

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
March 20, 2017

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was called to order March 20, 2017 at 6:30 p.m. with Mayor John Kurtz presiding.

Flag Salute.

Township Clerk Rita Martino certified adequate notice of this meeting was provided pursuant to the New Jersey Open Public Meetings Law by posting a notice on the bulletin board in the municipal building and by publication in The Press of Atlantic City on 1/9/17, and the Atlantic County Record on 1/11/17.

**Roll Call:**

Present: Rodney Guishard, John Kurtz, Judith Link, Art Schenker, Roger Silva.  
Absent: XXX  
Also present: Rita Martino, Township Clerk; Michael Jacobs, Township Administrator;  
Robert Sandman, Township Solicitor; Kevin Dixon, Township Engineer

A moment of silence for private reflection was observed.

**Addition/Deletion of Late Agenda Items**

None.

**Early Public Comment**

None.

**Discussions**

**Flood Insurance Rate Map update and recommendation**

Director of Community Development Phil Sartorio gave a brief overview of the update and recommendation; since the appeal and comment period for the preliminary flood insurance maps closed in June of 2015, the map update process has been held up by a massive appeal by New York City. Some movement is finally starting to occur, which is estimated to take 3 – 3-1/2 years. Currently the official maps the Township uses to tell if residents are in a flood hazard area are the 1977 maps. The preliminary maps that have been out there for the last three years are used to determine building elevations, but are not effective for flood insurance purposes. FEMA has given us an option: either continue with the same process of using two different sets of maps for two different purposes, or we may adopt the preliminary flood insurance maps from 2014, corrected for any local appeals, and in about nine months to one year said maps would become the official flood map for the municipality for all purposes. This would really be an interim step, as the process will be repeated when the New York City appeal is resolved. However, it would give us more updated information in the short term.

Mr. Silva asked and confirmed that the recommendation is that the Governing Body authorize moving forward with the option of adopting the Preliminary Flood Insurance Rate Maps (PFIRM). He also confirmed that Mr. Sartorio did not anticipate any challenges to same. Some discussion ensued.

**Motion to authorize moving forward with the option of adopting the Preliminary Flood Insurance Rate Maps (PFIRM).**

Upon motion of Mr. Guishard, second of Mrs. Link it was moved to authorize moving forward with the option of adopting the Preliminary Flood Insurance Rate Maps (PFIRM).

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

Motion Carried 5-0.

**Award of Bids/Contracts/Change Orders**

**Resolution #2017-0166 – Resolution to Approve Change Order No. 1 – Final for Tanglewood Drive Culverts as recommended by Alternate Township Engineer Robert J. Smith III in his correspondence dated 3/10/17 – net decrease in the amount of \$4,419.99.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0166 be adopted.

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

Motion Carried 5-0.

**Resolution #2017-0167 – Resolution to Approve Change Order No. 3 – Final the 2015 Road Program as recommended by Alternate Township Engineer Robert J. Smith III in his correspondence dated 3/10/17 – net decrease in the amount of \$17,507.54.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0167 be adopted.

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

Motion Carried 5-0.

**Consent Agenda**

**Resolution #2017-0168 – A Resolution Amending the 2017 Temporary Budget.**

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0168 be adopted.

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

Motion Carried 5-0.

**Resolution #2017-0169 – A Resolution Cancelling Grant Fund Account Receivable and Appropriated Reserve Balances.**

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0169 be adopted.

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

Motion Carried 5-0.

**Resolution #2017-0170 – A Resolution Accepting Certified Lists of Members Eligible for 2016 LOSAP Credit – Cologne Fire Company.**

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0170 be adopted.

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

Motion Carried 5-0.

**Resolution #2017-0171 – A Resolution Accepting Certified Lists of Members Eligible for 2016 LOSAP Credit – Laureldale Volunteer Fire Rescue Company.**

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0171 be adopted.

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

Motion Carried 5-0.

**Resolution #2017-0172 – A Resolution Accepting Certified Lists of Members Eligible for 2016 LOSAP Credit – Mays Landing Volunteer Fire Department – Reliance Hose Company No. 1.**

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0172 be adopted.

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

Motion Carried 5-0.

**Resolution #2017-0173 – A Resolution Accepting Certified Lists of Members Eligible for 2016 LOSAP Credit – Mizpah Volunteer Fire Company.**

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0173 be adopted.

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

Motion Carried 5-0.

**Resolution #2017-0174 – A Resolution Accepting Certified Lists of Members Eligible for 2016 LOSAP Credit – Weymouth Volunteer Fire Company.**

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0174 be adopted.

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

Nay: XXX  
Abstain: XXX

Motion Carried 5-0.

**Resolution #2017-0175 – A Resolution Authorizing Release of Fidelity and Deposit Company of Maryland Bond #09103232 TR#8506 in the amount of \$20,728.62, the Four Year Stormwater Maintenance Guarantee for WalMart Expansion Project, Block 1134, Lot 9 upon its expiration date of 6/3/17 as recommended by Kevin Dixon, Township Engineer in his correspondence dated 3/9/17.**

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0175 be adopted.

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

Motion Carried 5-0.

**Resolution #2017-0176 – A Resolution Denying Release of Safeco Insurance Company of America Bond #6349084 in the amount of \$434,085.50 posted as Performance Guarantee for Adams Branch Major Subdivision (Cedar Point) Phase I, Site Improvements (US Homes Corp./Lennar) due to incomplete punchlist items, as recommended by Steven Filippone in his correspondence dated 3/15/17.**

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0176 be adopted.

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

Motion Carried 5-0.

**Resolution #2017-0177 – A Resolution Denying Release of Fidelity and Deposit Company of Maryland Bond #08821768 in the amount of \$291,105.18 posted as Performance Guarantee for Adams Branch Major Subdivision (Cedar Point) Phase IV, Site Improvements (US Homes Corp./Lennar) due to incomplete punchlist items, as recommended by Steven Filippone in his correspondence dated 3/15/17.**

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0177 be adopted.

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

Motion Carried 5-0.

**Motion to Approve Senior Citizen Advisory Committee Request to hold a Speaker Series for Seniors.**

Upon motion of Mr. Schenker, second of Mr. Silva it was moved to Approve Senior Citizen Advisory Committee Request to hold a Speaker Series for Seniors.

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

Motion Carried 5-0.

**Resolution #2017-0178 – A Resolution Authorizing the Cancellation of 2016 Taxes (Block 996.02, Lot 9).**

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0178 be adopted.

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

Motion Carried 5-0.

**Motion to Approve Raffle Licenses for Knights of Columbus #3451.**

Upon motion of Mr. Schenker, second of Mr. Silva it was moved to approve the following Raffle Licenses:

1. Armchair Race to be held 5/6/17
2. On Premise 50/50 to be held 5/6/17

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

Motion Carried 5-0.

**Personnel**

**Motion to Accept Resignation of Veterans Advisory Board Member John Kayes, term expiring 12/31/17.**

Upon motion of Mr. Guishard, second of Mr. Silva it was moved to Accept Resignation of Veterans Advisory Board Member John Kayes, term expiring 12/31/17.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

**Motion to Accept Resignation of Veterans Advisory Board Member Dominic Francesco, term expiring 12/31/19.**

Upon motion of Mr. Guishard, second of Mr. Silva it was moved to Accept Resignation of Veterans Advisory Board Member Dominic Francesco, term expiring 12/31/19.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

**Resolution #2017-0179 – A Resolution to Appoint Frank Williams to the Veterans Advisory Board to replace John Kays, 3 year term expiring 12/31/17.**

Mr. Guishard moved, seconded by Mr. Silva that Resolution #2017-0179 be adopted.

Mr. Guishard stated that Mr. Williams is a member of the VFW and is active in veterans' affairs; he has served on the Board previously and is interested in doing so again.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

**Resolution #2017-0180 – A Resolution to Appoint Tom Judge to the Veterans Advisory Board to replace Dominic Francesco, 3 year term expiring 12/31/19.**

Mr. Guishard moved, seconded by Mr. Silva that Resolution #2017-0180 be adopted.

Mr. Guishard stated that Mr. Judge is also active in the VFW, and has been a tremendous asset therein.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

**Motion to Authorize Advertisement for Cove Staff for 2017 Season.**

Upon motion of Mr. Silva, second of Mrs. Link it was moved to Authorize Advertisement for Cove Staff for 2017 Season.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

**Resolution #2017-0181 – A Resolution Appointing Charlene Pofi as a Part-Time Communications Officer at \$15.30 per hour, appointment contingent upon successful completion of the background process.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0181 be adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

**Approvals:**

Mr. Silva moved, seconded by Mr. Guishard that the regular meeting minutes of the March 6, 2017 meeting are approved as presented.

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

Nay: XXX  
Abstain: XXX

Motion Carried 5-0.

Mr. Silva moved, seconded by Mr. Guishard that the Executive Session meeting minutes of the March 6, 2017 meeting are approved as presented.

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

Motion Carried 5-0.

**Resolution #2017-0182 – A Resolution authorizing payment of approved payrolls and bills-\$1,663,458.84.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0182 be adopted.

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

Motion Carried 5-0.

### **Reports**

Administrator – nothing additional at this time.

Solicitor – nothing additional at this time.

Engineer – Mr. Dixon stated that he has submitted his report and will readily answer questions; Committee had no questions at this time.

### **Township Committee:**

Mayor Kurtz stated that the Planning Board has approved the preliminary site plan at 45 Mill Street for Intex Mill Works Solutions. Intex Mill Works Solutions manufactures composite components that are used for the building and the historical building trades; Mayor Kurtz expressed enthusiasm at their new presence in Mays Landing, as it draws attention to our Main Street/Historical Area, and perhaps also attracts other investors. The applicant is also working closely with the County to ensure the necessary road repairs for the area are completed.

He also mentioned a fundraising effort on the part of Kayla Cimodori for the Oakcrest Softball Team, and stated that he had additional information for any interested parties. Funding would be used for equipment, uniforms, etc.

Mr. Silva stated that he has recently been contacted multiple times regarding a shooting range being proposed as an extension to the Hidden Creek Golf Course in Egg Harbor Township. Said shooting range would be directly on the border of Hamilton Township. He further stated that there is a hearing in Egg Harbor Township taking place that night, at which over fifty Hamilton Township residents are expected to attend. One concern is that the property is currently vacant and interspersed with wetlands, which acts as a feeder system to a small stream, and over time, the ingredients of broken skeet, along with paints, dyes, etc. could prove toxic to farm animals and wildlife. Other concerns are the obvious issue of noise, and the close proximity to the Santore Gravel Pit. A lengthy discussion ensued. Mr. Dixon reported that the meeting scheduled for this evening had been cancelled. It was agreed that Solicitor Sandman would evaluate the application and attend future Egg Harbor Township Planning Board Meetings to ensure that Hamilton Township's concerns are addressed.

Mr. Schenker stated that he had no comments.

Mrs. Link stated that she had just visited San Antonio, Texas, which she found to be very impressive. She also briefly described her experience visiting the Alamo, and made comparisons to modern day affairs.

Mr. Guishard echoed some of Mayor Kurtz's comments regarding Intex Mill Works Solutions and their recent successful interactions with the Planning Board. He stated that the Intex facility is not expected to have issues with noise or effluence.

He also stated that he attended a meeting of Atlantic County Township Officials, at which the budget was a large topic of discussion. Mr. Guishard also had the opportunity to attend the South Jersey Science Fair, which attracted over 600 intermediate and high school students as entrants. He praised the quality of the many entries, and encouraged future participation. Mr. Guishard also mentioned that

he had information available regarding South Jersey Transportation Project Authority and their participation in a corridor study on Route 322.

He also mentioned the asphalt plant which is being proposed for construction across from the Blue Heron; the people of that area are very concerned. He was contacted recently to see if there are any concerns regarding our nearby recreation field. Mr. Guishard stated that we may or may not have basis for objection, as the facility would be nearly a mile away and the effluence would be relatively low. He also asked that anyone who has objections and/or related information to please come forward.

Mr. Guishard closed by mentioning a recent swan attack on a resident, and cautioned everyone about approaching wild swans.

Mayor Kurtz stated that he spoke recently with Mayor Purdy of Galloway Township with regard to the asphalt plant. Mayor Purdy is working with the owner of that plant to try and come up with some solutions, which may include some type of new scrubbing equipment that cleans the air to reduce emissions.

Mayor Kurtz then opened the floor for public comment.

**Public Comment**

Harry Rogers of 1069 Morningside Drive commented on the two Change Orders approved at this meeting, both of which resulted in net decreases. He stated that this was a credit to the professionals involved.

He also asked Solicitor Sandman about the walkway over Old Harding Highway, and confirmed that it is scheduled to be demolished on 3/28/17. He also confirmed that the demolition will be financed by Intex Mill Works Solutions.

Mr. Rogers also asked Solicitor Sandman about the cost of the lawsuit regarding hiring of a Municipal Judge, and whether the Township could recover the costs of what he referred to as “political nonsense”. Solicitor Sandman replied that he represents all of the Committee members on both sides of the case, as well as the community, and that the answer to Mr. Rogers’ question is no, there is no legal means to recover the money. Mr. Sandman briefly revisited the outcome of the case, which was dismissed with prejudice by the plaintiffs. Mr. Rogers stated that when a similar situation arose several years ago, Mr. Rogers made the same comments and inquiries; he stated that it is not about one side versus another side, but right versus wrong. He closed by engaging in a brief rebuttal of Mrs. Link’s comments regarding the Alamo.

A brief revisit of the details of the recent lawsuit ensued among Committee members.

Tyrone Russell of Mizpah inquired about the status of speed bumps on West Point Avenue (between Jefferson and Sheppard). Mayor Kurtz stated that while it is an important project, there are many other road projects that take precedence over that one. Mr. Russell stated that he had made this request previously, and wanted to ensure it wasn’t forgotten. Mayor Kurtz requested that Engineer Kevin Dixon investigate whether there are any issues preventing us from placing speed bumps on West Point Avenue. It was agreed that a speed study would be a good place to start. Chief Tappeiner gave a brief statement regarding speed studies, and stated that if another one were intended on West Point, it would have to be put in the pipeline. It was pointed out that the people living in the area are likely to be the most affected by the speed bumps. Mr. Schenker recommended further discussion to determine the impact of the speed bumps. Mr. Russell stated that he is willing to assemble a petition to determine how many residents of that area are in support of speed bumps.

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

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

Motion Carried 5-0.

On motion of Mr. Silva, seconded by Mr. Guishard and carried the meeting was adjourned at 7:30 pm.

Respectfully submitted,

Rita Martino, RMC, CMR  
Township Clerk