

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
MAY 21, 2018

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was called to order May 21, 2018 at 6:30 pm with Mayor Art Schenker 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 1/5/18, and the Atlantic County Record on 1/10/18.

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

A moment of silence for private reflection was observed.

Guest Presentation

Municipal Court Recovery Program – the Honorable Michele Verno

Municipal Court Judge Michele Verno stated that the crime of shoplifting has been a growing trend over the past several years, and it has become apparent that the shoplifting charges are often accompanied by drug charges.

Judge Verno further explained that the Superior Court has a Drug Court Program to address the opioid issue and its ripple effects. The program has many beneficial statutory tools to help people in the opioid crisis, including sending people to recovery programs rather than to jail. While Municipal Court does not yet have all of these tools, Hamilton Township is being used as a Pilot Program to be a Municipal Recovery Court. This will allow the Municipal Court to offer people relief in their sentence; for example, a guilty plea with a 90-day jail sentence could become a guilty plea with a suspended sentence and a recovery program. Recovery and other Social Service groups are present at the Court sessions, with services open to everyone, not just to defendants. Offering help at the Municipal level can prevent many people from facing prison time at the Superior Court level.

Court Administrator Antoinette Tummon stated that she has been in contact with Volunteers of America and is quite impressed with their services to those with opioid issues. She is currently working with a “success story” who has successfully completed rehab and is sticking to a payment plan. Ms. Tummon stated that the plan will be beneficial to many people, and allow the court to better serve people. She expressed excitement that our Township, as the Pilot Program, is the beginning of a possible statewide program.

Mr. Guishard inquired about funding and length of individual involvement. Judge Verno explained that we have two dedicated Probation Officers to oversee the program; it is a yearlong probation. Volunteers of America, which has vast resources and grants, will also be involved in the setup and follow up. Mr. Silva asked and confirmed that the best way for Committee to assist is to get the word out and let people know that the program is open to everyone at 1:00 pm on the fourth Wednesday of each month, with the exception of November and December when it will be on the Third Wednesday. Mayor Schenker commended Judge Verno for bringing the program to our Court.

Addition/Deletion of Late Agenda Items

None.

Early Public Comment

Joe Corbo of 40 Gasko Road (Tavistock) stated all of the roads in Tavistock need work, not just the roads in sections 3 and 4. He expressed concern that the property values in sections 1 and 2 may be affected if their roads are not addressed. Solicitor Sandman stated that if a road was completed in Phase 1, and had a top coat, some of the bond monies would have been released because it was a completed item. Mr. Sandman further explained that our Engineer is looking at the roads now as a courtesy, to expedite the process when court approval is obtained on the settlement; the goal is to complete as much work as possible with the settlement funds.

Discussions

Resolution of Support for The Hamilton Township Historical Society Historic Site Marker.

Mr. Kurtz explained that a catastrophic railroad accident occurred in Mays Landing on August 11, 1880, for which The Hamilton Township Historical Society has proposed placement of a historic site

marker. The Hamilton Township Historical Society will present the resolution of support to the County as part of their request for assistance.

Carl Farrell of the Hamilton Historical Society stated that this is one of the most tragic and most underreported events in Mays Landing. He further stated that he would like to see the site presented in a manner similar to the Richland train station. A dedication of the proposed plaque is planned on August 11th of this year. Mrs. Link asked and confirmed that the marker would be placed right at what is left of the railroad tracks. Mr. Farrell stated that there were more passengers on the trains than there were Mays Landing residents at that time, and many residents opened their homes to assist the wounded. Some discussion ensued.

Resolution #2018-0229 – Resolution of Support for Hamilton Township Historical Society Historic Site Marker.

Mr. Silva moved, seconded by Mr. Kurtz that Resolution #2018-0229 be adopted.

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

Motion Carried 5-0.

Public Hearing/Adoption of Ordinances

Ordinance #1877-2018 – An Ordinance Amending Chapter 173, Flood Damage Prevention, of the Township Code.

Director of Community Development Phil Sartorio explained that this Ordinance is a result of the new floodplain maps. Mr. Sartorio previously gave a presentation regarding same where Committee had decided to go with the minimum construction standard of building elevation required, giving property owners the option to exceed that standard. A brief discussion ensued.

Jim Kerrigan of Mays Landing asked if this was part of the Strategic Planning Committee from ten years ago. Mr. Kurtz said that it was not, but it was discussed at Committee level and also with the Historical Society about how it affected properties within that district. Mr. Sartorio stated that it was generated through FEMA to bring very antiquated maps up to date. Mr. Kerrigan asked and confirmed that this was not part of the Master Plan.

Hearing nothing additional from the public, on the motion of Mr. Kurtz, second of Mr. Silva, it was moved to close the public hearing of Ordinance #1877-2018.

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

Motion Carried 5-0.

Adoption of Ordinance #1877-2018

Mr. Silva moved, seconded by Mr. Guishard, that Ordinance #1877-2018, which was introduced and passed first reading on 5/7/18 and was duly advertised in the 5/10/18 edition of the Press of Atlantic City 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.

Award of Bids/Contracts/Change Orders

Resolution #2018-0230 – Resolution accepting the proposal of Engineering Design Associates, dated 4/20/18, for Surveying, Engineering and Construction Management Services for the 2018 Road Reconstruction Program, not to exceed \$85,000.00.

Mr. Kurtz thanked Township Engineer Steve Filippone for his hard work on this aggressive road program that will improve many roads.

Mrs. Link commented that this is a very fair price, and will make many people happy.

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2018-0230 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 Licenses.

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

1. Jack Lyon – transient vendor at ACRC

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

Motion Carried 5-0.

Resolution #2018-0231 – Resolution to refund a payment made on exempt property in the amount of \$1,818.32 (Block 941, Lot 7).

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0231 be adopted.

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

Motion Carried 5-0.

Resolution #2018-0232 – Resolution authorizing GovDeals Auction of items as recommended by the Director of Public Works.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0232 be adopted.

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

Motion Carried 5-0.

Resolution #2018-0233 – Resolution authorizing disposal of a 2006 Travel Trailer.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0233 be adopted.

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

Motion Carried 5-0.

Resolution #2018-0234 – Resolution authorizing reduction of Performance Guarantee for Guy Tunney Main Street Project (Block 809, Lots 2, 3.01, 3.02) from \$105,236.10 (First National Bank of Elmer LOC #307) to \$5,130.90, as recommended by Township Engineer Steven Filippone in his correspondence dated 5/11/18.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0234 be adopted.

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

Motion Carried 5-0.

Resolution #2018-0235 – Resolution authorizing release of cash escrow in the amount of \$270.00 posted as a 4-year Stormwater Maintenance Guarantee for Mercy Medical Associates Office Expansion (Block 774, Lot 4) upon its expiration date of 8/18/18, as recommended by Township Engineer Steven Filippone in his correspondence dated 5/10/18.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0235 be adopted.

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

Motion Carried 5-0.

Resolution #2018-0236 – Resolution authorizing reduction of Performance Guarantee for Artists Walk 2 Major Subdivision (Block 1132.01, Lot 37) from \$455,844.75 (Lexon Insurance Company Bond #114883 - \$410,260.27; Cash Escrow - \$45,584.48) to \$307,722.25, as recommended by Township Engineer Steven Filippone in his correspondence dated 5/14/18.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0236 be adopted.

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

Motion Carried 5-0.

Resolution #2018-0237 – Resolution authorizing participation in the South Jersey Power Cooperative (SJPC) 2018 Bid Process for Electricity and authorizing Mayor to sign Participation Response Form.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0237 be adopted.

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

Motion Carried 5-0.

Personnel

Resolution #2018-0238 – Resolution to transfer Allison Rutledge from full-time Communications Officer to part-time Communications Officer at \$15.92 per hour, effective 4/29/18.

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2018-0238 be adopted.

Recorded Vote: Aye: Guishard, Kurtz, Link, 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 May 7, 2018 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 Mrs. Link that the Executive Session minutes of the May 7, 2018 meeting are approved as presented.

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

Motion Carried 5-0.

Resolution #2018-0239 – A Resolution authorizing payment of approved payrolls and bills-\$2,490,004.61.

Mr. Silva moved, seconded by Mr. Kurtz that Resolution #2018-0239 be adopted.

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

Motion Carried 5-0.

Reports

Administrator – Mr. Jacobs stated some painting is underway at the hockey courts.

Solicitor – Nothing to report.

Engineer – Steve Filippone stated with regard to Tavistock that he has begun survey work and been there on a regular basis after rainfall to see where the worst flooding occurs. He further stated that he has done so on his own time to expedite the process.

He is currently coordinating the street vacation of Volunteer Way right-of-way in the previous cul-de-sac area.

A pre-construction meeting will be held this week for Buffalo Pike Associates.

A large dead tree has been removed from Malaga Road; it was the result of a gas line installation.

He has met with Anne Marie Leone on 5/18/18 regarding the flood problem at her residence. Her basement is still currently flooded, and she has given him the files provided by her engineer.

Township Committee:

Mrs. Link stated that she just returned from Las Vegas and saw that the McDonald's there is the same as our new McDonald's.

She has noticed that groups of foxes have been seen in Ocean City. She mentioned that she has seen a group locally and wondered if the County should be informed.

Mrs. Link also stated that she regrets being unable to attend the Green Event.

Mr. Kurtz discussed the upcoming Hometown Celebration on behalf of the president of the Mays Landing Merchants' Association, Fred Kneble. It will be held on Saturday, June 30th, and it is being moved back to Main Street this year, between Main Street and Farragut Avenue. Among other things, there will be a new car show, train ride for the kids, bounce houses, and food trucks.

Mr. Silva expressed enthusiasm that McDonald's has reinvested in our community. He was amazed at the role technology plays in the fast food business.

He also acknowledged two of our Police Officers, Officer Mueller and Officer O'Dell, who participated in the Police Unity Ride to Washington, DC. He complimented them for their diligence.

Mr. Silva also commented on the heavy rains and the effect on our community.

Mr. Guishard stated that he saw a large number of cyclists on Route 50 in the rain on Wednesday, and also congratulated the Police Unity participants.

He also mentioned that the Air Traffic Control Association Technical Symposium was recently held in Atlantic City. This is a world recognized event that involves top companies and all types of international work. A young pilot from Afghanistan was in attendance; she is the youngest female to fly a single-engine airplane around the world. He encouraged people to inform our young people about such events, as there is opportunity in these events.

Mr. Guishard has also been invited to a science fair at Hess School next month. There is discussion of expanding the event to other areas.

He reminded everyone about the upcoming Memorial Day Ceremony and encouraged all to attend.

Mayor Schenker stated that he attended a ceremony in Weymouth for seven Eagle Scouts. He congratulated the young men for their achievement.

He also mentioned that he attended the ribbon cutting ceremony for McDonald's; he said it is great to see it reopened. He stated that he is very impressed with the automated system, and he thanked them for investing in our Township.

Mayor Schenker also attended a meeting at the Verizon Building with our engineer, Administrator, and Director of Community Development. It was very productive, and our engineer will produce a drawing that may help to improve their building and improve the Main Street area.

Mayor Schenker then opened the floor for public comment.

Public Comment

Alberta Iovacchini of 38 Gasko Road (Tavistock) stated that she understands there is a process in progress for Tavistock, but asked how the dedication of the road occurs. Solicitor Sandman stated that once the Court approves the settlement, the Engineer's office will prepare bid documents to contract the road improvements. When the work is complete and the Engineer has inspected same, the Township Committee will vote on accepting ownership of the roads. At that time, the Township will be responsible for maintaining the roads. Some discussion ensued.

Jim Kerrigan of Mays Landing asked if the Atlantic City Racetrack will reopen, now that sports betting is a reality. Mayor Schenker stated that the Racetrack is privately owned, so we do not know their intentions.

Brian Kurtz, President of the Mays Landing Athletic Association, thanked Committee for the Underhill Bathrooms and the Hockey Courts. He asked that action be taken at the baseball fields, which have a flooding issue.

Bruce Strigh of Mays Landing commented on the large house by the Sugar Hill intersection. He asked about the property maintenance issues there. Mr. Jacobs stated that it has been in court recently and is being worked on.

Hearing nothing further from the public, on the motion of Mr. Silva, second of Mr. Kurtz 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 #2018-0240– A Resolution To Adjourn to Executive Session: Tavistock Bond Settlement – Attorney-Client Privilege

Mr. Silva moved, seconded by Mrs. Link, that Resolution #2018-0240 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 7:40 pm.

On motion of Mr. Silva, seconded by Mr. Guishard, Township Committee reconvened at 8:01 pm.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Resolution #2018-0241 – Resolution of the Township Committee of Hamilton Township, Atlantic County, to approve the Stipulation of Settlement and Release – Tavistock Bond Settlement.

Mr. Silva moved, seconded by Mr. Guishard, that Resolution #2018-0241 be adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Resolution #2018-0242 – Resolution to Ratify the agreement between the Township of Hamilton and the Teamsters Local #331 dated 1/1/18-12/31/20.

Mr. Silva moved, seconded by Mr. Guishard, that Resolution #2018-0242 be adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Resolution #2018-0243 – Resolution to approve a Memorandum of Agreement between the Township of Hamilton and the Teamsters Local #331.

Mr. Jacobs explained that the purpose of the Memorandum of Agreement is an agreement to reopen the 2018-2020 Collective Bargaining Agreement for the sole purpose of the possible inclusion of part-time employees in the Collective Bargaining Agreement.

Mr. Silva moved, seconded by Mr. Guishard, that Resolution #2018-0243 be adopted.

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 8:05 pm.

Respectfully submitted,

Rita Martino, RMC, CMR
Township Clerk