engineer's file #0112-1-096) is hereby **denied** due to uncompleted punch list items as recommended by Robert J. Smith III, Township Engineer on September 15, 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.

TOWNSHIP OF HAMILTON
RESOLUTION NO. 2015-1 MALAGA ROAD

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Reconstruction of Malaga Road - Section 5 project.

BE IT RESOLVED that the Township Committee of the Township of Hamilton formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-Reconstruction of Malaga Road-Sect-00050 to the New Jersey Department of Transportation on behalf of the Township of Hamilton.

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BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Hamilton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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 RATIFYING PUBLIC LAND SALE

WHEREAS, the Township Committee of the Township of Hamilton determined the following lands are of no use for public purposes and are not needed for public use; and

WHEREAS, said lands were advertised for sale at public auction in accordance with statute in such case made and provided; and

WHEREAS, Jack Verseput IV, whose address is 317 West Liebig Avenue, Egg Harbor City, NJ and Jack Verseput III whose address is 306 W. Poplar Avenue, Linwood, NJ bid the sum Six Thousand Five Hundred Dollars (\$6,500.00); and

WHEREAS, no other bids were offered,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the offer of Six Thousand Five Hundred Dollars (\$6,500.00) made by Jack Verseput IV and Jack Verseput III for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOTS</u>	<u>LOT SIZE</u>	<u>LOCATION</u>	<u>Minimum BID</u>
632 / 1 and 13	13.59 +/- acres	First & Belmont Avenues	\$6,500.00

SPECIAL CONDITIONS IMPOSED: The purchaser shall be required to consolidate the lots and submit a copy of the recorded deed of consolidation to the Township Clerk within 30 days after they receive the deed conveying title thereto from the Township Clerk.

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcel to Jack Verseput IV and Jack Verseput III pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the July 29, 2015 and August 5, 2015 issues of the Atlantic County Record copies of which were distributed to the public at the time of sale and all bidders acknowledged in writing that they had read and understood same.

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 RATIFYING PUBLIC LAND SALE

WHEREAS, the Township Committee of the Township of Hamilton determined the following lands are of no use for public purposes and are not needed for public use; and

WHEREAS, said lands were advertised for sale at public auction in accordance with statute in such case made and provided; and

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WHEREAS, Jack Verseput IV whose address is 317 West Liebig Avenue, Egg Harbor City, NJ and Jack Verseput III, whose address is 306 W. Poplar Avenue, Linwood, NJ bid the sum Two Thousand Dollars (\$2,000.00); and

WHEREAS no other bids were offered,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the offer of Two Thousand Dollars (\$2,000.00) made by Jack Verseput IV and Jack Verseput III for the following described parcel of land be and is hereby accepted and the sale of same to them is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOT(S)</u>	<u>LOT SIZE</u>	<u>LOCATION</u>	<u>MINIMUM BID</u>
631 / 8	4.85 +/- acres	First Avenue	\$2,000.00

SPECIAL CONDITIONS IMPOSED: **NONE.**

BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcel to Jack Verseput IV and Jack Verseput III pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the July 29, 2015 and August 5, 2015 issues of the Atlantic County Record copies of which were distributed to the public at the time of sale and all bidders acknowledged in writing that they had read and understood same.

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.

**TOWNSHIP OF HAMILTON
RESOLUTION 2015-1**

AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS.

WHEREAS, mutual aid and assistance agreements between municipalities, counties, emergency management agencies, law enforcement agencies police, Emergency Medical Service, fire departments, fire companies or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD)- 5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, "The New Jersey Civilian Defense and Disaster Control Act" App.A9-33 et. seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor or County or Local Emergency Management Coordinator control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency, and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," N.J.A.C. 52:14E-11 et. seq., commonly referred to as the "Fire Service Resource Emergency Deployment Regulations" N.J.A.C. 5:75A et. seq, and

WHEREAS, it is deemed to be in the best interests of the residents of this municipality and/or fire district to enter into a mutual aid and assistance agreement with the County of Atlantic and other municipalities including (but not limited to) emergency management agencies, municipal police, Emergency Medical

Service or fire departments, volunteer fire companies or EMS organizations and/or fire districts to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major

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emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hamilton, County of Atlantic, and State of New Jersey as follows:

A. That the Township of Hamilton is hereby authorized and directed to enter into the Atlantic County Mutual Aid and Assistance Agreement between Participating Units, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.

B. That the Mayor of The Township of Hamilton is hereby authorized to sign and directed to execute said Mutual Aid Agreement on behalf of the Township of Hamilton.

C. That the Township Clerk is hereby authorized and directed to forthwith forward a copy of this Resolution and an executed copy of Schedule A of the agreement to the offices of the Atlantic County Office of Emergency Management for review and filing by the appropriate Fire, EMS and County Prosecutor or his designee as appropriate.

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 Township Committee of the Township of Hamilton supports the Mays Landing Merchants' Association application to the County of Atlantic for closure of Main Street/CR 559 between Farragut Avenue and Mill Street from 5:30 PM to 8:30 PM on Friday, October 30, 2015 for the Mays Landing Rotary Club annual Halloween Parade.

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 RATIFYING PUBLIC LAND SALE

WHEREAS, the Township Committee of the Township of Hamilton determined the following lands are of no use for public purposes and are not needed for public use; and

WHEREAS, the Tax Assessor confirmed in writing that the parcel is bounded on all sides by paper streets and therefore there are no contiguous owners; and

WHEREAS, said lands were advertised for sale at public auction in accordance with statute in such case made and provided; and

WHEREAS, Steven Cahill, d/b/a Country Blues, LLC, whose address is 1872 Third Avenue, Mays Landing, NJ bid the sum Six Hundred Dollars (\$600.00); and

WHEREAS, no other bids were offered,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the offer of Six Hundred Dollars (\$600.00) made by Steven Cahill, for the following described parcel of land be and is hereby accepted and the sale of same to him is hereby ratified subject to all terms and conditions of sale as advertised and as presented at the time of sale:

<u>BLOCK/LOTS</u>	<u>LOT SIZE</u>	<u>LOCATION</u>	<u>MINIMUM BID</u>
_____	_____	_____	_____

SPECIAL CONDITIONS IMPOSED: NONE

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BE IT FURTHER RESOLVED that the proper officers are hereby authorized to prepare and execute a Deed of Conveyance for aforesaid parcel to Steven Cahill, d/b/a/ Country Blues, pursuant to the terms and conditions of sale as set forth in the Notice of Sale published in the September 2, 2015 and September 9, 2015 issues of the Atlantic County Record copies of which were distributed to the public at the time of sale and all bidders acknowledged in writing that they had read and understood same.

BE IT FURTHER RESOLVED that the deed shall be issued in the name of Country Blues, LLC, 6872 Third Avenue, Mays Landing, NJ 08330, as requested by Steven Cahill.

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 and testing for full-time Police Officer is hereby authorized.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ryan Brady be and is hereby appointed to fill a pending full-time Police Officer vacancy at the Academy rate of \$38,000.00 per year effective October 12, 2015 contingent upon successful completion of the background check.

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 William Schmidt be and is hereby appointed a Member of the Senior Citizen Advisory Board as the Fairways at Mays Landing Representative for a term expiring December 31, 2015.

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

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

BE IT RESOLVED that Carol Pickett-Young be and is hereby appointed a Member of the Senior Citizen Advisory Board as the Horizons at Woods Landing Representative for a term ending December 31, 2015.

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

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

BE IT RESOLVED that Patricia Johnson be and is hereby appointed an At-Large Member on the Senior Citizen Advisory Board for a term expiring December 31, 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.

BE IT RESOLVED that Pam Scott be and is hereby appointed an At-Large Member on the Senior Citizen Advisory Board for a term expiring December 31, 2015.

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

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

BE IT RESOLVED that Jeanette Campbell be and is hereby appointed an At-Large Member on the Senior Citizen Advisory Board for a term expiring December 31, 2015.

RESOLUTION ADOPTED WITH MEMBERS GUSHARD, LINK AND SILVA VOTING "YES", MEMBERS GATTO AND KURTZ VOTING "NO" AND NO MEMBER "ABSTAINING" ON ROLL CALL VOTE.

Note: When casting their votes, Ms. Gatto and Mr. Kurtz each said they were voting "NO" only because they had other names they wanted to present.

Mrs. Link suggested the Advisory Committee meetings be on the fourth Thursday of the month.

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

BE IT RESOLVED that Diane Fox be and is hereby appointed an At-Large Member on the Senior Citizen Advisory Board for a term expiring December 31, 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 advertising for Regular Part-time Violations Clerk is hereby authorized.

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 sentence in the July 20, 2015 executive session minutes immediately after the words (about the basins) is hereby amended to add "if the bonding company formally requested a partial release of the bond amount."

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

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

BE IT RESOLVED that the August 17, 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.

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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 \$1,517,938.65.

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

Reports:

Mr. Jacobs and Mr. Smith had nothing to add to their written reports.

Mr. Sandman reported Mathew Feldman, a new Associate at his form, will be handling the In Rem Foreclosures.

Mr. Kurtz commented on the amount of time and work by the Boards, Township Committee and Mr. Sartorio that went into the Historic Preservation Ordinance and looking forward to the Historic Preservation Commission being fully recognized as having Certified Local Government (CLG) status. He explained there is a new round of matching fund grants designated for non-profits to develop in the Historic district that the HPC will be giving out and having the CLG status confirmed will help with that.

Mr. Guishard reported on the September 18th MIA/POW ceremonies held in Gaskill Park sponsored by the Vietnam Veterans of America, other participating organizations, and the speakers. He commented on attendance wasn't as good as it could have been. He thanked those who did remember the MIA/POWS and encouraged the public to attend these ceremonies. Mr. Guishard commented the Art in the Park having a number of excellent local artists Mr. Guishard commented on just learning that there is an Outreach program for seniors and disabled transit riders and hearings will be held in October to get public comment and input. He reported that at a meeting of the Citizens' Advisory Committee he is on it was pointed out that there are as many as 60 organizations that provide transportation for seniors and that he suggested they look to see if they could be coordinated in a manner that would make it easier for people to use. Mr. Guishard commented on hearing negative comments about the Township Committee being when he first came on it and favorable comments since there was a change in composition of the Committee. He commented on the last meeting starting with disparaging remarks by an opposition surrogate about proposals before the Committee followed by discussion on the Senior Advisory Committee Ordinance; the majority of the Committee were against the Ordinance for a number of reasons; when they realized it was politically untenable they all voted to go ahead it with a public hearing at the next available opportunity; instead of doing that a resolution was put together to accomplish a very similar objective with 2 big differences (1) specifying 3 communities in the Township (2) specifying age; both of those could have been amendments to the what was proposed; instead the resolution was proposed because the majority party could put their imprimatur on the resolution; part of the discussion about Resolution versus Ordinance was whether there should be an age restriction; the Ordinance did not include; the Township Committee selects the people to be on it so age is taken care of; and instead of amending the Ordinance the Resolution was written and a Member of Township Committee posted on face book an excerpt from the discussion where Mrs. Link made some comments about age. He said that (Mrs. Link's) point was that they don't have an age restriction on Township Committee so why specify something for (the Senior Advisory Committee) but the way it was excerpted and clipped make it look like Mrs. Link was saying members of Township Committee should be

over 55; there were some 2200 followers on face book with negative comments about a Committee Member who made a conscientious effort to make a good suggestion; (the excerpt) made it look like Mrs. Link was saying no one under 55 should be on Township Committee; he thinks it was a total distortion of what was said; that it is the end of the
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year dirty politics stuff; it was not appreciated; and he believes an apology is in order. Mayor Silva said that long before Mr. Guishard got on Township Committee the Township had another great Committee consisting of Tom Palm Palmentieri, Harvey Kesselman, Amy Gatto, Charles Cain and himself who they handled some of the toughest problems the Township ever faced; they lived through some of the most criticism that any Committee had to sit through and take a beating on for 2 meetings; it isn't just Mr. Guishard and Mrs. Link, the diversity was there in terms of mix on the Committee; and the only abundance on the Committee has is too many seniors, 4 of them. Mr. Guishard said his comment wasn't about that, it was about face book.

Mrs. Link said Mr. Guishard had given a lot of her sentiments. She commented on attending the Art in the Park event and said it was a very nice affair.

Ms. Gatto commended the 9/11 Committee for all the work they did putting the 9/11 memorial program together, Col. LeShur, the Keynote Speaker, and all the volunteers who helped. She said every year the keynote speaker brings you back with a different perspective; it's been 14 years; and this helps you remember. Ms. Gatto commended the fire departments who are heading to the annual fire convention in Wildwood; She explained Mizpah's "Big Blue" engine won in competition many times in the past and this year the winner had 100 points and Mizpah came in second with 98 points. She thanked all of the Township Volunteer firemen. Ms. Gatto explained that she proposed the resolution the same night that the Committee discussed the Ordinance; when she tried to request that the items she had in the resolution be put into the Ordinance she believes Mrs. Link's exact words were "I don't want to make any changes if it's going to hold it up from moving forward" so any attempt to compromise on that front was negated and she felt the need to move forward as she did. Ms. Gatto said the Committee is moving on and she absolutely will not apologize. She said if there is an apology wanted to be given to her for the treatment she has had she would think about it because what was said, no matter in what context it was said, it was completely not acceptable. Ms. Gatto commented on thinking it pretty awesome that the information that was put out started a lot of people to watch the meetings and get involved in them who normally wouldn't be watching or paying attention.

Mayor Silva reported he spent 2 hours in the Historical (Museum) and said it is outgrowing the building because they became custodian of all the historic artifacts from the Race Track. He explained it used to be a school house and said people would be impressed if they saw all filing cabinets full of artifacts and records. He said they are open at 10 AM on Saturday and recommended the public go there. Mayor Silva reported the County Economic Development Strategy Report is going to be unveiled on Thursday at the Great Bay Country Club; they have been working on it for months; the main issue when they started was that it was unfortunate that the economy of this area is tied to the casino growth and there is very little diversity in terms of job opportunities. The Mayor said he hopes to be able to get a copy of the report to bring back to the next Committee meeting and make it available to everybody. Mayor Silva said when the Committee brings individuals in and honors them, whether it is to honor and remember our veterans or the many outstanding contributions our residents make, it is especially gratifying to see a young lady like Shema-yah with a platform on teen suicide; it's something we are all concerned about; he thinks there is going to be a larger focus on it; many organizations are starting to look at it and he is sure many people in the community will want to get involved once they get going.

Public Comment:

Bruce Strigh said a half-way house recently was established on Main Street; it is permitted by statute in residential areas; this is in a Village Commercial Zone according to the Township Zoning maps; and he asked the Committee to look to see whether or not that is the case. Mr. Sartorio explained it is in the Village Commercial Zone; the property is split zoned; single family residential is permitted; he

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looked at it as a permitted use; he issued the permit for occupancy and certificate of compliance; community residences are permitted under the Statute for half-way houses, people with physical or mental disabilities, and a wide range of characteristics and are to be treated as a residential use. Mayor Silva asked if it was originally zoned for a duplex for two families; if there was a limit on the number of people who can live there; and if 10 people could live there with 5 bedrooms if the occupancy limit is the same as HUD. Mr. Sartorio explained it received a use variance for 2 family occupancy; the limit is covered by the occupancy code; if it's a facility that reports to a State Agency, that agency usually sets some sort of limit; and the maximum occupancy is probably 10 but with those types of facilities it is typically one person to a bedroom. Ms. Gatto asked what it was prior to the variance to become a duplex and if they came in for another variance. Mr. Sartorio explained it was a single family dwelling; an application was taken out for the duplex; it is leased to a single entity and both units are occupied by their clients; they control the structure as far as providing oversight and services. Mrs. Link commented on Mr. Tunney adhering to the historic look and nature of that community. Mr. Kurtz explained that the building was possibly being demolished by neglect at one point; the HPC wanted it restored; Mr. Tunney came to the Historic Preservation Commission (HPC); and he did a good job making it look historic. Mr. Strigh said he agreed that Mr. Tunney did that but he disagrees with Mr. Sartorio. Ms. Gatto suggested there be a meeting with Mr. Sartorio to get answers to Mr. Strigh's questions.

Jim Link said that the Senior Citizen Advisory Committee wasn't done in the way he would have preferred but there are a number of talented people on it that will be able to pool their resources and focus on the needs of senior citizens. Mr. Link said that a Committee Member posted a 27 second edited clip from the last meeting on social media without the video first being posted to the Township site. Ms. Gatto said that was a false accusation; it was not edited in any way and that she posted the link to the entire Township meeting. Mr. Link said that didn't exonerate anything; it was put there for the purpose of destroying a fellow Committee Member's personal reputation and integrity; it goes beyond politics and isn't what people of the Township expect of the Township Committee. He said that there was a lot of discussion on the Senior Citizen Advisory Committee but it came together tonight as it was before; both sides came up with solutions; they got good people on the Advisory Committee; and the Township will be better for it.

Abbey Johnson asked if the reason for the face book post was Mrs. Link's attack against Ms. Gatto. Ms. Gatto said that it was; that she felt it was a personal attack against her; she posted exactly what was stated right from the Township website; she posted the link to the Township website and people had the freedom to go to the website and view the entire meeting. Ms. Gatto said it is the same thing as someone passing out the fliers that has false information about what happened with seniors that was mentioned a couple of meetings ago and said that was an attack on the integrity of the Committee as well. Mrs. Johnson commented on clicking on the link and listening to the whole meeting and her problem is that listening only to that small clip it is exactly the opposite of what Mrs. Link was trying to do. She asked if the Committee was going to continue going back and forth when somebody attacks somebody. Mayor Silva commented on not being on face book or anything else and said that if you want to hear what is said, watch the meetings; that's the reason the Committee started taping its meetings 8 years ago. The Mayor said he sometimes you can't reach across the aisle because differences are so strong that some people don't want to let it go; that he wasn't accusing either side; he thinks what has to happen is people will make up their minds to do

what they find necessary in November and then act accordingly; and he doesn't think the Committee should be preaching that here. Ms. Gatto said she was always willing to let it go; she didn't bring it up tonight; it was brought up by Mr. Guishard and Jim Link; Mrs. Link isn't even speaking for herself; she wasn't going to go back and forth but will be happy to go back forth if they want to keep coming at her.
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Mayor Silva commented on being criticized as the Chairman for letting everybody speak and speak so long and explained that he thinks they have a right to because there are only 2 meetings a month; he will entertain and let people speak and won't form any opinions beyond that; he has his own opinions in his mind; and he thinks the rest will happen in November.

Mr. Strigh indicated he wanted to speak again. Mayor Silva explained that if Mr. Strigh was going to bring up other stuff to belabor the point, he was going to cut it off because he thought enough was enough; and whatever the reason the discussion was brought up, Mr. Strigh should make up his own mind and act accordingly.

There being no further questions or comments from the public, Ms. Gatto moved, seconded by Mayor Silva, 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