

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
October 2, 2017

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was called to order October 2, 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: John Kurtz, Judith Link, Art Schenker, Roger Silva.  
Absent: Rodney Guishard  
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. Mayor Kurtz requested that everyone remember the victims of the Las Vegas shooting.

**Addition/Deletion of Late Agenda Items**

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

**Additions:**

- 7N. Resolution to rescind Resolution #2017-0378 and approve agreement between the Township of Hamilton and Thelma Heights, LLC and authorize the Mayor to sign same.
- 7O. Approve Senior Citizen Advisory Committee request for Session #2 of their Speaker Series on November 8, 2017 at the Atlantic County Library.

**Early Public Comment**

None.

**Discussions**

**Proposal from Wayne Neville, AIA for Architectural Services Turnout Gear Extractor at the Public Works Facility.**

Administrator Mike Jacobs explained that soot buildup on the firefighters' turnout gear causes cancer, so a machine is needed to wash the gear. A room (with water, plumbing, etc.) in the Public Works building is required to house the machine, and the design work for same will cost \$7,000.00.

Mrs. Link inquired about the cost of the machine itself. Mr. Jacobs stated that it will be in the range of \$15,000.00 - \$20,000.00, and it will clean five sets of gear at once.

**Resolution #2017-0380 – A Resolution to Award contract to Wayne Neville, AIA for Architectural Services – Turnout Gear Extractor at the Public Works Facility.**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0380 be adopted.

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

Motion Carried 4-0.

**Public Hearing/Adoption of Ordinances**

**Ordinance #1856-2017 – An Ordinance Amending Exhibit A, Section I, Article II of Chapter 66 of the Code of the Township of Hamilton, Providing for the Maximum Number of Employees – Additional Public Works Operations Supervisor.**

Mr. Jacobs stated that this item needs to be amended. Solicitor Sandman stated that they would need to make a motion to remove and relist the matter for public hearing on October 16, 2017.

On the motion of Mrs. Link, second of Mr. Silva, it was moved to remove and relist the Ordinance #1856-2017 for public hearing on October 16, 2017.

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

Abstain: XXX

Motion Carried 4-0.

**Ordinance #1857-2017 – An Ordinance Amending Exhibit A, Section I, Article II of Chapter 66 of the Code of the Township of Hamilton, Providing for the Maximum Number of Employees – Additional Part-Time Building Inspector.**

Jim Kerrigan of Mays Landing asked if this will increase the number of employees. Mr. Jacobs confirmed that it will increase the number by one part-time position.

Hearing nothing from the public, on the motion of Mr. Silva, second of Mr. Schenker, it was moved to close the public hearing of Ordinance #1857-2017.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Adoption of Ordinance No. 1857-2017**

Mr. Silva moved, seconded by Mr. Schenker, that Ordinance #1857-2017, which was introduced and passed first reading on 9/18/17 and was duly advertised in the 9/22/17 edition of the Press of Atlantic City with public hearing held as advertised and closed be and is hereby adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Ordinance #1858-2017 – An Ordinance Amending Section 203 of the Township Code, Land Use and Development.**

Director of Community Development Phil Sartorio stated that this consists of proposed amendments to the Land Use and Development Code involving the implementation of the Mays Landing Neighborhood Plan recommendations. However, after the introduction date of 9/18/17, the Pinelands Commission required an additional amendment. This will require the Township to advertise the amendment and hold a public hearing on October 16, 2017.

**Resolution #2017-0381 – A Resolution Authorizing Amendment to Ordinance #1858-2017.**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0381 be adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Ordinance #1859-2017 – An Ordinance Temporarily Prohibiting Left Turns by Vehicles at the Intersection of Gale Avenue (Southbound) on to Route 322 (Eastbound) and Requiring Such Vehicles to turn Right (Westbound) and Use the U-Turn at the Intersection of County Route 559 to Proceed Back to US Route 322 (Eastbound).**

Mr. Jacobs stated that this was due to the pending Weymouth Furnace Bridge construction.

Jim Kerrigan of Mays Landing stated that the word “temporary” should be changed to “permanent.” A brief discussion ensued.

Hearing nothing from the public, on the motion of Mr. Silva, second of Mrs. Link, it was moved to close the public hearing of Ordinance #1859-2017.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Adoption of Ordinance No. 1859-2017**

Mr. Silva moved, seconded by Mr. Schenker, that Ordinance #1859-2017, which was introduced and passed first reading on 9/18/17 and was duly advertised in the 9/22/17 edition of the Press of Atlantic City with public hearing held as advertised and closed be and is hereby adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Ordinance #1860-2017 – An Ordinance Temporarily Prohibiting Left Turns from Route 322 Eastbound onto Gale Avenue.**

Hearing nothing from the public, on the motion of Mr. Silva, second of Mr. Schenker, it was moved to close the public hearing of Ordinance #1860-2017.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Adoption of Ordinance No. 1860-2017**

Mr. Silva moved, seconded by Mr. Schenker, that Ordinance #1860-2017, which was introduced and passed first reading on 9/18/17 and was duly advertised in the 9/22/17 edition of the Press of Atlantic City with public hearing held as advertised and closed be and is hereby adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Ordinance #1861-2017 – An Ordinance Establishing a 25mph Speed Limit on Old Egg Harbor Road.**

Mr. Jacobs stated that Township Engineer Kevin Dixon’s study shows that the speed limit should be 25mph for the entire length of the road. Police Chief Tappeiner also placed signage to alert drivers to the reduced speed.

Hearing nothing from the public, on the motion of Mr. Silva, second of Mr. Schenker, it was moved to close the public hearing of Ordinance #1861-2017.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Adoption of Ordinance No. 1861-2017**

Mr. Silva moved, seconded by Mr. Schenker, that Ordinance #1861-2017, which was introduced and passed first reading on 9/18/17 and was duly advertised in the 9/25/17 edition of the Press of Atlantic City with public hearing held as advertised and closed be and is hereby adopted.

Mr. Schenker asked and confirmed that electronic signage and a Nixle alert will be used to alert drivers to the reduced speed. Public Works will place the speed limit signs.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Introduction of Ordinances**

**Ordinance #1862-2017 – An Ordinance Amending Exhibit A, Section I of the Ordinance #1730-2012 of the Code of the Township of Hamilton, Providing for Maximum Employee Salaries.**

Mr. Jacobs explained that this will increase the hourly rate for Part Time Electrical Inspector from \$25.00 to \$35.00 per hour, which is comparable to rates in the area.

Mr. Silva moved, seconded by Mr. Schenker that the following Ordinance #1862-2017 be introduced on first reading with public hearing to be held October 16, 2017:

**Ordinance #1862-2017 – An Ordinance Amending Exhibit A, Section I of the Ordinance #1730-2012 of the Code of the Township of Hamilton, Providing for Maximum Employee Salaries.**

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Ordinance #1863-2017 – An Ordinance Dedicating and Accepting for Permanent Maintenance certain portions of Volunteer Way located in the Township of Hamilton.**

Mr. Jacobs stated that the road is completed, the punchlist has been approved, and the Township will be taking over maintenance for snowplowing, etc.

Solicitor Sandman pointed out a technical issue: in the drawing of Exhibit A, one 20’ triangular space in Block 1132.01 Lot 23.02 is not included in the description. He further stated that it would be acceptable to overlook this because the road is already built, and further description would cause significant delays.

Mr. Schenker moved, seconded by Mr. Silva that the following Ordinance #1863-2017 be introduced on first reading with public hearing to be held October 16, 2017:

**Ordinance #1861-2017 – An Ordinance Establishing a 25mph Speed Limit on Old Egg Harbor Road.**

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

Motion Carried 4-0.

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

**Resolution #2017-0382 – Resolution awarding contract to Arawak Paving Co., Inc. for 2017 Road Reconstruction Program (Bid #2017-09) as recommended by Township Engineer Kevin J. Dixon, Base Bid \$366,700.00 and total bid amount with alternates \$582,300.00.**

Solicitor Sandman stated that the issues with Arawak’s previous Maintenance Bonds have been settled. Mrs. Link asked and confirmed that the funds for this project are in the capital budget.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0382 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0383 – Resolution authorizing contract to Bowman & Company to provide Professional Services for Administration of the Section 125 Cafeteria Plan for the 2018 Plan Year, not to exceed \$2,000.00.**

Mr. Jacobs stated that this is a continuance of the Cafeteria plan which allows us to pay for benefits on a pre-tax basis.

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0383 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0384 – Resolution awarding contract to Dixon Associates for grant application services regarding West Jersey Avenue, fee not to exceed \$500.00.**

Mr. Jacobs stated that this is an annual grant that we have been using for Malaga Road.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0384 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0385 – Resolution authorizing participation in the National Joint Powers Alliance (NJPA) and authorize Mayor to sign the NJPA Participating Membership Agreement.**

Mr. Jacobs explained that this is where we get much of our software.

Mr. Schenker moved, seconded by Mr. Silva that Resolution #2017-0385 be adopted.

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

Motion Carried 4-0.

**Consent Agenda**

**Motion to Approve Business Registration Licenses.**

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

1. Sunpower Corporation Systems – Out of State Contractor
2. Snacks, LLC – Hamilton Mall

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

Motion Carried 4-0.

**Motion to authorize preparation of a Contiguous Owner Land Sale Ordinance for Block 240, Lot 1, a 2.61 acre lot located on Elwood Road, minimum bid \$2,100.00.**

Upon motion of Mr. Silva, second of Mr. Schenker it was moved to authorize preparation of a Contiguous Owner Land Sale Ordinance for Block 240, Lot 1, a 2.61 acre lot located on Elwood Road, minimum bid \$2,100.00.

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

Motion Carried 4-0.

**Resolution #2017-0386 – Resolution approving the 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 5/31/17 through 5/31/19.**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0386 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0387 – Resolution cancelling Grant Fund Account Receivable and Appropriated Reserve Balances – Drive Sober or Get Pulled Over Statewide Labor Day Crackdown \$2,420.00.**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0387 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0388 – Resolution Authorizing the release of Performance Guarantee for Weymouth United Methodist Church, Block 587, Lot 2 in the cash escrow amount of 50,372.90 as recommended by Township Engineer Kevin Dixon in his correspondence dated 9/13/17, and authorizing a 2-year Maintenance Guarantee in the amount of \$6,296.61 to be withheld from that amount.**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0388 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0389 – Resolution ratifying the Memorandum of Agreement between Arawak Paving Company and the Township of Hamilton regarding the 2013 and 2014 Road Programs and authorizing the Mayor to sign same.**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0389 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0390 – Resolution authorizing release of Liberty Mutual Co. Bond #327014335M in the amount of \$818,309.68 posted as 2-year Maintenance Guarantee for 2013 Road Program (Arawak Paving Co., Inc.).**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0390 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0391 – Resolution authorizing release of Liberty Mutual Co. Bond #019046826M in the amount of \$521,661.75 posted as 2-year Maintenance Guarantee for 2014 Road Program (Bid #2014-04 - Arawak Paving Co., Inc.).**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0391 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0392 – Resolution cancelling taxes due to Totally Disabled Veteran status – Block 940, Lot 3.02, \$920.51.**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0392 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0393 – Resolution authorizing the institution of an In Rem Tax Foreclosure.**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0393 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0394 – Resolution of no objection to the NJDOT issuance of the following Coin Drop to be held at the Route 40 & 50 Intersection:**

1. Muckdogs, Inc. – November 18 and 19, 2017.

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0394 be adopted.

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

Motion Carried 4-0.

**Resolution #2017-0395 – Resolution granting approval to submit a grant application and execute a grant contract with the NJDOT for the Reconstruction of West Jersey Avenue.**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0395 be adopted.

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

Motion Carried 4-0.

**Motion to establish times for Trick or Treat as 6:00pm-8:00pm on Tuesday, October 31, 2017.**

Upon motion of Mr. Silva, second of Mr. Schenker it was moved to establish times for Trick or Treats as 6:00pm-8:00pm on Tuesday, October 31, 2017.

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

Motion Carried 4-0.

**Resolution #2017-0396 – Resolution to rescind Resolution #2017-0378 and approve agreement between the Township of Hamilton and Thelma Heights, LLC and authorize the Mayor to sign same.**

Mr. Silva moved, seconded by Mr. Schenker that Resolution #2017-0396 be adopted.

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

Motion Carried 4-0.

**Motion to Approve Senior Citizen Advisory Committee request for Session #2 of their Speaker Series on November 8, 2017 at the Atlantic County Library.**

Upon motion of Mr. Silva, second of Mr. Schenker it was moved to Approve Senior Citizen Advisory Committee request for Session #2 of their Speaker Series on November 8, 2017 at the Atlantic County Library.

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

Motion Carried 4-0.

**Personnel**

**Resolution #2017-0397 – Resolution appointing Todd MacLennan as a Part-Time Fire/Code Enforcement Inspector at an hourly rate of \$20.00, effective 10/16/17, contingent upon successful completion of the background check and pre-employment physical.**

Mrs. Link moved, seconded by Mr. Schenker that Resolution #2017-0397 be adopted.

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

Motion Carried 4-0.

**Approvals:**

Mr. Silva moved, seconded by Mr. Schenker that the regular meeting minutes of the September 18, 2017 meeting are approved as presented.

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

Motion Carried 4-0.

Mr. Silva moved, seconded by Mrs. Link that the Executive Session meeting minutes of the September 18, 2017 meeting are approved as presented.

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

Motion Carried 4-0.

**Resolution #2017-0398 – A Resolution authorizing payment of approved payrolls and bills-\$933,554.49.**

Mr. Silva moved, seconded by Mrs. Link that Resolution #2017-0398 be adopted.

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

Motion Carried 4-0.

**Reports**

Administrator – nothing to report.

Solicitor – Mr. Sandman briefly elaborated on agenda item 7N., in which Resolution #2017-0378 was rescinded. Since the contractor agreed to be paid at the end of the job, the agreement described in

Resolution #2017-0378 need not be a tri-party agreement. Therefore, the new resolution authorized the Mayor to sign a new agreement directly with Thelma Heights, LLC.

Engineer – Mr. Dixon stated that he received a return phone call from the County, in which he learned that in Spring 2018, the County will be resurfacing Mays Landing-Somers Point Road, from Atlantic to Ocean Heights. The bridge project remains underway on Mill Road. Some discussion ensued.

Township Committee:

Mrs. Link congratulated the Mays Landing Merchants Association on a great job with the SJ Wine & Food Festival. She further stated that the event was seamless and went very well. She also stated that the Fall Festival will be held on October 14<sup>th</sup>, and encouraged everyone to attend the Halloween parade.

Mr. Schenker agreed that the SJ Wine & Food Festival was a great event, and is well-loved by residents and visitors alike.

Mr. Silva stated that he and Mr. Schenker visited the Methodist Church of Weymouth, which was celebrating its 212<sup>th</sup> anniversary. He noted that their cemetery contains tombs actually made of steel. He also mentioned that there is free Narcan training at the Municipal Building on October 11<sup>th</sup>, where trainees will receive a Narcan kit.

Mayor Kurtz then opened the floor to the public.

**Public Comment**

Fred Kneble, President of the Mays Landing Merchants Association, expressed thanks to the Mayor and Township Committee members for their help with the SJ Wine & Food Festival. He also spoke briefly about the Fall Festival and Halloween Parade. Mayor Kurtz confirmed with Mr. Kneble that the new tenants of the Wheaton Building will still let their lot be used as a staging area for the Halloween Parade.

Jim Kerrigan of Mays Landing expressed concern about road closures for the Cotton Mill Bridge work, and briefly discussed timelines with the Mayor.

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

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

Motion Carried 4-0.

**Executive Session**

**Resolution #2017-0399 – A Resolution To Adjourn to Executive Session:**

**Teamsters – Collective Bargaining**

Mr. Silva moved, seconded by Mr. Schenker, that Resolution #2017-0399 be adopted.

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

Motion Carried 4-0.

Township Committee met in Executive Session at 7:14 pm.

Township Committee reconvened at 7:21 pm.

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

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

Motion Carried 4-0.

The public was invited to return; one member of the public returned.

On motion of Mr. Silva, seconded by Mr. Schenker and carried the meeting was adjourned at 7:22 pm.

Respectfully submitted,

Rita Martino, RMC, CMR

Township Clerk