

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
August 20, 2018

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was called to order August 20, 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, Art Schenker, Roger Silva

Absent: Judith Link

Also present: Rita Martino, Township Clerk; Michael Jacobs, Township Administrator;
Robert Sandman, Township Solicitor; Steven Filippone, Township Engineer

A moment of silence for private reflection was observed.

Guest Presentations

Legislative Update from Senator Chris Brown

The Senator gave an update on the cancellation of rail service provided by NJ Transit, assuring residents that services would be re-established in January and that express buses will be provided during the shutdown. The Senator also responded to questions from the Committee and the public.

Honor and Remember – George Ausby

Mayor Schenker, together with Senator Brown and Committeeman Guishard presented the Honor and Remember award to George Ausby, recognizing his many achievements.

Citizen Group Requesting a New Ordinance

Mr. Matthew Wristbridge spoke in opposition to an application pending before the Zoning Board for the expansion of a group home located at 789 Park Road. After sharing his personal experience in finding suitable accommodation for a family member, Mr. Wristbridge asked the Governing Body to enact a municipal ordinance that will establish a maximum number of developmentally disabled residents permitted at a single property.

After disclosing the fact that he lives in the neighborhood of the group home, Solicitor Sandman advised Township Committee members to refrain from responding or providing any comments on an application pending before the Zoning Board. In response to Mr. Wristbridge, Mr. Sandman stated that in 2011 the statute was amended to state that the controlling law is that which exists at the time the application is made. The ability to enact an ordinance as was done in the example presented of the power plant does not exist under the current status of the law. Mr. Sandman stated that there is an exception that talks about health and personal safety issues, but that he could not say if an ordinance could be developed under that exception.

Addition/Deletion of Late Agenda Items

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

Addition(s)

7G. Motion of no objection to the Division of ABC granting a special liquor license to the Mays Landing Merchants Association for their South Jersey Wine & Food Festival to be held on 9/22/18 and 9/23/18 from 11:00 am-6:00 pm, wine to be dispensed.

Early Public Comment

Mr. Dave Blood- Tavistock

In response to a question from Mr. Blood, the Solicitor responded that the hearing is scheduled for September 21, 2018 at 2:30 pm in Atlantic City. Mr. Sandman encouraged all to attend and urged Mr. Blood to ensure that the proper notices are sent to property owners by the HOA.

Discussions

Participation in Gypsy Moth Survey Program.

Mr. Jacobs recommended participation in the program again this year.

Motion to Approve Participation in the Gypsy Moth Survey.

Upon motion of Mr. Kurtz, second of Mr. Guishard it was moved to approve participation in the Gypsy Moth Survey.

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

Motion Carried 4-0.

Resolution #2018-0329 – Resolution Designating the Entirety of the Township of Hamilton as an Area in Need of Rehabilitation.

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2018-0329 be adopted.

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

Motion Carried 4-0.

Public Hearing/Adoption of Ordinances

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

Mr. Joe Corbo suggested that affected residents be notified.

Mr. Harry Rogers agreed that those affected should be notified.

After discussion it was decided that Phil Sartorio will devise a way to notify affected residents of the passage of the ordinance.

Hearing nothing further from the public, on the motion of Mr. Silva, second of Mr. Kurtz, it was moved to close the public hearing of Ordinance #1883-2018.

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

Motion Carried 4-0.

Adoption of Ordinance #1883-2018

Mr. Kurtz moved, seconded by Mr. Silva, that Ordinance #1883-2018, which was introduced and passed first reading on 8/6/18 and was duly advertised in the 8/9/18 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, Schenker, Silva
Nay: XXX
Abstain: XXX

Motion Carried 4-0.

Introduction of Ordinances

Introduction of Ordinance #1884-2018 – Bond Ordinance Appropriating Six Hundred Fifty Thousand Dollars (\$650,000) and Authorizing the Issuance of Six Hundred Seventeen Thousand Five Hundred Dollars (\$617,500) in Bonds or Notes of the Township of Hamilton for Capital Improvements or Purposes Authorized to be Undertaken by the Township of Hamilton in the County of Atlantic, New Jersey.

Mr. Silva moved, seconded by Mr. Guishard that the following Ordinance #1884-2018 be introduced on first reading with public hearing to be held September 4, 2018:

Ordinance #1884-2018 – Bond Ordinance Appropriating Six Hundred Fifty Thousand Dollars (\$650,000) and Authorizing the Issuance of Six Hundred Seventeen Thousand Five Hundred Dollars (\$617,500) in Bonds or Notes of the Township of Hamilton for Capital Improvements or Purposes Authorized to be Undertaken by the Township of Hamilton in the County of Atlantic, New Jersey.

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

Motion Carried 4-0.

Award of Bids/Contracts/Change Orders

Resolution #2018-0330 – Resolution authorizing award of contract for Surveying Services for Block 730, Lot 8 to Steve Filippone of Engineering Design Associates, PA, not to exceed \$1,200.00.

Mr. Kurtz moved, seconded by Mr. Guishard that Resolution #2018-0330 be adopted.

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

Motion Carried 4-0.

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. Taco Bell #34761 – 2300 Wrangleboro Road
2. BMK Cleanouts – 5903 Ninth Street – Home Office

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

Motion Carried 4-0.

Resolution #2018-0331 – Resolution authorizing release of Performance Guarantee for Dusan and Branka Tanasic – Street Opening Permit #28-2018 (Block 730, Lot 12) in the amount of \$500.00 (Cash Escrow), as recommended by Township Engineer Steve Filippone in his correspondence dated 8/8/18.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0331 be adopted.

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

Motion Carried 4-0.

Resolution #2018-0332 – Resolution accepting Performance Guarantee (landscape buffers) for Outback Steakhouse of Florida, LLC (Block 1320, Lot 7.02) in the amount \$17,332.80 as recommended by Township Engineer Steve Filippone in his estimate dated 6/21/18.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0332 be adopted.

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

Motion Carried 4-0.

Resolution #2018-0333 – Resolution accepting Safety/Stabilization Guarantee for Outback Steakhouse of Florida, LLC (Block 1320, Lot 7.02) in the amount \$5,000.00 as recommended by Township Engineer Steve Filippone in his estimate dated 6/21/18.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0333 be adopted.

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

Motion Carried 4-0.

Resolution #2018-0334 – Resolution to Rescind Resolution #2018-0202 – Requesting Permission for Dedication by Rider for the Atlantic County, Open Space, Recreation, Farmland and Historic Preservation Trust.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0334 be adopted.

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

Motion Carried 4-0.

Resolution #2018-0335 – Resolution to Cancel Taxes on Block 997.01, Lot 10 and Block 997.02, Lot 37 due to Totally Disabled Veteran Status.

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0335 be adopted.

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

Motion Carried 4-0.

Motion of No Objection to the Division of ABC granting a special liquor license to the Mays Landing Merchants Association for their South Jersey Wine and Food Festival

Upon motion of Mr. Kurtz, second of Mr. Silva it was moved that the Township of Hamilton has no objection to the Division of ABC granting a special liquor license to the Mays Landing Merchants Association for their South Jersey Wine and Food Festival to be held on 9/22/18 and 9/23/18 from 11:00 am-6:00 pm, wine to be dispensed.

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

Motion Carried 4-0.

Personnel

None.

Approvals:

Mr. Guishard moved, seconded by Mr. Silva that the regular meeting minutes of the August 6, 2018 meeting are approved as presented.

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

Motion Carried 4-0.

Mr. Silva moved, seconded by Mr. Guishard that the Executive Session minutes of the August 6, 2018 meeting are approved as presented.

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

Motion Carried 4-0.

Resolution #2018-0336 – A Resolution authorizing payment of approved payrolls and bills - \$2,315,233.09.

Mr. Kurtz moved, seconded by Mr. Guishard that Resolution #2018-0336 be adopted.

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

Motion Carried 4-0.

Reports

Administrator – no report

Solicitor – no report

Engineer – Mr. Filippone recapped current and pending projects in accordance with his written report.

Township Committee:

Mr. Kurtz - Announced that the Mays Landing Yacht Club will be hosting and presenting the “Night of Lights”- September 8, 2018
- Announced that “Art in the Park” will be held September 15, 2018
- Stated that he is happy to see progress on projects in the Township

Mr. Silva - Thanked all involved in “National Night Out”
- Attended the 143rd Anniversary of the “Disaster on the Rails” which commemorated a tragic train accident the occurred in the Township on August 11, 1880.

Mr. Guishard – Suggested that the site of the “Disaster on the Rails” could become a tourist attraction.
- Commented on the great job done on “National Night Out”
- Will be providing information on a free planning tool available to the Township that is being sponsored by the Department of Transportation.

Mayor Schenker – Attended “Mizpah Community Day” which was both fun and a good way to showcase the community.
- Recognized the involvement of the Hamilton Mall in making National Night out a success and encourage residents to support the Hamilton Mall and shop locally.

Mayor Schenker then opened the floor for public comment.

Public Comment

Mike Petuskey- Referring to the pending application before the Zoning Board, (789 Park Road), Mr. Petuskey suggested that Committee could act on exceptions in the statute cited by Mr. Sandman. Mr. Petuskey asked that Mr. Sandman be given permission to look into safety and welfare issues for possible action prior to the October 22nd Zoning Board meeting.

Bob Ravell- Suggested the Industrial Commission hire a local realtor for the Industrial Park.

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, Schenker, Silva

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

On motion of Mr. Silva, seconded by Mr. Guishard and carried the meeting was adjourned at 8:08 pm.

Respectfully submitted,

Rita Martino, RMC, CMR
Township Clerk