

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
August 6, 2018

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was called to order August 6, 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;  
Jessica Budrock, Township Solicitor; Steven Filippone, Township Engineer

A moment of silence for private reflection was observed. Mayor Schenker requested that everyone remember longtime Mizpah Fire Chief Jay Davenport, who recently passed away.

**Guest Presentations**

**Proclamation – Knights Track and Field Team**

Mayor Schenker invited Knights Track and Field Team Coaches Robert Laws and John Whaley to come forward. He then read the proclamation recognizing the team's accomplishments at the AAU National Club Track and Field Championships in Orlando, Florida. Coach Laws thanked Committee Members for their acknowledgement of the team's tremendous accomplishments at the national level. Each team member was recognized by name and presented with a copy of the proclamation.

**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:

**Addition(s)**

Presentation – Proclamation to Knights Track and Field Team

5A. Introduction of Ordinance – Public Hearing to be held August 20, 2018

Ordinance #1883-2018 – An Ordinance Amending Chapter 173, Flood Damage Prevention and Ordinance #1877-2018 of the Township of Hamilton

7H. Business Licenses

1. Lucky Leo's Sweet Shop – Hamilton Mall
2. Quality Modular Homes – 1409 Route 50

**Early Public Comment**

None.

**Discussions**

None.

**Introduction of Ordinances**

**Introduction of Ordinance #1883-2018 – An Ordinance Amending Chapter 173, Flood Damage Prevention, and Ordinance #1877-2018.**

Director of Community Development Phil Sartorio explained that NJDEP requires amendments to Ordinance #1877-2018 in order for the Township to remain a part of the FEMA flood insurance program. They are mainly changes in language, with no significant change to the previous adoption.

Mr. Silva moved, seconded by Mr. Guishard that the following Ordinance #1883-2018 be introduced on first reading with public hearing to be held August 20, 2018:

Ordinance #1883-2018 – An Ordinance Amending Chapter 173, Flood Damage Prevention, and Ordinance #1877-2018.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

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

**Resolution #2018-0311 – Resolution authorizing award of Bid #2018-05A, New Salt Storage Building for the Township of Hamilton to MiBo Construction Company, Inc., not to exceed \$329,995.00.**

Township Administrator Mike Jacobs stated that this is well within our budgeted amount of \$500,000.00. The new building will be in a different location, allowing for repurpose of the existing site.

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2018-0311 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0312 – Resolution authorizing award of Bid #2018-01A, Demolition of 5908 & 5916 7<sup>th</sup> Street to Neri Construction & Rental, Inc., not to exceed \$50,300.00.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0312 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0313 – Resolution authorizing award of Bid #2018-08A, Electrical Repair, Maintenance, and Service for the Township of Hamilton to Scalfo Electric, Inc., on an as-needed basis.**

Mr. Silva moved, seconded by Mr. Kurtz that Resolution #2018-0313 be adopted.

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

Motion Carried 5-0.

**Consent Agenda**

Mayor Schenker requested that 7B. and 7G be removed for a separate vote.

**Resolution #2018-0314 – Resolution authorizing GovDeals auction of items as recommended by the Director of Public Works.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0314 be adopted.

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

Motion Carried 5-0.

**Motion to grant request from Mays Landing Merchants Association to waive Public Works Overtime Fees for the 2018 Hometown Celebration.**

Upon motion of Mr. Kurtz, second of Mr. Silva it was moved to grant request from Mays Landing Merchants Association to waive Public Works Overtime Fees for the 2018 Hometown Celebration.

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

Motion Carried 5-0.

**Resolution #2018-0315 – Resolution approving Raffle License #15-2018 – Off Premise Draw Raffle License (TV/Movie Night) for HSA St. Vincent de Paul School to be held 11/10/18.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0315 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0316 – Resolution approving Raffle License #16-2018 – On Premise 50/50 Raffle License for HSA St. Vincent de Paul School to be held 11/10/18.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0316 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0317 – Resolution approving Raffle License #17-2018 – Penny Auction Raffle License for HSA St. Vincent de Paul School to be held 11/10/18.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0317 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0318 – Resolution approving Raffle License #18-2018 – Off Premise Draw Raffle License (Scrip/Gift Card) for HSA St. Vincent de Paul School to be held 11/10/18.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0318 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0319 – Resolution approving Bingo License #5-2018 – Designer Bag Bingo License for Mays Landing Athletic Association to be held 9/21/18.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0319 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0320 – Resolution approving renewal of Liquor License #0112-33-019-008, VHDH LL Holdings, LLC for 2018-2019.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0320 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0321 – Resolution of no objection to the NJDOT issuing permit for Coin Drop to be held at the intersection of Routes 40 and 50.**

Mays Landing Athletic Association – 8/18/18 and 8/19/18

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0321 be adopted.

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

Motion Carried 5-0.

**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. Lucky Leo's Sweet Shop – Hamilton Mall
2. Quality Modular Homes – 1409 Route 50

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

Motion Carried 5-0.

**Item(s) Removed from Consent Agenda**

**Resolution #2018-0322 – Resolution requesting permission for the Dedication by Rider for Road Repairs from Tavistock Settlement.**

Mr. Jacobs explained that a trust account must be set up through the state for receipt of the settlement funds. Mayor Schenker confirmed that this is the next step in getting the roads fixed at Tavistock.

Mr. Silva moved, seconded by Mr. Kurtz that Resolution #2018-0322 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0323 – Resolution to deny release of Aegis Security Insurance Company Bond #B10025284MB in the amount of \$358,520.000 posted as a 2-year Maintenance Guarantee for Municipal Building Generator Replacement (Bid #2015-08 – Ronald Janney Electrical Contractor) due to incomplete punchlist items, as recommended by Steven Filippone, Township Engineer in his correspondence dated 5/30/18, and authorize the Solicitor to take action against the bond.**

Township Engineer Steve Filippone stated that his recommendation letter, which will be marked as Schedule 1A and attached to the resolution, includes photographs of the generator's dented and rusted fuel tank, where rainwater pooling will eventually rust through the steel tank. This issue must be addressed before release of the bond.

Township Solicitor Jessica Budrock stated that if the issue is not corrected, it will be necessary to file suit, which must be done before the bond expires on 8/26/18. A brief discussion ensued.

Mr. Silva moved, seconded by Mr. Kurtz that Resolution #2018-0323 be adopted.

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

Motion Carried 5-0.

**Personnel**

**Resolution #2018-0324 – Resolution appointing Harry Wozunk III as a Truck Driver/Laborer I at \$33,615.36 annually, effective 8/6/18; must obtain CDL A within one (1) year as a condition of continued employment pursuant to Article 25 of the CBA.**

A brief discussion ensued regarding the process for obtaining a Commercial Driver's License.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0324 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0325 – Resolution ratifying the Memorandum of Agreement between Teamsters Union Local 331 and the Township of Hamilton regarding the eligibility of some part time employees to join the Teamsters membership and authorizing Mayor to sign same.**

Mr. Silva moved, seconded by Mr. Kurtz that Resolution #2018-0325 be adopted.

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

Motion Carried 5-0.

**Motion to accept resignation of Susan Hopkins from Industrial Commission, five year term expiring 12/31/21.**

Mr. Kurtz moved, seconded by Mr. Silva to accept resignation of Susan Hopkins from Industrial Commission, five year term expiring 12/31/21.

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

Motion Carried 5-0.

**Approvals:**

Mr. Kurtz moved, seconded by Mrs. Link that the regular meeting minutes of the July 16, 2018 meeting are approved as presented.

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

Motion Carried 5-0.

**Resolution #2018-0326 – A Resolution authorizing payment of approved payrolls and bills - \$6,850,284.41.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2018-0326 be adopted.

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

Motion Carried 5-0.

**Reports**

Administrator – Mr. Jacobs stated that tax bills will be mailed out this week. It is therefore not likely that Tax Anticipation Notes will be necessary.

Solicitor – With regard to Tavistock, Ms. Budrock stated that the Judge granted a motion for a hearing date to accept the resolution agreed upon by all parties. The settlement includes \$650,000.00 for road repair, which will go into a trust. Notice will be published and Tavistock homeowners will be notified via certified and regular mail. The hearing will be on 9/21/18 at 2:30 in front of Judge Savio; concerned parties may voice their issues either by mail or appearance at the hearing.

Engineer – Mr. Filippone recently attended a two-day seminar for Stormwater Certification. When he receives his paper certification, it will become part of the Township Certification for our Stormwater Plan.

He stated that he is currently working on the 2018 Road Program, which will go out to bid very soon.

Last Thursday the Planning Board voted to designate the entire Township as an Area in Need of Rehabilitation. Some discussion ensued as to ways to inform the public about the opportunities available with this designation.

Buffalo Pike is moving forward and construction is underway. Parmar Liquor received a TCO last week. A pre-construction meeting for Outback Steakhouse will be held next week.

Township Committee:

Mrs. Link discussed the importance of supporting local businesses, and different ways of doing so.

Mr. Kurtz thanked Mr. Filippone for his diligent work in such things as the Municipal Generator issue.

He stated that he is pleased to see visual progress on the Benderson project and its related roadway.

He reminded everyone about National Night Out on 8/7/18. He encouraged everyone to attend, as it is a great community event.

Mr. Silva agreed with Mr. Kurtz' comments regarding National Night Out. He stated that since public safety is a top priority in the community, it is great to come out and see all of the equipment used to keep our residents safe.

He recently attended an event at Victoria Crossing to dedicate a new flagpole and flag to all past, present, and future veterans. He stated that it is important to honor veterans throughout the year.

He reminded everyone that Mizpah's Annual Car Show will be held on 8/25/18.

Mr. Silva also attended funeral services for Jay Davenport and was impressed to see the number of other Fire Departments in attendance. Also impressive is the amount of time that all local volunteer firefighters spend protecting their communities.

Mr. Guishard stated that he is pleased to see that the damaged structure on Knights Bridge Way is finally coming down.

The recent Planning Board meeting resulted in a lot of good discussion and dissemination of much valuable information. Everyone looks forward to positive results.

He spoke briefly about the impressive accomplishments of the Knights Track and Field Team.

The Green Team will be in attendance at National Night Out to distribute reusable shopping bags. There are also many other fun events for all ages.

Mr. Guishard also mentioned that there is now an information display available for the Veterans Advisory Board, and the Electronic Sign for the VFW is underway.

Mayor Schenker spoke about the pending Area in Need of Rehabilitation designation for the Township. He stated that there are many options which we can use or not use. It would be helpful to evaluate the experiences of other municipalities in similar endeavors. We want to make sure that the options we use are proper and work for everyone. He welcomes everyone's opinion, as this is a big undertaking. He stated that a great deal of information will be coming out before anything is done.

He also attended funeral services for Jay Davenport, and commented that Mr. Davenport dedicated a significant portion of his life to being a Mizpah Firefighter. He encouraged everyone to remember the importance of our first responders and thank them for their service when attending National Night Out.

He spoke briefly about the Merchant's Association; we strive to support our local businesses and bring in new businesses to further strengthen the community.

Mayor Schenker then opened the floor for public comment.

**Public Comment**

Alberta Iovacchini of Tavistock asked where the 9/14/18 hearing with Judge Savio will be held. Ms. Budrock determined that it will be held in Atlantic City. Ms. Iovacchini further asked for a definition of "repair" of the roads. Ms. Budrock explained that the bond was for the topcoat of the roads that just had a basecoat; the \$650,000.00 is to repair what wasn't done or was done improperly. Mr. Filippone agreed to contact Lou DeCicco to let them know which roads will be affected. A lengthy discussion ensued regarding timelines.

Maria Brita of 125 Giunta Walk (Tavistock) asked where the hearing will be; it will be at 1201 Bacharach Boulevard in Atlantic City. She thanked everyone for their help with Tavistock. She also stated that courses to obtain a Commercial Driver's License are held at Atlantic Investigations in Hammonton.

Harry Rogers of 1069 Morningside Drive commented on the results of the last Planning Board meeting. As a Planning Board member, he stated that the plan to extend the Area in Need of Rehabilitation to the entire Township will be enormously beneficial, but it is hard to understand. To educate the public about the benefits, he suggested incorporating a presentation into a Township Committee meeting so that it can be broadcast and viewed online; advertising the presentation to encourage people to attend is also a good idea. He also mentioned that audio visual aids from counsel would help people to understand what is happening. If people do not understand it, they will not trust the process. He said that the questions that the Planning Board addressed at their meeting should also be explained by counsel at this presentation. A brief discussion ensued.

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.

**Resolution #2018-0327– A Resolution To Adjourn to Executive Session:**

**Township of Hamilton v. County of Bergen – Attorney-Client Privilege**

Mr. Silva moved, seconded by Mr. Guishard, that Resolution #2018-0327 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 7:47 pm.

On motion of Mr. Silva, seconded by Mr. Guishard, Township Committee reconvened at 7:53 pm.

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

Motion Carried 5-0.

**Resolution #2018-0328 – Resolution Authorizing Acceptance of Settlement Proposal from County of Bergen.**

Mr. Kurtz moved, seconded by Mr. Silva, that Resolution #2018-0328 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. Kurtz and carried the meeting was adjourned at 7:54 pm.

Respectfully submitted,

Rita Martino, RMC, CMR  
Township Clerk