

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
FEBRUARY 1, 2016

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 Art Schenker. Also present were Rita Martino, Deputy Township Clerk, Robert Sandman, Township Solicitor, Steven Filippone, Township Engineer and Michael Jacobs, Township Administrator.

The meeting opened with the salute to the flag followed by the Deputy Township Clerk certifying compliance with the New Jersey Open Meetings Law by posting a notice on the bulletin board in the municipal building and by sending a copy of this notice, along with an agenda of this meeting to The Press of Atlantic City, Atlantic County Record, Record Journal and Current newspapers stating that this meeting would take place at 6:30 PM on February 1, 2016 at the Municipal Building, Mays Landing, NJ.

A moment of silence for private reflection was observed.

Addition/Deletion of Late Agenda Items

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton, that the following additions be made to tonight's agenda for consideration and action:

ADDITIONS

- 7A. Business Registration – Whimby's Burgers & Steaks
- 7 I. Resolution to accept the award of the FFY15 Homeland Security Emergency Management Performance Grant in the amount of \$7,000.00- Twp. Match is \$7,000.70- from 2016 budgeted salaries.
- 7 J. Resolution of support for the Mays Landing Merchants Assoc. application for use of Lake Lenape Park:
 - (1) Saturday, June 25 and Sunday June 26, 2016 for the Hometown Celebration
 - (2) Saturday, Sept. 24 and Sunday, September 25, 2016 for the South Jersey Wine and Food Festival
- 12. Executive Session: Timber Glen Litigation

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

Early Public Comment

There was no early public comment.

Public Hearing/Adoption Ordinance #1808-2016- An Ordinance Amending Exhibit A, Section 1 Article II Of Chapter 66 Of The Code Of The Township Of Hamilton, Providing For The Maximum Number Of Employees

Hearing nothing from the public, on the motion of Mr. Kurtz, second of Mr. Guishard and carried the public hearing on Ordinance 1808-2016 was closed.

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

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

WHEREAS, Ordinance #1808-2016 was introduced and passed first reading on January 19, 2016 and was duly advertised in the January 22, 2016 edition of the *Press of Atlantic City* for a public hearing to be held on February 1, 2016; and

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

NOW THEREFORE, BE IT RESOLVED that Ordinance #1808-2016 be and is hereby adopted.

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

Introduction of Ordinance # 1809-2016-An Ordinance Authorizing The Sale Of Lot 6 In Block 9 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.

Mr. Guishard moved, seconded by Mr. Kurtz that the following resolution be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the February 3, 2016 edition of Daily Journal for a public hearing to be held February 16, 2016.

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

Introduction of Ordinance # 1810-2016- An Ordinance Authorizing The Sale Of Lot 5 In Block 591 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.

Mr. Kurtz moved, seconded by Mr. Guishard that the following resolution be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the February 3, 2016 edition of Daily Journal for a public hearing to be held February 16, 2016.

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

Introduction of Ordinance # 1811-2016- Amending Articles II And III Of Chapter 269, Regarding Five-Year Tax Exemptions In The Industrial Business Park Zone, And Creating Articles IV Through X Regarding Five-Year Tax Exemptions And Abatements In The Mays Landing Historic District.

Miss Gatto asked that a press release be issued after the adoption of this ordinance. Mayor Silva asked that reports be given periodically regarding this program.

Mr. Kurtz moved, seconded by Mr. Schenker that the following resolution be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the February 3, 2016 edition of Daily Journal for a public hearing to be held February 16, 2016.

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

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Introduction of Ordinance # 1812-2016- An Ordinance Amending Chapter 238, Property Maintenance, Regarding Registration And Maintenance Of Certain Real Property By Mortgagees; Providing For Penalties And Enforcement, As Well As The Regulation, Limitation And Reduction Of Abandoned Real Property Within The Municipality; Providing For Severability, Repealer, Codification, And An Effective Date, Of The Code Of The Township Of Hamilton And Repealing All Ordinances Heretofore Adopted The Provisions Of Which Are Inconsistent Herewith

Miss Gatto moved, seconded by Mr. Kurtz that the following resolution be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the February 3, 2016 edition of Daily Journal for a public hearing to be held February 16, 2016.

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

Introduction of Ordinance # 1813-2016 - An Ordinance To Vacate The Following Public Street Situate In The Township Of Hamilton, County Of Atlantic And State Of New Jersey And To Release And Relinquish The Public Rights Therein, A Portion Of Thirty-First Street, And Repealing All Ordinances Heretofore Adopted, The Provisions Of Which Are Inconsistent Herein

Miss Gatto moved, seconded by Mr. Guishard that the following resolution be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the February 3, 2016 edition of Daily Journal for a public hearing to be held February 16, 2016.

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

Introduction of Ordinance # 1814-2016 An Ordinance To Vacate The Following Public Street Situate In The Township Of Hamilton, County Of Atlantic And State Of New Jersey And To Release And Relinquish The Public Rights Therein, A Portion Of Thirty-Second (32nd) Avenue, And Repealing All Ordinances Heretofore Adopted, The Provisions Of Which Are Inconsistent Herein

Mr. Kurtz moved, seconded by Mr. Guishard that the following resolution be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the February 3, 2016 edition of Daily Journal for a public hearing to be held February 16, 2016.

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

Introduction of Ordinance # 1815-2016- An Ordinance To Vacate The Following Public Street Situate In The Township Of Hamilton, County Of Atlantic And State Of New Jersey And To Release And Relinquish The Public Rights Therein, A Portion Of Casale Boulevard and Repealing All Ordinances Heretofore Adopted, The Provisions Of Which Are Inconsistent Herein

Miss Gatto moved, seconded by Mr. Schenker that the following resolution be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the February 3, 2016 edition of Daily Journal for a public hearing to be held February 16, 2016.

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

Change Orders/Award of Contracts

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to Approve Change Order # 1 for the 2015 Road Program – net decrease of \$7,698.43 as recommended by Robert J. Smith III of Remington & Vernick Engineers

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to authorize a Change Order to Bid #2015-06 – Furnish and Install an Electronic Sign, changing the sign so as to be lit from within for an additional \$686.00

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

Consent Agenda

Item “D” was removed from the consent agenda for discussion and roll call vote.

Mr. Kurtz 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 business license for Whimby’s Burgers and Steaks is hereby approved.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to approve the 2016 JIF Safety Incentive Program Contract and to authorize the Mayor to sign same.

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

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

BE IT RESOLVED, by the Township Committee of The Township of Hamilton to approve Coach Bingo License #2-2016 for Oakcrest Falcon Crew Booster Club, February 20, 2016 from 6-10 PM.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to approve the request of the Veterans Advisory Board for a \$200.00 rental fee to St. Vincent DePaul School for Veterans Day 2015 Services.

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

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

BE IT RESOLVED BY THE Township Committee of the Township of Hamilton to accept Citibank Letter of Credit #69606314 in the amount of \$114,847.80, a four year maintenance guarantee for Kravco Co., LLC (Hamilton Mall extension stormwater management) and returning Performance Guarantee #69601916.

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

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

Resolution of Support from the Township Committee of the Township of
Hamilton Authorizing a
Sustainable Jersey Grant Application

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Hamilton strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Township of Hamilton is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the Township Committee of the Township of Hamilton has determined that the Township of Hamilton should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that Township Committee of the Township of Hamilton, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton, to approve MLAA Raffle License # 4-2016, Calendar Raffle, drawings 4/21/16 and 5/21/16

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

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

RESOLUTION

A RESOLUTION OF THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC
AUTHORIZATION FOR THE TOWNSHIP COMMITTEE TO ACCEPT A
SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2016 OF DEPARTMENT
OF HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE
GRANT PROGRAM FUNDING AND FOR THE TOWNSHIP CHIEF FINANCIAL
OFFICER TO AMEND THE BUDGET AND CERTIFY THE AVAILABILITY OF
FUNDS.

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WHEREAS, the Township of Hamilton Office of Emergency Management has been awarded the State Homeland Security Grant Program Sub grant CFDA #97.042 Award #FY15 EMPG-EMAA-0112 from the New Jersey State Police Office of Emergency Management. The Sub grant, consisting of a total amount of up to \$14,000.00, including up to \$7,000.00 Federal Award and \$7,000.00 Local Matching Funds, is for the purpose of enhancing the Township's ability to prevent, protect against, respond to, and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the sub grant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Township of Hamilton Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Sub grant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS. The Application for Sub grant Award calls for a match in the amount of \$7,000.00 which the Township of Hamilton Office of Emergency Management adequately satisfies through the 2016 Township of Hamilton approved budget for Division salaries and fringe benefits;

NOW, THEREFORE, BE IT RESOLVED that the Township of Hamilton Committee herewith accepts the award of the FFY15 Homeland Security Emergency Management Performance Grant Program Sub grant in the amount of \$7,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2016 in the amount of \$7,000.00, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of \$7,000.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of \$7,000.70 is hereby appropriated under the caption FFY15 Homeland Security Emergency Management Performance Grant; and

BE IT FURTHER RESOLVED that the Township of Hamilton Administrator, the Township Chief Financial Officer and the Township Director of Emergency Management are authorized to sign the appropriate sub grant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to support the Mays Landing Merchants Association application for use of Lake Lenape Park:

- (1) Saturday, June 25 and Sunday June 26, 2016 for the Hometown Celebration
- (2) Saturday, Sept, 24 and Sunday, September 25, 2016 for the South Jersey Wine and Food Festival

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

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Mayor Silva stated that this property was to be donated to Habitat for Humanity.

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

RESOLUTION OF THE GOVERNING BODY
OF
THE TOWNSHIP OF HAMILTON
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Township of Hamilton has opted to participate in the Atlantic County Community Development Block Grant (CDBG) Program for FY 2012 & 2015; and

WHEREAS, as a participant, The Township of Hamilton expects to be allotted \$67,806.00 for Fiscal Year(s) 2012 & 2015 for the project known as Demolition of 6372 Beach Avenue; and

WHEREAS, in order to be allocated CDBG funds, the Township of Hamilton must enter into an inter local services agreement with Atlantic County Improvement Authority, the administrator of the Atlantic County CDBG Entitlement Program,

NOW, THEREFORE, BE IT RESOLVED, that the Agreement by and between the Atlantic County Improvement Authority and the Township of Hamilton which is attached hereto, is approved and the Chief Elected Official and the Municipal Clerk are authorized to sign said agreement.

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

Personnel

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to approve an early step increase for Edward Chatten from Maintenance/Carpenter I at \$34,722.00 annually to Maintenance/Carpenter II at \$37,647.45 annually for obtaining CDL A endorsement, as per recommendation by the Director of Public Works and Township Administrator, effective 1/22/16.

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

Miss Gatto moved, seconded by Mr. Schenker that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton that the regular meeting minutes of the January 19, 2016 meeting are approved as presented.

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

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton that the Executive Session meeting minutes of the November 19, 2013 meeting are approved as presented.

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

Mr. Kurtz and Mr. Schenker abstained from the vote as neither was present at the meeting.

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton that all properly executed and approved payrolls and bills be paid, the bill list total being \$4,087,412.90.

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

Reports

Administrator – no report

Solicitor- no report

Engineer-

- Forwarded information regarding intersection of Dr. Dennis Forman Drive and Route 40 to the Traffic Engineer, Kevin Dixon
- Will be responsible for maintaining tax maps beginning tomorrow
- Met with Deputy Township Clerk to review Bond Tracking System
- 2nd transition meeting with Bob Smith is scheduled for tomorrow
- Met with Mary Lisitski, Acting Planning Board Secretary regarding the tracking of stormwater basins- will share report with Committee when complete

Township Committee-

John Kurtz-

- Attended Fairways Homeowners Association meeting with the Mayor- the residents had concerns regarding the light at McKee Ave.
- Public Works handled the recent snow event very well

Rodney Guishard-

- Stated he would have liked to attend Fairways Homeowners Association meeting with the others and he didn't feel it would be a violation for a quorum to attend. The Solicitor responded that it would be a perceived violation of doing the business of the town.
- Reported that he attended meetings of the Green Team, Veterans Advisory Board, Senior Advisory Board and Recreation.

Art Schenker-

- Reported that he attended Senior Advisory Board meeting
- Commended Public Works for doing a great job with a difficult storm

Amy Gatto-

- Stated that emergency routes are priorities during storms
- Commended all 1st responders as well as Public Works for their actions during the storm
- Ambulance Bid is out
- Fire Chiefs multi-year apparatus replacement plan and Chiefs Vehicle Replacement Plan are being considered
- Attended Laureldale Installation Dinner
- Miss Gatto and Mayor Silva presented a plaque which was received from the Laureldale Fire Company in appreciation for continued friendship and cooperation.
- Talked with Hess School 3rd graders regarding government

Mayor Silva-

- Congratulated Lisa Marcolongo on 10 years of employment with the Township
- Reiterated that the Fire Department is looking for volunteers
- Commented on the Zoning Board Training Session
- Budget discussions have begun
- Acknowledged Dr. Witherspoon, who was seated in the audience and thanked her for

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having the Mayor on her radio show to discuss the County Dispatch proposal.

Public Comment

Hearing nothing from the public, on the motion of Mr. Kurtz, second of Miss Gatto to close the public portion.

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

Executive Session

Miss 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 the following matter which is exempt from public discussion pursuant to the New Jersey Open Public Meetings Law

- Timber Glen Litigation

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

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

The meeting reconvened at 7:45 PM. The solicitor confirmed that the only item that was discussed in executive session was that which was announced in advance. There was no public present either in the meeting room or in the lobby.

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

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to authorize the Solicitor to make an offer of settlement in the Timber Glen matter.

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

On the motion of Miss Gatto, seconded by Mr. Guishard and carried the meeting was adjourned at 7:46 PM.

Respectfully submitted,

Rita Martino, RMC
Deputy Township Clerk

