

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
DECEMBER 5, 2016

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was called to order December 5, 2016 at 6:30 p.m. with Mayor Roger Silva presiding.

Flag Salute.

Township Clerk Rita Martino certified compliance with the New Jersey Open Public 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 p.m. on December 5, 2016 at the Municipal Building, 6101 Thirteenth Street, Mays Landing, NJ.

Roll Call:

Present: Rodney Guishard, John Kurtz, Robert Laws, Art Schenker, Roger Silva.

Absent: XXX

Also present: Rita Martino, Township Clerk; Robert Sandman, Township Solicitor;
Steven Filippone, Township Engineer; Michael Jacobs, Township Administrator

A moment of silence for private reflection was observed.

Addition/Deletion of Late Agenda Items

On motion of Mr. Guishard, second of Mr. Kurtz, it was moved to approve the addition of late list items as follows:

Addition of 3C. – Interview Process for Municipal Court Judge

Removal of 5B. – Introduction of Ordinance #1839-2016 – An Ordinance of the Township of Hamilton Repealing Ordinance #1636-2008 Also Set Forth at Chapter 16-1 Through 16-6 in the Code of Hamilton Township.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Early Public Comment

None.

Discussion

Thirteenth Street Pipe Project

Mr. Jacobs explained that there are two options: The first option is replacement in kind with the same type of existing corrugated metal piping, same connections, etc. The cost of this option is \$130,000.00, and we should be able to go out for bid within a week. The second option would take about two months longer for the permits; it includes concrete pipe with concrete well for connections. The cost of this option is \$225,000.00. Due to the timely nature of the project, Mr. Jacobs recommended Option 1. Some discussion ensued.

On motion of Mr. Kurtz, second of Mr. Guishard, it was moved to take the recommendation of Mr. Jacobs and select Option 1, replacement in kind.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Amend the No Net Loss Reforestation Plan to delete re-vegetation of the former airfield adjacent to Underhill Park East.

Mr. Jacobs recommended that the Township not re-vegetate, as the area is needed for staging purposes; it is often used for overflow parking. Some discussion ensued to confirm the exact area in question. Mayor Silva confirmed that not re-vegetating would reduce the grant award by \$159,000.00, but the area would remain open with multiple benefits; he further confirmed that this option would not interfere with any environmental levels.

On motion of Mr. Kurtz, second of Mr. Schenker, it was moved to Amend the No Net Loss Reforestation Plan to delete re-vegetation of the former airfield adjacent to Underhill Park East.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Interview for Position of Municipal Court Judge.

Mr. Guishard stated that Judge Switzer is retiring on 12/31/16; accordingly, the position was advertised and applicants have been interviewed. Mr. Guishard further stated that the interviews involved only two Township Committee members, rather than the full Governing Body. He therefore proposed that interviews be conducted such that all members may be involved. Mr. Kurtz stated that the interviews have already been conducted, but that if Mr. Guishard wished to select a candidate to be interviewed from the booklet that was provided, that could be accommodated. Mr. Guishard clarified that he is proposing that the interviews be re-conducted, to allow the full Committee and also our incoming Committee member to participate. He further stated that he sees no reason why the interviews were conducted any other way; Municipal Judge is a key position and all Committee Members should have the opportunity to meet the candidates and vote accordingly. Some discussion ensued, and it was confirmed that there is a personnel committee for such purposes. However, Mr. Guishard stated that for key positions such as this one, it is appropriate for the entire Township Committee to be involved in the selection process. Some discussion ensued.

Mr. Guishard moved that interviews be re-conducted for the position of Municipal Court Judge, to allow for all Township Committee members and incoming Committee member(s) to be involved in selection of a candidate.

Motion Died for lack of a Second.

Public Hearing/Adoption of Ordinances

Ordinance # 1835-2016 – 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 (Increasing Total Number of Employees)

Mr. Jacobs briefly reminded everyone of the positions involved: Three additional police officers, two full time violations clerks, with deletion of one part-time violations clerk position.

Hearing nothing from the public, on the motion of Mr. Kurtz, second of Mr. Guishard, it was moved to close the public hearing of Ordinance # 1835-2016.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Adoption of Ordinance No. 1835-2016

Mr. Schenker moved, seconded by Mr. Kurtz, that Ordinance #1835-2016; which was introduced and passed first reading on 11/14/16 and was duly advertised in the 11/16/16 edition of the Atlantic County Record with public hearing held as advertised and closed be and is hereby adopted.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Ordinance # 1836-2016 – An Ordinance Amending Article II of Chapter 66 of the code of the Township of Hamilton, Providing for Annual Salary Increases for Certain Employees

Mr. Jacobs explained that this is for non-union employees, and is consistent with the increases given by the PBA and the Teamsters. It will be a 2% increase for 2017, and a 2% increase for 2018.

Hearing nothing from the public, on the motion of Mr. Kurtz, second of Mr. Schenker, it was moved to close the public hearing of Ordinance # 1836-2016.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Adoption of Ordinance No. 1836-2016

Mr. Schenker moved, seconded by Mr. Kurtz, that Ordinance #1836-2016; which was introduced and passed first reading on 11/14/16 and was duly advertised in the 11/16/16 edition of the Atlantic County Record with public hearing held as advertised and closed be and is hereby adopted.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Ordinance # 1837-2016 – 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 (Establishing Salary Maximums for Certain Employees)

Mr. Jacobs confirmed that this Ordinance will establish salary maximums, and also establish additional pay for Code Enforcement and Property Maintenance. Additionally, it will delete additional pay for Electrical Subcode and Inspectors.

Hearing nothing from the public, on the motion of Mr. Schenker, second of Mr. Kurtz, it was moved to close the public hearing of Ordinance # 1837-2016.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Adoption of Ordinance No. 1837-2016

Mr. Kurtz moved, seconded by Mr. Schenker, that Ordinance #1837-2016; which was introduced and passed first reading on 11/14/16 and was duly advertised in the 11/16/16 edition of the Atlantic County Record with public hearing held as advertised and closed be and is hereby adopted.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Introduction of Ordinances

Ordinance # 1838-2016 – Proposed Ordinance Authorizing the Sale of Lots 12,18 & 19 in Block 362 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. Jacobs stated that the property in question is in Mizpah Village, with a minimum bid of \$500.00.

Mr. Schenker moved, seconded by Mr. Kurtz that the following Ordinance #1838-2016 be introduced on first reading with public hearing to be held December 19, 2016.

Roll Call Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Award of Bids/Contracts

Resolution authorizing option year 3 of the Extension of Award of Bid 2014-12A, as needed Carpentry Services to Warriner’s Construction, Inc. EHT, NJ, Carpenter \$101.68/hour and Apprentice \$78.12/hour, with 10% markup over cost on materials, for the period 1/1/17 through 12/31/17

Mr. Jacobs stated that this is the third and final year that the contract may be extended; staff has recommended the extension.

Mr. Guishard inquired and confirmed that the rates herein are competitive.

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

TOWNSHIP OF HAMILTON
RESOLUTION
AUTHORIZING OPTION YEAR 3 OF THE EXTENSION
OF AWARD OF BID 2014-12A

WHEREAS, the Township of Hamilton awarded Bid 2014-12A to Warriner’s Construction, Inc., Egg Harbor Township, New Jersey, for Skilled Carpentry; and

WHEREAS, the option exists for extension of aforementioned award of bid;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize option year 3 of the extension of award of Bid 2014-12A, for as needed

Carpentry Services to Warriner’s Construction, Inc., Egg Harbor Township, New Jersey for Carpenter \$101.68/hour and Apprentice \$78.12/hour, with 10% markup over cost on materials, for the period 01/01/2017 through 12/31/2017.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Resolution authorizing option year 3 of the Extension of Award of Bid 2014-13A, as needed Plumber Services to GE Mechanical, Inc., Vineland, NJ, Plumber and Apprentice \$117.46/hour and Apprentice \$78.12/hour, with 10% markup over cost on materials

Mr. Jacobs stated that this is the third and final extension to the contract, and that extension is recommended.

Mr. Schenker stated that he will abstain from voting, as he has professional involvement with GE Mechanical, Inc.

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

TOWNSHIP OF HAMILTON
RESOLUTION
AUTHORIZING OPTION YEAR 3 OF THE EXTENSION
OF AWARD OF BID 2014-13A

WHEREAS, the Township of Hamilton awarded Bid 2014-13A to GE Mechanical, Inc., Vineland, New Jersey, for Plumbing; and

WHEREAS, the option exists for extension of aforementioned award of bid;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize option year 3 of the extension of award of Bid 2014-13A, for as needed Plumber Services to GE Mechanical, Inc., Vineland, New Jersey, Plumber and Apprentice \$117.46/hour, with 10% markup over cost on materials, for the period 01/01/2017 through 12/31/2017.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Silva
Nay: XXX
Abstain: Schenker

Motion Carried 4-0-1.

Resolution authorizing option #1 Extension of Award of Bid 2014-14A, Janitorial Services to Action Janitorial, Inc., Pleasantville, NJ, in the amount of \$35,878.00 for the period 1/1/17-12/31/17

Mr. Jacobs confirmed that this is another extension, similar to the previous two extensions discussed.

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

TOWNSHIP OF HAMILTON
RESOLUTION
AUTHORIZING OPTION #1 EXTENSION OF AWARD OF BID 2014-14A

WHEREAS, the Township of Hamilton awarded Bid 2014-14A to Action Janitorial, Inc., Pleasantville, New Jersey, for Janitorial Services; and

WHEREAS, the option exists for extension of aforementioned award of bid;

WHEREAS, the Chief Financial Officer of the Township of Hamilton, as required by N.J.A.C. 5:30-5.1, has certified that there are sufficient funds available for the purpose of extending a contract to said entity, said certification being attached hereto and made a part hereof;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize option 1 extension of award of Bid 2014-14A, Janitorial Services to Action Janitorial, Inc., Pleasantville, New Jersey, in the amount of \$35,878.00, for the period 01/01/2017 through 12/31/2017.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Resolution authorizing 2nd Option Extension of Award of Bid 2014-16A, as needed Tree Trimming and Stump Removal to Stanch’s LLC, Sewell, NJ, in accordance with the proposal attached for the term 1/1/17-12/31/17

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

TOWNSHIP OF HAMILTON
RESOLUTION
AUTHORIZING 2nd OPTION EXTENSION OF AWARD OF BID 2014-16A

WHEREAS, the Township of Hamilton awarded Bid 2014-16A to Stanch’s LLC, Sewell, New Jersey, for Tree Trimming and Stump Removal; and

WHEREAS, the option exists for extension of aforementioned award of bid;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize 2nd option extension of award of Bid 2014-16A, as needed Tree Trimming and Stump Removal to Stanch’s LLC, Sewell, New Jersey, in accordance with the proposal attached for the term 01/01/2017 through 12/31/2017.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Resolution Awarding Contract to Remington and Vernick Engineers for Tanglewood Drive Culvert Replacement in the amount not to exceed a fixed fee of \$18,700.00

Mr. Jacobs confirmed that this is the same project previously discussed and referred to as Thirteenth Street Pipe Project. This fee will include Engineer’s fees, project management and inspections.

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

TOWNSHIP OF HAMILTON
RESOLUTION
AWARDING CONTRACT TO REMINGTON & VERNICK ENGINEERS
FOR TANGLEWOOD DRIVE CULVERT REPLACEMENT

WHEREAS, the Township of Hamilton is in need of Construction Services related to the Tanglewood Drive Culvert Replacement project; and

WHEREAS, a proposal for same has been submitted to the Township by Remington and Vernick Engineers; and

WHEREAS, the Chief Financial Officer of the Township of Hamilton, as required by N.J.A.C. 5:30-5.1, has certified that there are sufficient funds available for the purpose of awarding a contract to said entity, said certification being attached hereto and made a part hereof.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton to award contract to Remington & Vernick Engineers for Tanglewood Drive Culvert Replacement in the amount not to exceed a fixed fee of \$18,700.00.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Resolution Awarding Contract to Remington and Vernick Engineers for FY 2017 NJDOT Municipal Aid Program Application in the amount not to exceed a fixed fee of \$950.00

Mr. Jacobs confirmed that this involves Malaga Road; we submitted for this once before and did not get it. This would be the fifth phase.

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

TOWNSHIP OF HAMILTON
RESOLUTION
AUTHORIZING PREPARATION OF FY2017 NJDOT MUNICIPAL AID PROGRAM
APPLICATION BY REMINGTON & VERNICK ENGINEERS

WHEREAS, the Township of Hamilton wishes to submit Section 5 of Malaga Road as a project to be considered for funding by New Jersey Department of Transportation (NJDOT); and

WHEREAS, the cost for Remington and Vernick Engineers to prepare application for same is \$950.00; and

WHEREAS, the Chief Financial Officer of the Township of Hamilton, as required by N.J.A.C. 5:30-5.1, has certified that there are sufficient funds available for the purpose of awarding a contract to said entity, said certification being attached hereto and made a part hereof.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize Remington & Vernick Engineers, Pleasantville, New Jersey to prepare FY2017 NJDOT Municipal Aid Program Application for a fixed fee not to exceed \$950.00.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Resolution Authorizing Change Order No. 1, 2016 Road Program – Net Increase of \$18,309.00

Mr. Jacobs explained that this change order would address a complaint by Mizpah Fire Department regarding where their driveway meets the road.

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

**TOWNSHIP OF HAMILTON
RESOLUTION TO APPROVE CHANGE ORDER NO. 1
2016 ROAD PROGRAM**

WHEREAS, the Township Committee by previous resolution awarded a contract to Arawak Paving Company, Inc. for the 2016 Road Program; and

WHEREAS, by correspondence dated November 29, 2016, Robert J. Smith III, Alternate Township Engineer recommended approval of Change Order No. 1 which increases the contract amount by \$18,309.00; and

WHEREAS, the Chief Financial Officer of the Township of Hamilton, as required by N.J.A.C. 5:30-5.1, has certified that there are sufficient funds available for the purpose of increasing the contract amount, said certification being attached hereto and made a part hereof;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hamilton, Atlantic County, New Jersey, to approve Change Order No. 1 to the 2016 Road Program contract for an increase of \$18,309.00 as recommended by Robert J. Smith III, Alternate Township Engineer.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Consent Agenda

Mayor Silva requested to remove items 7B. and 7J. from the consent agenda to allow for a separate vote.

Mr. Kurtz moved, seconded by Mr. Guishard to approve Consent Agenda items 7A., 7C.-7I., and 7K.-7M.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Approve Business Registration License(s):

Mr. Kurtz moved, seconded by Mr. Guishard to approve the following business registration license(s):

- 1. South Jersey Soapworks, LLC

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Authorize the solicitor to prepare a deed changing title from Mizpah Inland Services, LLC to Alfred Lundy Community Center, Inc.

Mr. Kurtz moved, seconded by Mr. Guishard to Authorize the solicitor to prepare a deed changing title from Mizpah Inland Services, LLC to Alfred Lundy Community Center, Inc.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Resolution Authorizing the Release of Liberty Mutual Insurance Company Bond #327012505M in the Amount of \$727,093.14 posted as a 2 year Maintenance Guarantee for the 2012 Road Program – Phase I (Arawak Paving Co.), as recommended by Alternate Township Engineer Robert J. Smith on 11/16/16

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

TOWNSHIP OF HAMILTON
RESOLUTION
AUTHORIZING RELEASE OF MAINTENANCE GUARANTEE
2012 ROAD PROGRAM – PHASE 1
(ARAWAK PAVING COMPANY, INC.)

BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize the release of Liberty Mutual Insurance Company Bond # 327012505M in the amount of \$727,093.14, the two (2) year Maintenance Guarantee for the 2012 Road Program – Phase I (Arawak Paving Company, Inc.) as recommended by Robert J. Smith, Alternate Township Engineer in his correspondence dated 11/16/16.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Ratifying Contiguous Owner Land Sale Bid of Constance Prather for Block 375 Lot 19, (25 x 100 lot located at 1392 Scranton Ave.), for a purchase price of \$200.00

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

TOWNSHIP OF HAMILTON
RESOLUTION RATIFYING SALE OF LAND TO CONTIGUOUS OWNER
PURSUANT TO ORDINANCE #1830-2016

WHEREAS, Ordinance #1830-2016, authorized the right of prior refusal to purchase Lot 19 in Block 375 to owner or owners of the land contiguous thereto; and

WHEREAS, Ordinance # 1830-2016 was finally adopted on October 3, 2016 and all contiguous owners affected thereby were notified by certified mail return receipt requested of their right to submit a sealed bid for the purchase of Lot 19 in Block 375; and

WHEREAS, the bid of Constance Prather, whose address is 3 Van Drive, Bordentown, NJ 08505 was accepted by the Township Committee on November 14, 2016; and

WHEREAS, the bid sum of two hundred dollars (\$200.00) was equal to or exceeded the minimum bid set by Ordinance #1830-2016 and included a money order in the amount of two hundred dollars (\$200.00) which equals or exceeds the minimum twenty (20%) percent deposit required by the Ordinance.

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

1. Acceptance of the bid of \$200.00 is hereby confirmed and the sale Lot 19 in Block 375 to Constance Prather is hereby ratified.
2. The Solicitor is hereby authorized to prepare a quit claim deed conveying the Township’s right, title and interest in Lot 19 in Block 375 to Constance Prather.
3. The Mayor and Township Clerk are authorized to execute and record the deed conveying said property to Constance Prather.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
 Nay: XXX
 Abstain: XXX

Motion Carried 5-0.

Resolution Authorizing GovDeals Auction of Various Items as Requested by the Director of Public Works

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

**TOWNSHIP OF HAMILTON
 RESOLUTION AUTHORIZING THE SALE OF
 SURPLUS PROPERTY NO LONGER NEEDED
 FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

WHEREAS, the Governing Body of the Township of Hamilton, Atlantic County, NJ, has determined that the property listed in Schedule A, attached to this resolution is property no longer needed for public use; and

WHEREAS, the Director of the Division of Local Government Services, a Division of the Department of Community Affairs of the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of an online auction service, pursuant to Local Finance Notice 2008-9; and

WHEREAS, the Governing Body of the Township of Hamilton has declared the property listed in Schedule A, attached to this resolution surplus property to be offered for public sale pursuant to the provisions of Revised Statutes 40A:11-36.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Hamilton, Atlantic County, New Jersey, that said items are hereby authorized to be sold at a public sale to the highest bidder through GovDeals, Inc., at www.govdeals.com. The Township will reserve the right to reject any and all bids.

“SCHEDULE A”

1. Police Vehicle

- 2006 Ford Crown Victoria
- Last 4 of VIN: 6393

2. Public Works

- 1989 Ford Jetter
- Last 4 of VIN: 6765
- Vehicle #8918

3. Lot of Outdated Garage Equipment that is no longer usable.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
 Nay: XXX
 Abstain: XXX

Motion Carried 5-0.

Resolution Authorizing Budget Transfers as Recommended by the CFO

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

**TOWNSHIP OF HAMILTON
 RESOLUTION AUTHORIZING BUDGET TRANSFERS**

WHEREAS, transfers are permitted between budget appropriations during the last two months of the fiscal year;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Hamilton, that transfers between year 2016 Budget Appropriations be made as follows:

Account No.	Account Title		To	From
6-01-20-140-120-200	Management Information Systems - Other Expenses	\$	10,000.00	
6-01-23-220-000-101	Health Benefit Waiver		12,000.00	

6-01-25-240-500-100	Police and Traffic Control - Salaries and Wages			24,000.00
6-01-43-490-700-200	Municipal Court – Other Expenses		2,000.00	
Total		\$	24,000.00	24,000.00

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
 Nay: XXX
 Abstain: XXX
Motion Carried 5-0.

Resolution to Authorize Posting of Boards and Commissions Vacancies Notice with December 19, 2016 Deadline

Mr. Kurtz moved, seconded by Mr. Guishard to Authorize Posting of Boards and Commissions Vacancies Notice with December 19, 2016 Deadline.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
 Nay: XXX
 Abstain: XXX
Motion Carried 5-0.

Resolution to Renew Shared Services Agreement with the Police Activities League for use of the Frank Grieco Center

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

TOWNSHIP OF HAMILTON
 RESOLUTION
 AUTHORIZING EXECUTION OF SHARED SERVICES AGREEMENT WITH
 THE POLICE ACTIVITIES LEAGUE (PAL) FOR USE OF FRANK GRIECO CENTER

BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize execution of shared services agreement with the Police Activities League (PAL) for use of Frank Grieco Center from 01/01/2017-12/31/2017.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
 Nay: XXX
 Abstain: XXX
Motion Carried 5-0.

Resolution Authorizing the Release of Current Escrow in the Amount of \$12,510.00 Posted as Performance Guarantee by Barbara Brown – Major Site Plan, Block 1132.01, Lot 31.02, contingent upon posting a 2 year maintenance guarantee in the amount of \$1,563.75 as recommended by Township Engineer Steven Filippone in his correspondence dated 11/29/16

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

TOWNSHIP OF HAMILTON
 RESOLUTION
 AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE –
 BARBARA BROWN, BLOCK 1132.01, LOT 31.02 – MAJOR SITE PLAN

BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize release of current escrow in the amount of \$12,510.00 posted as Performance Guarantee by Barbara Brown – Major Site Plan, Block 1132.01, Lot 31.02, contingent upon Barbara Brown posting a 2-year Maintenance Guarantee in the amount of \$1,563.75 as recommended by Township Engineer Steven Filippone in his correspondence dated 11/29/16.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
 Nay: XXX
 Abstain: XXX
Motion Carried 5-0.

Chapter 159 Resolution to Insert Item of Revenue with Off-Setting Appropriation for: Drive Sober or Get Pulled Over Year End Holiday Crackdown \$5,000.00.

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

TOWNSHIP OF HAMILTON
 RESOLUTION NO. 2016-159-11

**INSERTION OF SPECIAL ITEMS OF REVENUE IN THE BUDGET
CHAPTER 159, P.L. 1948**

WHEREAS, 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation of an equal amount.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hamilton, Atlantic County, New Jersey, that the Township Committee hereby requests that the Director of Local Government Services approve the insertion of additional amounts as items of revenue in the budget of the year 2016 under the captions and sums of

- 3. Miscellaneous Revenues – Section F: Special Items of General Revenue Anticipated with Prior Written consent of Director of Local Government Services – Public and Private Revenues Offset with Appropriations

Drive Sober or Get Pulled Over - \$5,000.00

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Approve Issuance of Aztec Materials, LLC Excavation (Sand & Gravel Pit) License – Block 229 Lots 1&4; Block 232 Lots 1-7; and Block 235 Lots 1-8 for December 31, 2016 through December 31, 2017.

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

TOWNSHIP OF HAMILTON
RESOLUTION
TO APPROVE ISSUANCE OF EXCAVATION (SAND & GRAVEL PIT) LICENSE
AZTEC MATERIALS, LLC

BE IT RESOLVED by the Township Committee of the Township of Hamilton to approve issuance of Excavation (Sand & Gravel Pit) License to Aztec Materials, LLC – Block 229, Lots 1 & 4; Block 232, Lots 1-7; and Block 235, Lots 1-8 for December 31, 2016 through December 31, 2017.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Items Removed from Consent Agenda
Resolution Authorizing the Township Administrator to make payments to Teamsters employees as outlined in the 27 pay Arbitration Award dated October 13, 2016.

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

TOWNSHIP OF HAMILTON
RESOLUTION
AUTHORIZING TOWNSHIP ADMINISTRATOR TO MAKE
PAYMENTS TO TEAMSTERS EMPLOYEES

BE IT RESOLVED by the Township Committee of the Township of Hamilton to authorize Township Administrator to make payments to Teamsters employees as outlined in the 27-pay Arbitration Award dated October 13, 2016.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Resolution Authorizing the Distribution of the Surplus Funds held in trust by the Atlantic County Municipal Joint Insurance Fund as a credit towards the 2017 premium of \$83,503.00 and also a deposit into the Aggregate Excess Loss Contingency Fund of \$10,000.00

Mr. Jacobs confirmed that the \$10,000.00 figure is for this year and will combined with previous years for a total of \$40,000.00.

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

TOWNSHIP OF HAMILTON
RESOLUTION
DIRECTING THE DISTRIBUTION OF THE TOWNSHIP OF HAMILTON
NET RETURNED SURPLUS FUND HELD IN TRUST BY THE
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Township of Hamilton, hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 1998, January 1, 1999, January 1, 2000, January 1, 2001, January 1, 2002, January 1, 2003, January 1, 2004, January 1, 2005, January 1, 2006, January 1, 2007, January 1, 2008, January 1, 2009, January 1, 2010, January 1, 2011, January 1, 2012; and

WHEREAS, the FUND is a statutory filed municipal joint insurance fund as defined in N.J.A.C. 11:15-2.1 et seq.; and

WHEREAS, the MUNICIPALITY joined the FUND knowing that membership carries with it joint and several liability with all other member municipalities for each year of the MUNICIPALITY's membership; and

WHEREAS, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any available statutory surplus will be released by the FUND; and

WHEREAS, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any projected deficit will be declared as an additional assessment due to the FUND; and

WHEREAS, the MUNICIPALITY understands that Available Statutory Surplus is defined to be the amount of money in excess of the projected value of claims by line of coverage, plus an actuarially determined value for Incurred But Not Reported claims, subject to the surplus reserve calculations as defined in N.J.A.C. 11:15-4.6 et seq., and subject to review and approval by the Department of Banking and Insurance and Department of Community Affairs, State of New Jersey, prior to release by the Executive Committee of the FUND; and

WHEREAS, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier release of Available Statutory Surplus due to the possibility that a FUND year wherein a return of Statutory Surplus has been duly authorized could later be presented with a claim for which it could be responsible causing a demand for an additional assessment from each participating member municipality of that FUND year; and

WHEREAS, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier collection of an additional assessment due to the possibility that a FUND year wherein an additional assessment has been duly authorized could later be presented with a need for additional assessments from each participating member municipality of that FUND year; and

WHEREAS, the MUNICIPALITY understands that its options for directing the distribution of its net share of released Statutory Surplus to be as follows:

1. Direct the FUND to apply the MUNICIPALITY's share to the MUNICIPALITY's premium as a credit in the next FUND fiscal year (N.J.A.C. 11:15-4.21(e)),
2. Direct the FUND to issue a check to the MUNICIPALITY for the MUNICIPALITY's share,
3. Direct the FUND to apply the MUNICIPALITY's share to the FUND's Aggregate Excess Loss Contingency Fund (A.E.L.C.F.), which provides member municipalities with an available individual contingency balance for use in satisfying any possible need for a supplemental assessment for any year they were a member and an annual capacity to use all or a portion of a member municipality's available balance in offsetting future premiums, **or**
4. Direct the FUND to apportion the MUNICIPALITY's share as a stated dollar amount among options 1, 2 and 3 above such that the sum total of allocated dollars equals the amount of the Net Distribution available to the MUNICIPALITY as noted above.

NOW THEREFORE, the MUNICIPALITY directs the FUND to distribute the MUNICIPALITY's share of its Net Distribution as follows (**check the boxes that apply**):

- Apply a portion of the amount as a credit to the MUNICIPALITY’s next FUND Year premium.
- Apply a portion of the amount as a check to the MUNICIPALITY.
- Apply a portion or the full amount to the MUNICIPALITY’s share of the FUND’s Aggregate Excess Loss Contingency Fund (A.E.L.C.F.).

Designate the full amount as follows (Sum of below must equal full dividend amount):

- **Credit** **\$83,503.00**
- **Check** **\$ N/A (Requires voucher)**
- **A.E.L.C.F.** **\$ 10,000.00 (Requires Resolution)**

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Personnel:

Authorize Advertising and Testing for the Position of Full-Time Police Officer.

Mr. Schenker moved, seconded by Mr. Kurtz to Authorize Advertising and Testing for the Position of Full-Time Police Officer.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Resolution Appointing Lisa Marcolongo Municipal Alliance Coordinator effective January 1, 2017 – June 30, 2017, pro-rated at \$2,000.00 annually to be paid quarterly from the 2016 Municipal Alliance Grant as recommended by the Municipal Alliance Chair.

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

TOWNSHIP OF HAMILTON
RESOLUTION TO APPOINT LISA MARCOLONGO AS
HAMILTON TOWNSHIP MUNICIPAL ALLIANCE COORDINATOR

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to appoint Lisa Marcolongo as Hamilton Township Municipal Alliance Coordinator effective 1/1/2017 – 6/30/2017, pro-rated annually to be paid quarterly from the 2016-2017 Municipal Alliance Grant as recommended by the Municipal Alliance Chair.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Accept the Resignation of Municipal Alliance Members, terms ending 6/30/17.

Mr. Guishard moved, seconded by Mr. Kurtz to accept the resignation of the following Municipal Alliance Members, terms ending 6/30/17:

- Michael Forrest
- Monique Cohen
- Kathy Varello
- Lisa Hern

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Resolution Appointing Members to the Municipal Alliance to fill vacancies, all terms ending 6/30/17.

Mr. Kurtz moved, seconded by Mayor Silva that the following resolutions be adopted:

TOWNSHIP OF HAMILTON
RESOLUTION TO APPOINT SHERRIE SNYDER TO
HAMILTON TOWNSHIP MUNICIPAL ALLIANCE

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to appoint Sherrie Snyder as a member of Hamilton Township Municipal Alliance Coordinator to fill unexpired one-year term of Michael Forrest expiring 6/30/2017.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX
Motion Carried 5-0.

TOWNSHIP OF HAMILTON
RESOLUTION TO APPOINT KATRINA KIND TO
HAMILTON TOWNSHIP MUNICIPAL ALLIANCE

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to appoint Katrina Kind as a member of Hamilton Township Municipal Alliance Coordinator to fill unexpired one-year term of Monique Cohen expiring 6/30/2017.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX
Motion Carried 5-0.

TOWNSHIP OF HAMILTON
RESOLUTION TO APPOINT MELANIE SANDERS TO
HAMILTON TOWNSHIP MUNICIPAL ALLIANCE

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to appoint Melanie Sanders as a member of Hamilton Township Municipal Alliance Coordinator to fill unexpired one-year term of Kathy Varello expiring 6/30/2017.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX
Motion Carried 5-0.

TOWNSHIP OF HAMILTON
RESOLUTION TO APPOINT CHAD ENRIGHT TO
HAMILTON TOWNSHIP MUNICIPAL ALLIANCE

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to appoint Chad Enright as a member of Hamilton Township Municipal Alliance Coordinator to fill unexpired one-year term of Lisa Hern expiring 6/30/2017.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX
Motion Carried 5-0.

Resolution Appointing William Perna as Violations Clerk I at an annual salary of \$29,485.60, effective December 7, 2016.

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

TOWNSHIP OF HAMILTON
RESOLUTION TO APPOINT WILLIAM PERNA AS VIOLATIONS CLERK I

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to appoint William Perna as Violations Clerk I at \$29,485.60 annually, effective date December 7, 2016.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX
Motion Carried 5-0.

Resolution Appointing Jeremy Robinson as Violations Clerk I at an annual salary of \$29,485.60, effective December 12, 2016.

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

TOWNSHIP OF HAMILTON
RESOLUTION TO APPOINT JEREMY ROBINSON AS VIOLATIONS CLERK I

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to appoint Jeremy Robinson as Violations Clerk I at \$29,485.60 annually, effective date December 12, 2016.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Resolution Appointing Antoinette Tummon as Court Administrator at an Annual Salary of \$70,000.00 effective February 1, 2017.

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

TOWNSHIP OF HAMILTON
RESOLUTION TO APPOINT ANTOINETTE TUMMON
AS COURT ADMINISTRATOR

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to appoint Antoinette Tummon as Court Administrator for a one year term 2/1/17-2/1/18, at \$70,000.00 annually.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Approvals:

Mr. Kurtz moved, seconded by Mr. Guishard that the regular meeting minutes of the November 14, 2016 meeting are approved as presented.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Mr. Guishard moved, seconded by Mr. Kurtz that the Executive Session minutes of the November 14, 2016 meeting are approved as presented.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

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

TOWNSHIP OF HAMILTON
RESOLUTION AUTHORIZING PAYMENT OF
APPROVED PAYROLLS AND BILLS

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 \$1,676,267.51.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 5-0.

Reports

Administrator – nothing additional at this time.

Solicitor – none at this time.

Engineer- Mr. Filippone reported that with regard to Buffalo Pike Associates, the Volunteer Way Connector Road is proceeding and the curbing is in place that connects to Volunteer Way. The cul-de-sac at Volunteer Way has been removed. Final Paving is expected on December 9-10, 2016. Road is expected to open within two to three weeks.

He further reported that mausoleum construction continues at Holy Cross Cemetery.

Final Inspection has been conducted for Barbara Brown (silkscreen business, West Jersey Avenue).

One Certificate of Occupancy has been issued for 102 Galleria Drive at Woods Landing.

AutoZone site work is moving along very well, with paving work progressing nicely.

Maintenance Guarantee inspections have been conducted for two sections of Volunteer Way (punchlist issued), and Eaglesmere fka Glen Eyre Palette III.

Three new street opening permits have been processed.

Performance Guarantee Estimates have been prepared for Wellspring Church and Aztec Minerals.

A preconstruction meeting for Michael Zyndorf was conducted for expansion of his business.

Mayor Silva inquired and confirmed that paving on Second Street is complete. He also asked about the basin at Festival Mall; Mr. Filippone stated that they are moving along despite a delay due to weather.

Township Committee:

Mr. Laws stated that he attended an event recently and wished to acknowledge Ms. Thelma Witherspoon, who has received an honorary Doctorate Degree in theology. Mr. Laws thanked Ms. Witherspoon for her many contributions to the community, and stated that the honor was very well deserved.

Mr. Guishard asked Mr. Filippone to elaborate on the progress at Volunteer Way, specifically when the stores will be open for business. Mr. Filippone stated that building permits have not been sought yet, so opening dates are not established at this time.

Mr. Guishard also inquired as to whether there would be a road widening at McKee Avenue; currently right turns are difficult in that area. Mr. Kurtz stated that Fairways residents have asked about that as well; however, when handicap ramps will be affected, it can cause much more work than meets the eye. So, at the Planning Board level, they are requesting that Auto Zone dedicate ten additional feet to allow for a right turn lane.

Mr. Guishard attended Mr. Spera's funeral, which was a very beautifully conducted event attended by all of the fire departments; Mr. Spera spent an impressive 70 years as a volunteer firefighter, was a veteran, and had many additional civic involvements.

The South Jersey Professional Society had their annual awards ceremony at the Country Club, where scientific and technological achievements in South Jersey are recognized. He encouraged everyone to attend in the future. He further mentioned a similar event, the Stockton Science Fair, will be coming up in March.

Mr. Schenker stated that he hoped everyone had a happy Thanksgiving holiday, and recognized that the Township had had some issues since then. He thanked Chief Tappeiner for his department's efforts to keep the community safe, and recognized that our Police Officers have an extremely difficult job.

Mayor Silva stated that the Christmas lighting event in the park was a success and very beautiful.

The Mays Landing Food Drive sponsored by the Senior Citizens Advisory Committee and Mays Landing Merchants Association is between 12/3/16 and 12/17/16; it will benefit our local food pantries and churches. Any donations are welcome.

Mayor Silva also read a letter from the Hamilton Historical Society detailing their appreciation for the new roof on the museum.

Mr. Kurtz stated that from a Planning Board perspective, it is great to see so many shovel-ready projects coming to fruition.

The Merchants Association also had their Dickens of a Holiday Event this past weekend, at the library, park and church. It was busy and well attended.

Mr. Laws stated his appreciation to all the Police Officers and first responders who participated in the Shop with a Cop event. He further stated that the children really enjoyed it. Mr. Guishard added that the Police do an excellent job.

Mayor Silva then opened the floor for public comment.

Public Comment

Hearing nothing further from the public, on the motion of Mr. Kurtz, second of Mr. Schenker it was moved to close the public portion.

Recorded Vote: Aye: Guishard, Kurtz, Laws, Schenker, Silva

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

On motion of Mr. Schenker, seconded by Mr. Guishard and carried the meeting was adjourned at 7:21 pm.

Respectfully submitted,

Rita Martino, RMC, CMR
Township Clerk