

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
SEPTEMBER 8, 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 Tuesday, September 8, 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 and Committeeman Guishard made the Township of Hamilton Honor & Remember presentation to Paul N. LaRoche. Assemblyman Vincent Mazzeo presented a Resolution of Recognition on behalf of Senator Whelan.

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

BE IT RESOLVED that Sergeant John Cressey be and is hereby promoted to the rank of Lieutenant in the Hamilton Township Police Department at \$109,184.00 per year effective September 8, 2015.

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

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

BE IT RESOLVED that Officer Michael Virga be and is hereby promoted to the rank of Sergeant in the Hamilton Township Police Department at \$94,004.00 per year effective September 8, 2015.

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

The Township Clerk administered the Oaths of office to Lt. Cressey and Sgt. Virga.

6:55-7:05 RECESS FOR PICTURES & CONGRATULATIONS.

There was no executive session and no confirmation of executive sessions.

September 8, 2015

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

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

9.A Insert names of businesses:

(1) Destination XL #9618 - retail men's apparel & accessories at Consumer Square.

9.M Authorize renewal of inactive liquor license #0112-44-046-001 for 2015-2016 license year pursuant to Special Ruling Docket #07-15-178.22924 issued August 27, 2015.

9.N Approve settlement Scheeler v. Township of Hamilton.

BE IT FURTHER RESOLVED that the date in Consent Agenda Item 9.D be corrected to read September 17, 2015.

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

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

SHARED SERVICES AGREEMENT WITH ACIT:

Mr. Jacobs explained that ACIT requested the Township provide them with salt during snow storms; it would only be during regular Township hours or when employees were working in an emergency situation; no employees will be called in to do this; the Township will provide the salt and bill ACIT for the cost.

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

BE IT RESOLVED that the Inter-local Services Agreement between the Township of Hamilton (the Township) and Atlantic County Institute of Technology (ACIT) for the Township to provide bulk road salt storage and loading services to ACIT for a one (1) year period, March 1, 2015 through February 29, 2016, is hereby approved and authorized; and

BE IT FURTHER RESOLVED that the full agreement is incorporated herein by reference as if recited in full.

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

2015 Street Paving Program Schedule:

Mr. Smith explained cost estimates were done and given to Mr. Jacobs; the base bid would be Park Road, milling and patching of Dr. Dennis Forman Drive, striping of Dr. Dennis Forman Drive and Denmead Drive, speed humps on Pinehurst Drive, West Jersey and Venice Boulevard based on the order of priorities set by the Public Works liaisons and fund available; it would go out to bid within the next week or so; the contract for the base bid could be awarded at the first meeting in October; and the alternates could be added if the bids are favorable. He explained what is going to be done on Park Road and said that he doesn't anticipate any problems with the curbing or utility work that was done. Ms. Gatto asked if Arlington and Sitka are now alternates because the cost of Park Road has gone up. Mr. Smith explained that it was that and that the cost for additional work being done on Dr. Dennis Forman Drive. He said that Mr. Jacobs spread sheet shows there is a little money set aside in case the bids for Malaga Road Section 4 come in a little high. Mayor Silva said that Mizpah was neglected for many years; the Township started to aggressively work there; and he hopes that it can be scheduled right back into the program. Mrs. Link said she thought about 13 sections of Mizpah were done prior to this and that the Engineer was trying to finish it up. Mr. Guishard said he thinks the Township has done a lot to address

the roads in Mizpah but more still needs to be done and that is true of the whole Township.

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

BE IT RESOLVED that the following 2015 Road Program bid structure is hereby approved as recommended by Robert J. Smith III, Township Engineer, on August 20, 2015:

BASE BID:

- Park Road
- Dr. Dennis Foremen Drive - Milling & patching of
- Dr. Dennis Foreman Drive and Denmead Drive - striping
- Pinehurst Drive - speed humps
- West Jersey Boulevard
- Venice Boulevard

ALTERNATE NO. 1:

Base bid + Arlington Avenue

ALTERNATE NO. 2:

Base bid + Arlington Avenue + Sitka Avenue

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

NJ Volunteer Tuition Credit Program:

Mr. Jacobs explained this was to remind the Volunteers of it and to encourage them to look into it to see if they qualify. Mayor Silva said it provides an opportunity for Volunteers to continue some level of education and be reimbursed for it. Mrs. Link said their spouses can take advantage of it also.

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

**A RESOLUTION FOR THE TOWNSHIP OF HAMILTON,
ATLANTIC COUNTY, NEW JERSEY
To Support and Participate in the
Volunteer Tuition Credit Program (P.L. 1998, c. 145)**

WHEREAS, the Township Committee of the Township of Hamilton, County of Atlantic, deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Township of Hamilton; and

WHEREAS, the State of New Jersey has enacted P.L. 1998, c. 145 which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic, that the Volunteer Tuition Credit Program as set forth in P.L. 1998, c. 145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the Township; and

BE IT FURTHER RESOLVED that the Township Clerk Jon Anderson is herewith delegated the responsibility to administer the program and is authorized to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c. 145, a copy of which is herewith made part of this resolution.

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

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

September 8, 2015

Emergency Appropriation:

Mr. Jacobs explained the budget line item for legal fees has reached its maximum and the emergency appropriation is to replenish it; if approved it will have to go into next year's budget as an expense and surplus can be used to pay it. Ms. Gatto explained it can be paid back by surplus because it is a one-time expense. Mr. Sandman explained it was because of Steve Eisdorfer fees on COAH and that Mr. Eisdorfer did a wonderful job.

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

**RESOLUTION NO. 2015 EMERGAPPRO #2
EMERGENCY RESOLUTION- NJS 40A:4-48
LEGAL SERVICES AND COSTS**

WHEREAS, an emergency has arisen with respect to Legal Services and Costs and, no adequate provision was made in the 2015 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$135,000 (one hundred thirty-five thousand dollars) and three (3) percent of the total operating appropriations in the budget for 2015 is \$625,156.45 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2015.

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for Legal Services and Costs in the amount of \$100,000 (one hundred thousand dollars)
2. That said emergency appropriation shall be provided for in full in the 2016 Budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services
4. This Resolution shall take effect immediately upon adoption, this 8th day of September, 2015.

Recorded Vote

<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
GATTO	NONE	NONE	NONE
GUISHARD			
KURTZ			
LINK			
SILVA			

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

Public Hearing - Ordinance #1796-2015:

Russell Bongiovanni, Sr., suggested the Ordinance should define what a Senior Citizen is; it should say how many meetings a member can miss before being removed and he thinks it should be 3; that what the taking notes, not minutes, should be clarified; that the meetings be recorded on CDs that are turned over to the Township at the beginning of each year; that 7 members is too many, it should be 3 or 5; and that it should be done by Resolution not by Ordinance. Lisa Avis said that they should be subject to OPRA; responsibility and accountability should be included in the resolution; and the Ordinance doesn't specify that the member has to be a senior citizen. She said that she thinks the Committee is trying to push it through right before the election without thinking it through and that she thinks there are a lot of other avenues that could be pursued. Bruce Strigh held up a flier that is being circulated and asked if anyone would take ownership of it or had seen it. Mayor Silva and Ms. Gatto said they never saw it. Mr. Guishard said that he didn't know who put it together; that he had seen it; that he didn't know who authored it; and that he certainly supported everything it says. Mr. Strigh read

the following from the flier: "seven years ago the Township Committee dissolved its obligation to senior citizens, abandoned the Senior Citizen Center and leased it to a Hamilton Township Youth Organization for \$1". He said that it doesn't say that 7 years ago the Township had a very serious financial crisis almost the point of bankruptcy; that the reason was that the Democratic Party had the Township \$20 million in debt, had 186 employees, and that a quarter million dollars was being spent for the senior center to serve 50 people half of which didn't live in Hamilton Township. He said that nobody wanted to close the center but it was a very serious situation and the Committee was well advised to cut those services. Mr. Strigh said it is a totally untrue statement and if the proponents of the Ordinance are circulating this information, they are already sending out improper information. He read the following from the flier "senior citizens get less for their tax dollars than any other demographic group" and asked Mr. Guishard how they get any less than any other citizen and if he was saying that the reason for the Ordinance he is proposing is to help seniors get more tax dollars. Mr. Guishard said that nobody was saying they should get more tax dollars; he wants to give them back all the services they had; school services go mainly to folks with families; seniors don't get the benefit of those tax dollars; and there is no question that seniors do get all of the other benefits but the school benefits are the most costly. He said it wasn't his wording (on the flier) but he supports what it said. Mr. Strigh said people who send their children to parochial or private school don't come in and complain that they didn't benefit from school taxes because it was their choice. Mr. Guishard said that Mr. Strigh was distorting everything the Ordinance is about; all services to seniors were cut; some communities have some senior services, Hamilton Township doesn't; and if the Committee supports all elements of the community including seniors, he doesn't see any problem with setting up some committee that has no budget, is advisory only, and gives people an outlet to say things, get together and organize functions on their own at no cost to the Township. Mr. Strigh asked how the Resolution passed at the previous meeting does less than the proposed Ordinance does. Mr. Guishard read the following statement "the big difference is that an Ordinance is a legislative act while a Resolution deals with administrative or ministerial acts. Ordinances are used to create entities that will survive a single year. Resolutions are co-extensive with the governing body and normally sunset or expire at the end of the year. The intent of this was not to have it expire at the end of the year, therefore unless establishing the Senior Advisory Committee is only to be of short duration until December, the correct way to establish the Committee would be via Ordinance. By establishing the Committee via Ordinance you also provide a separation and help the board to be less partisan since, if established by Resolution, if at any time the governing body is not happy with the Committee's recommendation to Council, the Council can simply abolish the board by majority vote to do so. If established by Ordinance Council would first have to introduce, advertise and then hold a public hearing before the Ordinance could be repealed and the Board dissolved. This is not a resolution matter, it is an Ordinance matter and that is the way it should be. The intent was not to have something just disappear in a year, the intent was to have this become part of the governing body in an advisory capacity." He said the Ordinance won't last forever because the governing body can change it if there is a problem with it. Mr. Strigh said that this is an election gimmick; the Resolution says the exact same thing as the Ordinance, if not more because it includes the 3 major senior citizen developments and will give much better representation and much better organization. Mr. Guishard said those developments don't need additional representation; they have representation and are here (Township meetings) frequently; it is the seniors that aren't part of a senior center that don't have representation; he looks forward to and expects them (the Senior Developments) to be a major part of the Committee but it doesn't have to be specified. Mr. Strigh disagreed and said the Resolution is much better because it includes all seniors. Mr. Guishard asked Mr. Strigh if it was a matter of content or substance. Mayor Silva explained that there has been dialog on this matter meeting after meeting; a Resolution was passed at the last meeting; and this is a public hearing on the Ordinance to create a Senior Citizen Advisory Board.

September 8, 2015

Melvin Williams said that he wanted an opportunity to take advantage of whatever is established; he hopes somebody in (the Mizpah) community will be able to serve and advise Council on their needs; and that they won't be shut out. Mayor Silva explained Mizpah Inland Human Services (MIHS) took over the Mizpah Center; they had a viable operation that survived with grants; the Township gave them a bus and a new van; and Reverend Rosier will admit that it hurt the community when the grants dried up. The Mayor said no one wants to see the building neglected or shut down and the Administrator is constantly told to keep an eye on it. He asked Mr. Williams to let the Committee know if there is something going on that they don't know about. Mayor Silva said Mr. Williams is welcome to apply to serve on the Advisory Committee; that the Committee appreciates Mr. Williams coming forward, his service to our country, and his input. The Mayor commented on information being available on the Township website and said that Mr. Williams should call him if wants information and can't get it. Pat Johnson said that she was glad to see that there was an active senior citizen group when she moved to the Township; that she didn't use the senior center but did use the services of going to the Acme, doctors, etc. and that she was surprised when she got a call saying there wouldn't be any more rides to doctors because she had a doctor's appointment the next day. She said that she feels seniors deserve an Ordinance because it should be in perpetuity; not all seniors have e-mail and computers; she is glad for the services the Township provides and hopes they will continue to provide them. Mrs. Johnson said seniors bring wisdom to the community. Ethel Gaylord-Wade said she thinks more ideas need to be explored to replace some of the services that were available some time ago, especially services to senior citizens; that what is better for senior citizens has to be looked at; MIHS had had 1 on 1 contact with seniors and the Township has to look at other avenues to bring services back; that she would like an Ordinance if it will be more permanent than a resolution. She said that she is for a resolution and would like to be part of the Advisory Board and to provide input to make sure everyone is being reached. Mayor Silva told her to fill out an application because appointments would probably be made at the next meeting. Mr. Guishard and Mrs. Link said to Mrs. Wade that she first said she was for an Ordinance, that she preferred the longevity of the ordinance and at the end she said that she preferred a resolution. Mrs. Wade apologized and said that she meant an Ordinance. Ms. Gatto explained that she didn't think a board or committee will drive re-establishment of services because with services comes money and that would be in the budget process; that is when a lot of those things were discussed over lengths of time; that is the best place to have your voice heard; that is when the Township Committee is trying to establish priorities on what money will be spent on and whether anything will be added to the budget; and those conversations are already starting. Ms. Gatto said that whatever the Committee goes forward with will establish a voice in terms of trying to establish priorities on what can or should be done. Mr. Guishard commented on the Township Committee making the budget based on inputs; that the Advisory Committee is one of the inputs; and to the extent they have valuable comments that would influence what the Township Committee does, it could have an impact. Mrs. Link said that you have to have an entity that is sustainable or considered to be an ongoing entity in order to actually apply for grants; if the Township had an ongoing Ordinance comprised of 7 people that will have a maximum term of 3 years they will be able to get something done; if you have to appoint the Committee every year according to the resolution, they only have 1 year terms; all of the resolutions she has seen from the County, Weymouth, Atlantic City, Pleasantville, Buena Vista have staggered 3 year terms; and an Ordinance would have more substance and stability than a resolution. Mayor Silva commented on once hearing Mr. Bongiovanni say that it's a shame there isn't an organization called Senior Helping Seniors. The Mayor explained he reached out to the presidents of each of the 55 and over communities when these discussions started and the comment was made that not everybody over 55 is a senior citizen. He said if all of the over 55 community club houses were used there would be one in the north, center and southern part of the Township and in time, the Mizpah Center could serve a purpose and Mizpah would be represented. He said the over 55 communities represent a very large portion of the

Township senior population and the opportunity to draw on a wealth of information, to have services such as health fairs, provide interactive conversations, and to bring in people from the County Intergenerational Services. Mayor Silva said that regardless of whether it is an ordinance or a resolution, once the Committee is established it will be formed every year, the same as budgets are done every year and 1 or 2 people on Township Committee are dropped or re-elected every year; it's an ongoing process. The Mayor commented on power point presentations being made and getting public input at the budget hearings and said he could count the number of people in the audience on two hands. He said the Township budget is only 29 cents of a tax dollar and that Mr. Guishard's point about seniors and school services is true but a lot of young people don't get the benefit of schools either because they don't have children. Mayor Silva said he thinks the Committee has to not argue or over-discuss this because, whether it is a resolution or an ordinance, it is going to serve the purpose.

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

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

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

WHEREAS, Ordinance #1796-15 was introduced and passed first reading on August 3, 2015 and was duly advertised in the August 12, 2015 issue of the Atlantic County Record for a public hearing to be held on September 8, 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1796-2015 be and is hereby adopted.

RESOLUTION **DEFEATED** WITH MEMBERS GUSHARD AND LINK VOTING "YES", MEMBERS GATTO, KURTZ AND SILVA VOTING "NO", AND NO "ABSTAIN" ON ROLL CALL VOTE.

CLERK'S NOTE: Each Members explanation for their vote can be heard and seen in full on the township's website: www.townshipofhamilton.com .

TOWNSHIP OF HAMILTON
ORDINANCE NO.:1796-2015

AN ORDINANCE CREATING A NEW CHAPTER 93 OF THE CODE OF THE TOWNSHIP OF HAMILTON, PROVIDING FOR THE CREATION OF A SENIOR CITIZENS ADVISORY BOARD

WHEREAS, the Township of Hamilton has determined that it is in the best interest of the Township of Hamilton to create a Senior Citizens Advisory Board; and

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey that a new Chapter 93 shall be created and shall read as follows:

Chapter 93
SENIOR CITIZENS ADVISORY BOARD

SECTION 1.

93-1. Establishment.

There shall be by the chapter hereby established within the Township of Hamilton, County of Atlantic, a Hamilton Township Senior Citizens Advisory Board, which shall serve as an ad hoc advisory board to the Township Committee.

93-2. Meeting; Members.

A. Meetings. The Senior Citizens Advisory Board shall meet no less than eight occasions per year or as often as necessary to discuss matters of interest to senior citizens, current and pending ordinances, county or state laws affecting senior citizens and other issues of interest to senior citizens which may have an impact upon the Township as a whole. The Advisory Board shall report to the Township Committee at least two times per year or as often as the Advisory Board believes it is necessary on activities and discussions and provide the Committee with a summary of the issues it has discussed and the positions it believes should be advanced on behalf of the senior citizens. The Advisory Board shall be strictly advisory, and its recommendations, decisions, comments or other observations shall not be binding in any way on the Township Committee or any municipal body, board or agency.

B. Membership and Term. The Senior Citizens Advisory Board shall consist of seven members who shall be appointed by a majority of the Township Committee in the following terms:

a. Upon the initial establishment of the Board, three members shall be appointed to a term of three years; three members shall be appointed to a term of two years; and one member shall be appointed to a term of one year. Thereafter, each member shall be appointed a three year term. All terms expire on December 31, of the appropriate year and shall begin on January 1 of the appropriate year. The members of the Senior Citizens Advisory Board shall be residents of the Township of Hamilton. The members shall choose a Chairman, Vice Chairman, and Secretary for the Board. The Chairman shall serve as a liaison between the Board and the Township Committee. The Secretary shall keep notes of the meeting which notes shall be deemed to be the property of the Township. The Chairman shall serve as the spokesperson for the Board in discussions with the Township Committee. The Chairman shall vote on all issues before the Advisory Board, and his/her vote shall be equal to all other members of the Advisory Board.

93-3. Purpose and Intent.

The Senior Citizens Advisory Board 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 Board 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 be solely advisory consisting of volunteers appointed by the Township Committee. The Senior Citizens Advisory Board shall have no additional authority to expend public monies.

93-4. Limitation of power.

It is expressly intended that the Senior Citizens Advisory Board is an ad hoc group to assist the Township Committee in addressing issues and problems facing senior citizens. The Board shall be permitted to communicate with other agencies in order to render suggestions, opinions and recommendations with regard to senior citizens but all such communications should first be directed to the Township Committee for approval.

SECTION 2. 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 3. Effective Date.

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

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

ATTEST:

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

Roger J. Silva, Mayor

ROLL CALL: GATTO "NO"
 GUISHARD "YES"
 KURTZ "NO"
 LINK "YES"
 SILVA "NO"

ORDINANCE #1796- 2015 INTRODUCED AND PASSED FIRST READING AUGUST 3, 2015
ORDINANCE #1796-2015 **DEFEATED** SEPTEMBER 8, 2015.

Award of Electronic Sign contract:

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

WHEREAS, Forman Signs, 10447 Drummond Road, Philadelphia, PA offered a bid Thirty-one Thousand Nine Hundred Ninety-nine Dollars (\$31,999.00) for furnishing and installing an Electric Sign at the Laureldale Fire House (Bid #2015-06); and

WHEREAS, no other bids were received,

NOW, THEREFORE, BE IT RESOLVED that the bid of Forman Signs be accepted and the contract awarded to them in the amount of Thirty-one Thousand Nine Hundred Ninety-nine Dollars (\$31,999.00) in accordance with Bid #2015-06 specifications with funding to be charged to Capital Ordinance Accounts C-04-14-766-000-916 and C-04-15-786-000-910 in the amounts of \$25,000.00 and \$6,999.00 respectively.

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 the Remington & Vernick proposal for preparation and application submission services for FY-2016 NJDOT Trust Fund Municipal Aid Program funding for Malaga Road Section 5 for the fixed amount of \$950.00 is hereby accepted.

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 by the Township Committee of the Township of Hamilton that the proposal from Engineering for Engineering and Environmental Services for replacement of the drainage pipe in Old Egg Harbor Road at a cost not to exceed \$24,500.00 is hereby accepted.

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

September 8, 2015

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

BE IT RESOLVED that the Business Registration License for Destination XL #9618, a retail men's apparel & accessories store in Consumer Square is hereby approved.

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 Transit Vendor License for an auction to be held at the Atlantic City Race Course on September 26 and 27, 2015 is hereby approved.

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.

WHEREAS, a request has been made for Lots 7, 8 and 11 through 15 in Block 375 to be offered for sale; and

WHEREAS, the combined lots consist of 0.40 acres in the MV Zone thereby requiring that contiguous owners be offered the right to first refusal to purchase under a sealed bid process pursuant to N.J.S.A. 40A:12-13.

NOW, THEREFORE, BE IT RESOLVED that authorization is hereby given by the Township Committee of the Township of Hamilton for preparation of a Contiguous Owner Land Sale Ordinance for sale of Lots 7, 8 and 11 through 15 in Block 375 with a minimum bid of \$500.00 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.

WHEREAS, a request has been made for Lots 14 and 15 in Block 667 to be offered for sale; and

WHEREAS, the combined lots consist of 9.72 acres in the FA-70 Zone thereby requiring that contiguous owners be offered the right to first refusal to purchase under a sealed bid process pursuant to N.J.S.A. 40A:12-13.

NOW, THEREFORE, BE IT RESOLVED that authorization is hereby given by the Township Committee of the Township of Hamilton for preparation of a Contiguous Owner Land Sale Ordinance for sale of Lots 14 and 15 in Block 667 with a minimum bid of \$5,000.00 and the following Special Condition: Purchaser shall be required to execute & record at their own expense a Deed of Consolidation 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.

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

Ms. Gatto moved, seconded by Mr. Kurtz, that September 17, 2015 at 3:00 PM is hereby confirmed as the date and time for public land sale of Lot 1 in Block 482.

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

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

RESOLUTION

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

WHEREAS, the Township received a bulk payment from Corelogic Real Estate Tax Services; and,

WHEREAS, one of the payments was for a property that is tax exempt due to Totally Disabled Veteran Status on the properties, and;

WHEREAS, this payment must be refunded to the Mortgage Company as follows:

Block/Lot/Qual.	Assessed Owner	Amount
793/1	Kelusak, Robert	\$1,681.89

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

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.

**RESOLUTION OF THE TOWNSHIP OF HAMILTON,
COUNTY OF ATLANTIC, STATE OF NEW JERSEY,
AUTHORIZING THE TAX COLLECTOR TO TRANSFER
TAX PAYMENTS**

WHEREAS, it has been brought to the attention of the Tax Collector that several block and lot numbers were consolidated with other block and lot numbers by the Tax Assessor for the 2015 tax year and;

WHEREAS, payments that were made on the old lots must now be moved to the new lot numbers and;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that the following block and lot numbers will have payments transferred to the consolidated lot and the records in the Tax Collector's office be adjusted to reflect these transfers:

<u>BLOCK / LOT</u>	<u>OWNER</u>	<u>YEAR</u>	<u>AMOUNT</u>
66/4/Q00150	Earl Edward Patten	2015	\$107.71
207/15	Marlene Iannacone	2015	\$64.37
390/27	Michael Murphy	2015	\$3.94
520/16/Q0033	Anthony Guerrieri	2015	\$56.48
735/7/B01	C. Richard Tunney, Inc.	2015	\$11.82
854/10	Smith, Christian	2015	\$28.90
958/9	Osunjimi, O	2015	\$8.54
642/12	Boesch, Charles	2015	\$60.42
952/9	Campbell, Robert J. II	2015	\$1.77
731/4	Toni Perraut	2015	\$103.77
658/20	Achey, David	2015	\$28.24
390/25	Johnson, Denise	2015	\$2.63

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

September 8, 2015

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

WHEREAS a new account was opened in 2014 for General Capital Deposits and disbursements,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that the CFO is hereby authorized to close the Bank of America account ending in the numbers 9944 titled Twp. of Hamilton Capital Fund."

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 NJDOT approving or issuing permits to Oakcrest High School Rowing Booster Club for coin drops to be held at the Route 40/50 intersection on September 12 & 13, 2015 and on October 10, 11 & 12, 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 the Construction Official is hereby authorized to waive the electrical permit fee for the Mays Landing Merchants' Association for their South Jersey Wine & Food Festival at Lenape Lake Park on September 26 and 27, 2015.

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

Ms. Gatto moved, seconded by Mr. Kurtz, that the following Raffle Licenses for the St. Vincent DePaul Regional School Home School Association (HAS) are hereby approved:

- 1) #16-2015 for off-premise draw raffle on November 14, 2015.
- 2) #17-2015 penny auction on November 14, 2015.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following item is authorized to be offered for sale on GovDeals as recommended by the Director of Public Works:

- 2002 Ford F-350 truck, VIN #1FTSW31F42EB42207, fixed Asset #1083

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 by the Township Committee of the Township of Hamilton that the Form and Content of the Settlement Release signed by Catherine Ziska on August 17, 2015 are hereby approved and incorporated herein as if recited in full.

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

AUTHORIZING THE HAMILTON TOWNSHIP PLANNING BOARD TO CONDUCT AN INVESTIGATION TO DETERMINE IF THE MAYS LANDING HISTORIC DISTRICT IS AN AREA IN NEED OF REDEVELOPMENT AND/OR AN AREA IN NEED OF REHABILITATION

WHEREAS, the Post Sandy Strategic Recovery Planning Report recommended preparation of an area in need of rehabilitation study for Historic Mays Landing; and,

WHEREAS, Hamilton Township has been awarded Post Sandy Planning Grant funding and has authorized Clarke Caton Hintz to prepare a preliminary area in need of redevelopment and/or rehabilitation investigation report of the Mays Landing Historic District; and,

WHEREAS, pursuant to Ordinance 1238-96, the Mays Landing Historic District is comprised of the lands listed in Attachment A of this resolution; and,

WHEREAS, the Local Redevelopment and Housing Law, at NJSA 40A:12A-6, requires the Township Committee to adopt a resolution authorizing the Planning Board to undertake a preliminary investigation to determine if the Mays Landing Historic District is a redevelopment area according to the criteria of NJSA 40A:12A-5 and/or a rehabilitation area according to the criteria of NJSA 40A:12A-14; and,

WHEREAS, NJSA 40A:12A-6 also requires this authorizing resolution to state whether or not a redevelopment area determination authorizes the use of eminent domain.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hamilton County of Atlantic that the Hamilton Township Planning Board is authorized to undertake an investigation and determine if the Mays Landing Historic District is an area in need of redevelopment, pursuant to NJSA 40A:12A-6, and/or an area in need of rehabilitation, pursuant to NJSA 40A:12A-14.

BE IT FURTHER RESOLVED that if the Mays Landing Historic District is determined to be an area in need of redevelopment the municipality is authorized to use all those powers provided for by the Legislature for use in a redevelopment area other than the use of eminent domain.

**ATTACHMENT A
LANDS IN THE MAYS LANDING HISTORIC DISTRICT**

BLOCK	LOT(S)
730	1 - 19
732	49 - 65; 66 - 82
733	1 - 12, 16 - 28
741	1 - 8, 15
742	1 - 20
743	1 - 16, 17.0
744	1 - 14
745	1 - 17
747	1 - 10
748	1 - 23
749	1 - 14
750	1.01 - 15
751	1 - 11
752	1 - 4
753	1 - 21
754	1 - 3
755	4 - 10
756	1 - 6
757	1 - 20
758	1 - 8
759	1 - 5
800	1 - 5
801	1 - 5, 14, 15
807	1 - 6
808	1 - 3
809	1 - 5, 103

979	1 - 3, 5
980	1
985	1 - 3
986	1, 2.02 - 9
987	2
988	1 - 3

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.

RESOLUTION AUTHORIZING RENEWAL OF INACTIVE LIQUOR LICENSE WITH SPECIAL RULING OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL

WHEREAS, C. Richard Tunney, Inc., a corporation of the State of New Jersey is the owner of Plenary Retail Distribution License #0112-44-046-001; and

WHEREAS, aforesaid PRC License #0112-44-046-001 has been inactive since December 17, 2010 and

WHEREAS, C. Richard Tunney, Inc. filed the required application for renewal and paid the renewal fees for the 2015-2016 license year which was accepted by the Township Committee of the Township of Hamilton on July 6, 2015 for filing only and with no action taken to approve or deny its renewal pending receipt of the required Alcoholic Beverage Control Special Ruling for renewal; and

WHEREAS, the Division of Alcoholic Beverage Control issued a Special Ruling pursuant to N.J.S.A. 33:1-12.39 on August 27, 2015 under Agency Docket No. 07-15-178.22924 which authorized the Township of Hamilton, at its discretion, to renew said Retail Distribution License #0112-44-046-001 for the 2015-2016 and 2016-2017 license years; and

WHEREAS, the required Alcoholic Beverage Retail Tax Clearance Certificate for renewal purposes was issued June 17, 2015,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, County of Atlantic that, pursuant to the terms, provisions and conditions set forth in the aforesaid Division of Alcoholic Beverage Control Special Ruling, Plenary Retail Distribution License #0112-44-046-001 is hereby approved and issued for the 2015-2016 license year C. Richard Tunney, Inc., with an address for mailing purposes of 6044 Harding Highway, Mays Landing, NJ 08330.

BE IT FURTHER RESOLVED that the license certificate shall be retained in the office of the Township Clerk until said license is transferred and/or reactivated at a location approved by the Township Committee of the Township of Hamilton.

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

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that settlement agreement between Harry B. Scheeler, Jr. and the Township of Hamilton in the matter of Scheeler v. Township litigation is hereby approved in the amount of \$42,791.43.

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

September 8, 2015

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

BE IT RESOLVED that Anthony Gatto is hereby anointed a full-time Truck Driver/Laborer (Mason/Concrete) Level 1 at \$31,099.80 annually effective September 9, 2015 with the condition that he must obtain his CDL-A License by December 31, 2015 as a condition for continued employment.

RESOLUTION ADOPTED WITH MEMBERS GU8SHARD, KURTZ, LINK AND SILVA VOTING "YES", NO "NO" AND MEMBER GATTO "ABSTAINED" DUE TO BEING RELATED TO THE APPOINTEE, ON ROLL CALL VOTE.

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

BE IT RESOLVED that Cynthia Lindsay shall continue to be used as the Township Qualified Purchasing Agent (QPA) at \$15,000.00 per year, prorated, for using her QPA License and \$50.00 per hour for time worked.

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 Nicole Odell is hereby appointed a full time Police Officer at the Academy salary 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 the minutes of the August 17, 2015 regular meeting are hereby approved and adopted as published,

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

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 \$4,468,311.64.

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 add to his report.

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

Mr. Kurtz reported the Cove Season has closed; the beach badge sales were the best in 5 years. He commended the Public Works Department for doing a great job at the Cove; the staff for making the residents comfortable; and the Mays Merchants' Association members for cleaning

September 8, 2015

the beach every Sunday and Tuesday throughout the season. Mr. Kurtz announced the following upcoming events: Art-in-the-Park on September 19th in the War Memorial Park; 9-11 Services on Friday, September 11th; and the 5^t annual Wine and Food Festival on September 26th and 26th. He said they expect 15,000 to attend the Wine and Food Festival.

Mr. Guishard said he echoed Mr. Kurtz's remarks. Mr. Guishard reported the Atlantic County Action Now Report by Angelo Economics will be presented on September 23rd; he is hoping for a blueprint for improving the economic status of the County; and he encouraged everyone to attend. Mr. Guishard reported he attended a Citizens Advisory Committee meeting; there are 4 members from Atlantic County; it advises the South Jersey Transportation Authority on issues relating to sidewalks, safety and efficiency; 7 projects that he has submitted are being looked at now; and he hopes to get some of the grant money that the CAC provides. Mr. Guishard reported on the Green Team meeting held last Thursday, the projects they are working on and the upcoming "Ted Talks" presentation on September 17th.

Mrs. Link reported her niece, the Mayor of Hoboken secured a \$240 million grant to solve sewer system problems. She said it gave her incentive for grants; that she took a course in grant writing; and she knows people who write grants. Mrs. Link reported Young's Skating Center is celebrating its 40th anniversary on October 4th, her parents were there for 20 years and she and Jim have been there for 20 years. Mrs. Link said she hopes that all of the businesses that end up in the center of Mays Landing have the same experience.

Ms. Gatto congratulated Police Officer Kristie Ware for coming in first in the female category and Police Officer Joe Wilsbach for coming in second in the male category when they competed in a Europa Throw Down competition in Atlantic City. Ms. Gatto reported that on October 9th Sgt. Nicole Nelson will be inducted into the Oakcrest Wall of Fame for former Oakcrest athletes. Ms. Gatto reported meeting with various groups and people who came in with ideas on things that they want to do in the Township through the (recreation) boards. Ms. Gatto said she wanted to set the record straight on some things mentioned in the flier Mr. Strigh read (1) the Senior Center was closed 4 years ago not 7; the Township stopped paying \$250,000. a year for programs that were only benefiting a few from this community (2) the Center was given to PAL for \$1 for the benefit of many, many, many children in the community, their parents, and their volunteers; the committee felt the value was there in terms of using it to its maximum; the decision wasn't made lightly or quickly, it was discussed for years, months and weeks leading up to the budget; the services cut duplicated services provided elsewhere by the County or another entity; and it was the same approach as other budget cuts at the time to resolve the \$2 million structural deficit. Ms. Gatto said she knew how a law is made; it is introduced, goes through a public hearing and then to an adoption vote; she voted to introduce the ordinance because she felt it should be brought up for discussion; a vote to introduce is not a vote to adopt and she is allowed to make her own independent decision on the adoption. She said the only thing slick happening was the assault on her personally by Mrs. Link and her husband and she will be considering an ethics violation or any other recourse she can take on the attack on the only non-senior citizen sitting on the Board; Mrs. Link should have thought about discrimination before making her comments. Ms. Gatto said she represents young, hard-working professionals like herself who don't mind paying for schools even though she sends no children to the district; as a taxpayer of the town, she gets just as many services as the senior citizens; she represents being a lifelong resident of the town, being the daughter of 2 hard-working parents, aging grandparents and relatives, two of whom have lived on the same street for over 46 years.

Mayor Silva reported 13-year old Samantha Conhaghy, the young woman the Committee honored several meetings ago because she was named Miss Teenager of New Jersey, represented New Jersey in the National America's Miss Teenager Scholarship Pageant in Nashville, Tennessee; she was in the top 10 finalists and was chosen for the National Quality of Life Award Service Award winner. Mayor Silva reported he

and Mr. Kurtz spoke with the owner of to the Watering Hole about the noise complaints made at the last meeting and he is going to buy some kind of acoustical curtains to cut down the decibel level of noise coming from there. The Mayor said Rev. John Ash, Lt. Ciambrone, Charles Pritchard and John Carrigan are the 9/11 Committee and the Township is keeping its commitment to never forget what happened on September 11, 2001. Mayor Silva reported Officer Cory Silvio is going to be recognized at Horizons for her efforts and apprehending someone who was stealing from a home under construction. The Mayor commented on discussion when the fees at the COVE were raised that it would be detrimental to the attendance and said he thinks attendance was higher this year than other years; the number of people using the COVE is increasing; and the job of cleaning it done by Public Works and the Merchants' Association is a credit to the community. Mayor Silva said "bad government is the result of good people not coming out to vote" and that he hoped people would come out to vote this year.

Public Comment:

Ethel Gaylord-Ward explained she has been a Chaplain with a volunteer organization for three years; they are trained counsellors; they are utilized in Cumberland County and the school system in the Bridgeton and Atlantic City areas; they would like to be available to the Township Police Department and she would like to see it looked into. Mrs. Ward explained that she is also working with Boys and Girls Clubs in Atlantic City and the variety of services they provide and suggested it could be a possible resource for this area. Ms. Gatto suggested Mrs. Ward get in touch with Andre at the International House of Cuts on Main Street who is interested in programs for the youth of the community. Mr. Guishard said he wanted to follow up with Mrs. Ward on this because he has been in touch with Andre also.

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

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

Ms. Gatto moved, seconded by Mr. Guishard, 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 personnel matters re: Review Housing Department Transition/Reorganization Plan which is exempt from public discussion pursuant to the New Jersey Open Public Meetings Law:

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

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

First Public Session Adjourned at 9:15 PM.

Public Session Reconvened at 9:54 PM

Confirmation of executive session:

Mr. Sandman stated only the only matter discussed those issues announced by the Clerk. He explained that Richard Johnson had exercised his right with respect to a RICE Notice and requested that discussion of any change in terms of his employment be addressed in public session and that will be the limits of this discussion.

September 8, 2015

Mr. Jacobs stated that no change is being recommended in the terms of Richard Johnson's employment; he will be under the new Plan the same as he currently is.

Ms. Gatto moved, seconded by Mr. Guishard, that the Township Committee adjourned back to executive session for further discussion of Personnel - Review Housing Department Transition/Reorganization Plan and that they 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.

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

Second Public Session adjourned at 9:56 PM.
Public Session Reconvened at 10:00 PM.

Mr. Sandman explained the Township Committee initially met in executive session as announced; they came out of that executive session to discuss Richard Johnson's position; Mr. Jacobs had explained what the proposed Plan does with respect to Mr. Johnson in open session and, based on that, the Township Committee went back into executive session; Mr. Jacobs presented two (2) separate proposed budget Plans; discussion ensued; and the Committee is now back in public session to take whatever action they deem appropriate. Ms. Gatto explained she felt the second Plan fell in line with the Committee's priorities regarding vacant and blighted properties.

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 Proposed Transition/Reorganization Plan Budget #2 be and is hereby accepted pursuant to the executive session discussions.

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

Prior to the roll call vote Mr. Sandman explained that he did not recommend any broad statement on the record other than what the motion said and that that Mr. Jacobs will meet with each of the affected individuals tomorrow to discuss the impact of the Plan.

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