

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
May 15, 2017

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was called to order May 15, 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

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

Additions:

8B. Resolutions appointing the following Cove Staff for 2017 season (June 16-Sept. 4, 2017)

A. Phoebe Ohnemuller – Beach Badge Checker @ \$9.00 per hour

B. Max Crispell – Lifeguard @ \$10.00 per hour

Deletions:

6B. Resolution authorizing agreement with Grantgenies Consultant Services for services related to 2017 Assistance to Firefighters Regional Grant application in an amount not to exceed a \$2,900.00 flat rate.

Early Public Comment

John Percy of Laureldale inquired about Agenda Item 6A; he questioned why the Township plans to purchase a Nissan pickup rather than an American made vehicle. Director of Community Development Phil Sartorio explained that it was the only pickup truck in the appropriate price range available from a state contractor. Mr. Silva stated that many others also questioned this, and found it strange that more domestic model pickups were not available. Some discussion ensued. Mr. Sartorio confirmed that the price of the Nissan under state contract was substantially cheaper than the price under ordinary circumstances. Mr. Guishard stated that the Nissan is quite possibly made in America; Mr. Schenker confirmed that Nissan vehicles are built in Mississippi and comprised of 50% American components.

Discussions

Request for Place to Place Transfer of Liquor License #0112-33-021-009 Baker & Carlson, LLC.

Solicitor Sandman stated that this item came in last October; the Clerk's Office has formally recognized receipt of this item. He stated that by law, the place to place transfer is required to be published in the newspaper on two occasions, one week apart; if there are objections, then a hearing is scheduled. Therefore, no discussion may occur this evening on the matter, and Solicitor Sandman will direct the applicant to advertise the place to place transfer accordingly. The comments of the Police Department and Zoning Office will be addressed at a subsequent meeting. Mayor Kurtz asked and confirmed that there is no action to be taken in the matter this evening.

2016 Audit Report.

Mayor Kurtz stated that once again the Township has received a great audit report from Ford Scott Associates. Mr. Silva stated that it is pleasing to see such good results, and attributes same to the Township employees. Carol Kiniry, manager with Ford Scott, commented on the quality of the audit. Mr. Guishard inquired about "standard accounting practices" mentioned in the audit. Ms. Kiniry explained that New Jersey municipalities do not follow traditional accounting principles; they follow a regulatory basis of accounting, which follows guidelines set by State Constitution and Division of Local Government Services.

Resolution #2017-0216 – Resolution Certifying that the Governing Body Members have received and reviewed at a minimum the Comments and Recommendations portions.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0216 be adopted.

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

Motion Carried 5-0.

Discuss and consider authorization of a resolution to join Atlantic County as a party plaintiff in a lawsuit challenging the casino pilot law.

Solicitor Sandman gave a brief overview of the Pilot Program, and stated that the County intends to file a lawsuit challenging the constitutionality of the Pilot Program. Several municipalities have passed resolutions to take part in the suit. Mayor Kurtz stated that it is something that we also should do. Mr. Guishard stated that he recently attended the Atlantic County Township Officials meeting, where the suit was supported unanimously. A lengthy discussion ensued.

Resolution #2017-0217 – Resolution Approving authorization of a resolution to join Atlantic County as a party plaintiff in a lawsuit challenging the casino pilot law.

Mr. Guishard moved, seconded by Mr. Silva that Resolution #2017-0217 be adopted.

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

Motion Carried 5-0.

Proposed Amendment of Chapter 238 Article II, “Abandoned Real Property”, to incorporate recommended “best practices”.

Director of Community Development Phil Sartorio explained that local communities participating in the Vacant and Abandoned Property Foreclosure Registration Program met with the Improvement Authority and Community Champions. At that meeting, they proposed some modifications to our local ordinances for the purposes of clarification and changing the registration period to allow better tracking of mortgage holders. Solicitor Sandman stated that he will review the proposed amendment and report back at the next meeting. A lengthy discussion ensued.

On the motion of Mr. Guishard, second of Mrs. Link, it was moved to place the Proposed Amendment of Chapter 238 Article II, “Abandoned Real Property”, to incorporate recommended “best practices” on the next agenda as an Ordinance.

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

Motion Carried 5-0.

Public Hearing/Adoption of Ordinances

Ordinance #1848-2017 – An Ordinance Authorizing a Tax Agreement between Clayton’s Self Storage at Mays Landing and the Township of Hamilton, Providing for a Five Year Exemption from Taxation and Payment in Lieu of Taxes Regarding the Construction Project Described Herein Located on Block 991, Lot 3.01.

Hearing nothing from the public, on the motion of Mr. Silva, second of Mr. Guishard, it was moved to close the public hearing of Ordinance # 1848-2017.

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

Motion Carried 5-0.

Adoption of Ordinance No. 1848-2017

Mr. Silva moved, seconded by Mr. Schenker, that Ordinance #1848-2017, which was introduced and passed first reading on 5/1/17 and was duly advertised in the 5/3/17 edition of the Atlantic County Record with public hearing held as advertised and closed be and is hereby adopted.

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

Motion Carried 5-0.

Introduction of Ordinances

Ordinance #1849-2017 – An Ordinance Authorizing the Sale of Lots 36-39 in Block 280 as shown on the Tax Map of the Township of Hamilton and Granting the Owner or Owners of Real Property Contiguous to Same the Right of Prior Refusal to Purchase Such Land in the Township of Hamilton, County of Atlantic and State of New Jersey.

Township Administrator Mike Jacobs explained that it is a 50’ x 200’ lot and the minimum bid is \$200.00.

Mr. Silva moved, seconded by Mr. Guishard that the following Ordinance #1849-2017 be introduced on first reading with public hearing to be held June 5, 2017:

Ordinance #1849-2017 – An Ordinance Authorizing the Sale of Lots 36-39 in Block 280 as shown on the Tax Map of the Township of Hamilton and Granting the Owner or Owners of Real Property Contiguous to Same the Right of Prior Refusal to Purchase Such Land in the Township of Hamilton, County of Atlantic and State of New Jersey.

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

Motion Carried 5-0.

Award of Bids/Contracts/Change Orders

Resolution #2017-0218 – Resolution authorizing the purchase of one (1) 2017 Nissan Frontier King Cab pickup from Route 23 Automall, LLC under State Contract T-0100. (for Construction Code Inspector)

Mr. Schenker moved, seconded by Mrs. Link that Resolution #2017-0218 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0219 – Resolution authorizing the award of engineering design and construction observation services for the 2017 Capital Road Program to Dixon Associates Engineering, in an amount not to exceed \$85,000.00.

Mr. Jacobs explained that this is for a Capital project; we estimate our budget to be around \$750,000.00.

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0219 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0220 – Resolution awarding contract to Remington & Vernick Engineers for engineering services related to Liepe Tract Hockey Courts, in an amount not to exceed \$21,550.00.

Mr. Jacobs explained that this is for a Capital project to rehab the hockey courts.

Mr. Guishard moved, seconded by Mrs. Link that Resolution #2017-0220 be adopted.

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

Motion Carried 5-0.

Consent Agenda

Motion to Approve Business Registration License.

Upon motion of Mr. Silva, second of Mr. Guishard it was moved to approve the following Business Registration Licenses:

1. Shoe Department Encore #547

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

Motion Carried 5-0.

Resolution #2017-0221 – Resolution of Support for the Mays Landing Merchants Association application for use of Lake Lenape Park.

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0221 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0222 – Resolution denying the release of Cape Bank (fka Boardwalk Bank) Letter of Credit #2015-01 in the amount of \$105,637.43 posted as Performance Guarantee for Wexford Lane Subdivision (Select Construction, LLC) – Block 1122, Lots 13, 14, and 15.03 due to incomplete punchlist items, as recommended by Township Engineer Kevin Dixon in his correspondence dated 3/30/17.

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0222 be adopted.

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

Motion Carried 5-0.

Motion Approving request from Atlantic Cape Community College to waive Electrical Permit Fees for their Beer Festival to be held June 3, 2017.

Upon motion of Mr. Silva, second of Mr. Guishard it was moved to approve request from Atlantic Cape Community College to waive Electrical Permit Fees for their Beer Festival to be held June 3, 2017.

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

Motion Carried 5-0.

Motion Approving request from Veterans' Advisory Board for \$200.00 rental fee for VFW Hall for reception following Memorial Day Ceremony – funds to come from Administrator's budget.

Upon motion of Mr. Silva, second of Mr. Guishard it was moved to approve request from Veterans' Advisory Board for \$200.00 rental fee for VFW Hall for reception following Memorial Day Ceremony – funds to come from Administrator's budget.

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

Motion Carried 5-0.

Resolution #2017-0223 – Resolution authorizing application for Tonnage Grant funding for materials recycled in calendar year 2016.

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0223 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0224 – Resolution approving an Off Premise 50/50 Raffle License for St. Vincent DePaul Parish to be held 10/28/17:

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0224 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0225 – Resolution approving an On Premise 50/50 Raffle License for St. Vincent DePaul Parish to be held 10/28/17:

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0225 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0226 – Resolution of no objection to the NJDOT issuing permits for the following Coin Drops to be held at the intersection of Weymouth Road (Route 559) and route 322 (Black Horse Pike):

Weymouth Volunteer Fire Co. – 6/9/17, 6/10/17, 7/21/17, 7/22/17, 8/25/17, 8/26/17,
Rain Dates 6/16/17, 6/17/17, 7/28/17, 7/29/17, 9/8/17, 9/9/17.

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0226 be adopted.

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

Motion Carried 5-0.

Personnel

Resolution #2017-0227 – A Resolution to Appoint Chris DeBiase Alternate Fire Official/Fire Sub-Code Official effective 5/15/17, with an hourly increase of \$4.00 when performing alternate duties.

Mr. Jacobs explained that our Fire Official will be out for one month, and Mr. DeBiase will be filling in.

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0227 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0228 – A Resolution to Appoint Phoebe Ohnemuller to Cove Staff – Beach Badge Checker at a rate of \$9.00 per hour for the 2017 Season (June 16-September 4, 2017).

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0228 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0229 – A Resolution to Appoint Max Crispell to Cove Staff – Lifeguard at a rate of \$10.00 per hour for the 2017 Season (June 16-September 4, 2017).

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0229 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. Schenker that the regular meeting minutes of the May 1, 2017 meeting are approved as presented.

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

Motion Carried 5-0.

Resolution #2017-0230 – A Resolution authorizing payment of approved payrolls and bills-\$442,120.91.

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0230 be adopted.

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

Motion Carried 5-0.

Reports

Administrator – none at this time.

Solicitor – Solicitor Sandman gave a brief update regarding the proposed shooting range in Egg Harbor Township. He stated that the application for same has been pulled and withdrawn. He will remain vigilant and alert Committee to any future reapplication.

Engineer – nothing additional at this time.

Township Committee:

Mayor Kurtz stated that he attended the ribbon-cutting ceremony for the Home Goods store, which was very well attended by eager shoppers from many surrounding communities. He further stated that it was great to see such enthusiasm for a new business. A brief discussion ensued.

He also mentioned the Police Unity Tour, in which our engineer, Kevin Dixon, participated. Mr. Silva also mentioned several of our officers who participated: Sergeant Pat Muller, Officer Jacobi, Officer Bittmann, Officer Odell, and Officer Ware. A brief discussion ensued. Mr. Silva also mentioned that police interviews were conducted last week, and he was impressed with the quality of the candidates.

Mr. Schenker expressed enthusiasm for the opening of Home Goods, stating that it is good to see a new and thriving business in our Township.

He also thanked the Police Chief and Deputy Police Chief for inviting him to the police interviews. He was also impressed with the quality of the candidates, and with the interview process.

Mr. Silva had no additional comments.

Mrs. Link stated that she was sorry to have missed the Home Goods opening, as she had been out of town. She further stated that shoppers who go to Home Goods will in turn shop at other local businesses, which is a great benefit to the community.

Mr. Guishard stated that the Veterans Advisory Board has selected Bob Campbell as their newest chairman, along with Tom Judge as vice chairman and Al Davenport as secretary. He reminded everyone of the upcoming Memorial Day Ceremony, and encouraged all to attend.

Mr. Guishard also stated that he attended funeral services for Mike Roc, a local World War II Veteran. He lauded Mr. Roc's military service, and stated that he will be greatly missed.

Mr. Guishard recently attended a meeting of the Atlantic County Association of Township Officials, where the Pilot Program was a major topic of discussion. All were in favor of the proposed lawsuit.

Mayor Kurtz then opened the floor to the public.

Public Comment

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

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

Motion Carried 5-0.

Executive Session

Resolution #2017-0231 – A Resolution To Adjourn to Executive Session:

Tavistock: Proposed Settlement & Bond Litigation Update – Litigation and Attorney/Client Privilege

Mr. Silva moved, seconded by Mr. Guishard, that Resolution #2017-0231 be adopted.

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

Motion Carried 5-0.

Township Committee met in Executive Session at 7:22 pm.

Township Committee reconvened at 8:01 pm.

On the motion of Mr. Guishard, second of Mr. Schenker, it was moved to reconvene.

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

Motion Carried 5-0.

Solicitor Sandman stated that the only issue discussed in the Executive Session was the one announced in the Executive Session resolution. The minutes of the Executive Session will be made available at such time when the confidential nature of the matter is no longer so.

On motion of Mr. Silva, seconded by Mr. Guishard and carried the meeting was adjourned at 8:03 pm.

Respectfully submitted,

Rita Martino, RMC, CMR
Township Clerk