

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
July 17, 2017

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was called to order July 17, 2017 at 6:30 pm 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:

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.

Proclamation – National Night Out 2017

Mayor Kurtz read the proclamation, which will be presented to Hamilton Mall owners at the National Night Out event on August 1. He stated that the local event is mainly organized by our police department, but it is also a national event celebrated across the country.

Addition/Deletion of Late Agenda Items

None.

Early Public Comment

None.

Discussions

None.

Award of Bids/Contracts/Change Orders

None.

Consent Agenda

Resolution #2017-0293 – Resolution authorizing the Mayor and Township Clerk to execute the Municipal Alliance Grant Agreement with the County of Atlantic for the period July 1, 2017 through June 30, 2018.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0293 be adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Resolution #2017-0294 – Resolution accepting Contiguous Owner Land Sale Bid of Magdalena & Mark Love for Lots 36-39 in Block 280 (50x200 lot located at 1293 Galveston Ave.), for a purchase price of \$550.00.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0294 be adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Resolution #2017-0295 – Resolution accepting Travelers Casualty and Surety Co. of America Bond #106744807 in the amount of \$164,749.81 and Bond #106744806 in the amount of \$32,945.58 as 2-year site improvement and 4-year stormwater management Maintenance Guarantees for Victoria Pointe Phase I (Baker Residential of PA, LLC/Iacobucci Homes), Block 1132.01, Lots 31.01 and 36.01 as required by Engineer Robert Smith in his correspondence dated 3/16/17.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0295 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0296 – Resolution accepting Travelers Casualty and Surety Co. of America Bond #106744808 in the amount of \$119,497.25 and Bond #106744809 in the amount of \$18,343.26 as 2-year site improvement and 4-year stormwater management Maintenance Guarantees for Victoria Pointe Phase II (Baker Residential of PA, LLC/Iacobucci Homes), Block 1132.01, Lots 31.01 and 36.01 as required by Engineer Robert Smith in his correspondence dated 3/16/17.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0296 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0297 – Resolution accepting Travelers Casualty and Surety Co. of America Bond #106744811 in the amount of \$69,003.79 and Bond #106744810 in the amount of \$10,468.53 as 2-year site improvement and 4-year stormwater management Maintenance Guarantees for Victoria Pointe Phase III (Baker Residential of PA, LLC/Iacobucci Homes), Block 1132.01, Lots 31.01 and 36.01 as required by Engineer Robert Smith in his correspondence dated 3/16/17.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0297 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0298 – Resolution accepting Travelers Casualty and Surety Co. of America Bond #106744813 in the amount of \$97,818.23 and Bond #106744812 in the amount of \$6,527.70 as 2-year site improvement and 4-year stormwater management Maintenance Guarantees for Victoria Pointe Phase IV (Baker Residential of PA, LLC/Iacobucci Homes), Block 1132.01, Lots 31.01 and 36.01 as required by Engineer Robert Smith in his correspondence dated 3/16/17.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0298 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0299 – Resolution accepting Travelers Casualty and Surety Co. of America Bond #106744814 in the amount of \$56,122.18 and Bond #106744815 in the amount of \$5,349.15 as 2-year site improvement and 4-year stormwater management Maintenance Guarantees for Victoria Pointe Phase V (Baker Residential of PA, LLC/Iacobucci Homes), Block 1132.01, Lots 31.01 and 36.01 as required by Engineer Robert Smith in his correspondence dated 3/16/17.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0299 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0300 – Resolution accepting Travelers Casualty and Surety Co. of America Bond #106744817 in the amount of \$40,925.02 and Bond #106744816 in the amount of \$1,536.30 as 2-year site improvement and 4-year stormwater management Maintenance Guarantees for Victoria Pointe Phase VI (Baker Residential of PA, LLC/Iacobucci Homes), Block 1132.01, Lots 31.01 and 36.01 as required by Engineer Robert Smith in his correspondence dated 3/16/17.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0300 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0301 – Resolution approving release of cash escrow in the amount of \$28,986.12 posted as Stormwater Management Maintenance Guarantee for St. Vincent de Paul

- New Church (Block 996, Lots 31 & 32) upon its expiration date of 8/5/17 as recommended by Township Engineer Kevin Dixon in his correspondence dated 7/7/17.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0301 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0302 – Resolution to deny the release of Travelers Casualty and Surety Co. of America Bond #106034613 in the amount of \$201,700.00 posted as Performance Guarantee for Consumer Square II (Hamilton Commons) aka Black Horse Pike Phase II-Section I-(DDR Corp.) (Block 1320, various lots) due to incomplete punchlist items as recommended by Township Engineer Kevin Dixon.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0302 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0303 – Resolution accepting Performance Guarantee for 20 Bogden Boulevard, LLC, Block 732, Lots 59, 62, 63, 65 and 75 in the amount of \$376,731.60 (cash escrow - \$37,673.16; Fulton Bank of NJ Irrevocable Standby Letter of Credit #S040868 - \$339,058.44) as required by Township Engineer Kevin Dixon in his estimate dated 6/23/17.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0303 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0304 – Resolution supporting the 2017 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0304 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0305 – Resolution authorizing GovDeals auction of various items as requested by the Director of Public Works.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0305 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0306 – Chapter 159 Resolution to insert item of revenue with off-setting appropriation for Clean Communities Grant – \$73,516.31.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0306 be adopted.

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

Motion Carried 5-0.

Personnel

Resolution #2017-0307 – Resolution to appoint Jim Kerrigan as Alternate #1 Member of the Historic Preservation Commission, unexpired two year term to expire 12/31/17.

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2017-0307 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0308 – Resolution to appoint Michael Tantum as Full Time Police Officer – Step 7, at a salary of \$73,281.00 per year, contingent upon successful completion of the background process.

Mr. Silva moved, seconded by Mrs. Link that Resolution #2017-0308 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0309 – Resolution to appoint Erich Thumhart as Full Time Police Officer – Academy, at a salary of \$39,535.00 per year, contingent upon successful completion of the background process.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0309 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0310 – Resolution to appoint Erik DiMeo as Full Time Police Officer – Step 1, at a salary of \$42,812.00 per year, contingent upon successful completion of the background process.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0310 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0311 – Resolution to appoint Andrea Seeger as Alternate Cove Day Manager at \$13.00 per hour, effective 7/18/17.

Mr. Guishard moved, seconded by Mr. Silva that Resolution #2017-0311 be adopted.

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

Motion Carried 5-0.

Resolution #2017-0312 – Resolution to appoint McKenna Labastida as Alternate Cove Day Manager at \$13.00 per hour, effective 7/18/17.

Mr. Guishard moved, seconded by Mr. Silva that Resolution #2017-0312 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 July 3, 2017 meeting are approved as presented.

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

Motion Carried 5-0.

Resolution #2017-0313 – A Resolution authorizing payment of approved payrolls and bills-\$698,825.16.

Mr. Silva moved, seconded by Mrs. Link that Resolution #2017-0313 be adopted.

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

Motion Carried 5-0.

Reports

Administrator – none.

Solicitor – Mr. Sandman stated that he participated in the Dragon Boat Races at Lake Lenape the previous weekend, which benefits Gilda’s Club. He stated that he hopes the races will be held in Mays Landing again next year, as it is a terrific family event for a great cause.

Engineer – Mr. Dixon stated that it has been two months to the day since the Enclave at Hamilton (aka Thelma Heights) Homeowners’ Association indicated their intent to apply for a waiver of the requirement that they install fencing around their wet basins. At this time, they have neither applied for a waiver nor installed the fencing. He stated that this is an important safety issue, particularly since a recent drowning occurred in a neighboring municipality. Mr. Dixon requested authorization to write a letter to the Enclave at Hamilton (aka Thelma Heights) Homeowners’ Association informing them that they must either apply for the waiver or install the required fencing by August 1, 2017, or the solicitor will be authorized to take action against the performance bond. Solicitor Sandman stated his support for this idea.

Resolution #2017-0314 – A Resolution Directing Township Engineer to proceed with correspondence to Enclave at Hamilton (aka Thelma Heights) Homeowners’ Association regarding safety requirements for drainage basins.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0314 be adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Mr. Guishard inquired about Malaga Road and the striping project there. Mr. Dixon explained the process and estimated it should be done in a couple of weeks.

Mayor Kurtz asked about the status of the Harding Highway project. Mr. Dixon stated that he had no new information at this time, but will provide an update soon. Mrs. Link expressed concern with recent flooding in the area, as the project was supposed to help alleviate flooding. Mr. Dixon stated that drainage improvements were included, but it is possible that they are bypassing that improvement until the paving is in. Mr. Silva expressed doubt as to the efficacy of the drainage improvements. Some discussion ensued.

Township Committee:

Mr. Silva commented that the Press of Atlantic City contained 18 pages of Sheriff Sales that day, and he expressed great concern for this trend. He further stated that the Township receives 28 cents from every tax dollar, with the schools receiving nearly 54 cents, and the county receiving the rest, and there should be a good hard look at the related budgets to see what can be done to help the situation.

Mr. Schenker elaborated on Mr. Silva’s comments, stating that businesses left this area when the casinos did, which exacerbated the foreclosure problem. He further stated that it is now easier than ever to foreclose, whereas in the past it was far more difficult. He expressed optimism for economic improvement and job growth in the future, which will in turn slow the foreclosure rate.

He also stated that he attended the Gilda’s Club Dragon Boat Races, and is interested in participating on a boat team next year. Some discussion ensued.

Mr. Guishard expressed similar optimism regarding economic improvement and job growth, citing increased Planning Board activity as a positive sign.

Mrs. Link also attended the Dragon Boat Races. She was impressed with the event as a whole, and mentioned that our Township Solicitor’s boat team fared very well in the racing events. She also mentioned that many of the attendees were from out of state, resulting in positive exposure to our community.

Mr. Guishard stated that at a recent meeting of the Merchants’ Association, he learned about an app that will provide information on local vendors; the possibility was discussed that the app may track a schedule of local events. A brief discussion ensued.

Mayor Kurtz congratulated our three new police officers, Michael Tantum, Erich Thumhart, and Erik DiMeo. He stated that we have a great police department as well as a great Chief, and the Township is pleased to have the three new officers aboard.

He also spoke briefly about National Night Out and encouraged everyone to attend on August 1.

Mayor Kurtz mentioned that a recent ribbon cutting ceremony took place for Planet Fitness, another new business in the Township. He stated that he is always pleased to welcome a new small business to the community.

Mayor Kurtz then opened the floor to the public.

Public Comment

Hearing nothing additional 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.

Executive Session

**Resolution #2017-0315 – A Resolution To Adjourn to Executive Session:
Tavistock – Bond Litigation Update – Attorney Client Privilege and Litigation**

Mr. Silva moved, seconded by Mr. Guishard, that Resolution #2017-0315 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 7:05 pm.

Township Committee reconvened at 8:04 pm.

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

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

Motion Carried 5-0.

Administrator Jacobs invited the public to return; one member of the public returned.

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 Mrs. Link and carried the meeting was adjourned at 8:06 pm.

Respectfully submitted,

Rita Martino, RMC, CMR
Township Clerk