

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
October 1, 2018

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was called to order October 1, 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; Steven Filippone, Township Engineer

A moment of silence for private reflection was observed.

**Guest Presentations**

**Proclamation: Knock Out Opioid Abuse Day**

Mayor Schenker read the proclamation aloud. Knock Out Opioid Abuse Day will be on October 6, 2018.

**Addition/Deletion of Late Agenda Items**

None.

**Early Public Comment**

None.

**Discussions**

**Public Hearing of 5 year Tax Exemption/Abatement – Dusan and Branka Tanasic – Block 730, Lot 12 – 207 Lenape Avenue.**

Hearing nothing further from the public, on the motion of Mr. Silva, second of Mrs. Link it was moved to close the public portion.

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

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Dusan and Branka Tanasic were in attendance and were sworn in by Township Solicitor Robert Sandman.

Mrs. Tanasic: We bought the house, it was 118 years old, it was in very poor shape. To fix, we had to redo everything, it took us a year to do it, this is our family residence.

Solicitor Sandman: And what's the location of the house?

Mrs. Tanasic: 207 Lenape. I have pictures of before and how it's looking now.

Solicitor Sandman: You can present them to the Mayor.

Mrs. Tanasic: It was in very poor shape, and our neighbors are very happy with us.

Mayor Schenker: Very nice, it looks very good.

Solicitor Sandman: It is in the Historic District.

Mrs. Tanasic: Yes it is, and we got approval for every step. The roofing, the shingles, everything.

Solicitor Sandman: And are you done? Are you complete?

Mrs. Tanasic: Yes. We moved in February 24<sup>th</sup>.

Solicitor Sandman: And do you believe the improvements that you made to the property will enhance the value of the property?

Mrs. Tanasic: Yes, and the neighborhood too.

A brief discussion ensued. Mayor Schenker congratulated the Tanasics on their new home and thanked them for helping to improve our town.

**Resolution 2018-0358 – Resolution approving request for a 5 year Tax Exemption/Abatement in the Historic District for renovation of home and construction of a garage – Block 730, Lot 12.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0358 be adopted.

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

Motion Carried 5-0.

**Resolution 2018-0359 – Resolution to designate the Atlantic City Race Track property (Block 1135.01, Lot 10.01) a Non-Condemnation Redevelopment Area in accordance with NJSA 40A:12A-5.**

Director of Community Development Phil Sartorio stated that on June 18<sup>th</sup>, Committee authorized investigation of the Racetrack property to see if it qualified as a Non-Condemnation/Redevelopment area. Planning Board had a public hearing on September 20<sup>th</sup>, found that it did meet at least two of the criteria, and voted unanimously for Non-Condemnation/Redevelopment designation.

At the inquiry of Mr. Guishard, Mr. Sartorio explained that “Non-Condemnation” means that we will work cooperatively with the property owner to redevelop the site. A brief discussion ensued. At Mrs. Link’s inquiry as to what types of establishments can be on this space, Mr. Sartorio stated that Planning Board and Committee would have to approve a redevelopment plan, which is an Ordinance stating types of permitted use. More discussion ensued.

Mr. Silva moved, seconded by Mrs. Link that Resolution #2018-0359 be adopted.

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

Motion Carried 5-0.

**Public Hearing/Adoption of Ordinances**

None.

**Introduction of Ordinances**

None.

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

**Resolution #2018-0360 – Resolution authorizing third year extension of Heating, Ventilation, and Air Conditioning (HVAC) Service and Maintenance Bid (#2016-09) – Marlee Contractors, LLC, not to exceed \$60,000.00 for the period 1/1/19 – 12/31/19.**

Mr. Silva moved, seconded by Mr. Kurtz that Resolution #2018-0360 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0361 – Resolution authorizing Option Year 2 of Plumbing Services Bid (#2017-11) on an as-needed basis – Falasca Mechanical, Inc., not to exceed \$25,000.00 for the period 1/1/19 – 12/31/19.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2018-0361 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0362 – Resolution authorizing extension of Pump Maintenance and Testing Bid (#2017-12) – Fire Apparatus Repair, not to exceed \$30,000.00 for the period 1/1/19 – 12/31/19.**

Mr. Guishard moved, seconded by Mr. Kurtz that Resolution #2018-0362 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0363 – Resolution authorizing Option Year 2 of Carpentry Services Bid (#2017-14) on an as-needed basis – Warriner’s Construction, Inc., not to exceed \$35,000.00 for the period 1/1/19 – 12/31/19.**

Mr. Kurtz moved, seconded by Mr. Guishard that Resolution #2018-0363 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0364 – Resolution to authorize and award a contract to Bowman & Company, LLP to provide professional services for the administration of the Section 125 Cafeteria Plan for the 2019 Plan Year, not to exceed \$2,000.00.**

Mrs. Link moved, seconded by Mr. Guishard that Resolution #2018-0364 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0365 – Resolution amending Resolution #2018-0201 retaining the legal services of M. James Maley, Jr., Esquire of Maley Givens, PC as Special Counsel – Redevelopment Attorney to include an increase in the amount of \$20,000.00 for a total contract amount of \$35,000.00.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2018-0365 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0366 – Resolution authorizing the purchase of three (3) Monroe Torsion Trip Edge Reversible Snow Plows from Dejana Truck and Utility Equipment through the ESCNJ (Co-op #65MCESCCPS), amount of purchase \$43,152.30.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2018-0366 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0367 – Resolution authorizing acceptance of proposal from Wayne A. Neville, AIA for design and construction administration of the ADA/New Jersey Barrier Free Entrance improvements at the Alfred Lundy Center, not to exceed \$1,500.00.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0367 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. Home Link International, Inc. – 4403 Black Horse Pike

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

Motion Carried 5-0.

**Resolution #2018-0368 – Resolution to refund taxes on Block 981, Lot 59.04 due to assessment reductions.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0368 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0369 – Resolution to accept Check #590 for \$500.00 from Shaun Cooke for administrative/inspection costs related to Forestry Operation Permit (Block 579, Lots 3, 8, & 9) in accordance with Ordinance #1280-2010.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0369 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0370 – Resolution to approve the Municipal Alliance Canvassing Permit Application for Knock Out Opioid Abuse Day on October 6, 2018 and waive the \$25.00 permit fee.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0370 be adopted.

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

Motion Carried 5-0.

**Resolution #2018-0371 – Resolution cancelling taxes on Block 1132.18, Lot 55 due to Totally Disabled Veteran status.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0371 be adopted.

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

Motion Carried 5-0.

**Motion to authorize a lien for demolition and asbestos removal costs: Block 611, Lot 17 (6372 Beacon Avenue) - \$40,212.25.**

Upon motion of Mr. Kurtz, second of Mr. Silva it was moved to authorize a lien for demolition and asbestos removal costs: Block 611, Lot 17 (6372 Beacon Avenue) - \$40,212.25.

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

Motion Carried 5-0.

**Resolution #2018-0372 – Resolution to amend Section IV, Item D – Paid Sick Leave of the 2016 Township of Hamilton Employee Handbook.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0372 be adopted.

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

Motion Carried 5-0.

**Personnel**

**Motion to authorize In-House Advertisement for two vacant Full-Time Dispatcher positions.**

Upon motion of Mr. Guishard, second of Mr. Silva it was moved to authorize In-House Advertisement for two vacant Full-Time Dispatcher positions.

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

Motion Carried 5-0.

**Resolution #2018-0373 – Resolution appointing Jennie Ayres as Municipal Utilities Authority Regular Member to fill the 5-year unexpired term of Richard DeFeo ending on 2/1/20.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2018-0373 be adopted.

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

Motion Carried 5-0.

Mrs. Link asked and confirmed that this appointment leaves an opening for an Alternate Member that may be filled at a later date.

**Approvals:**

Mr. Kurtz moved, seconded by Mr. Silva that the regular meeting minutes of the September 17, 2018 meeting are approved as presented.

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

Motion Carried 5-0.

**Resolution #2018-0374 – A Resolution authorizing payment of approved payrolls and bills - \$904,392.53.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2018-0374 be adopted.

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

Motion Carried 5-0.

**Reports**

Administrator – nothing additional.

Solicitor – Mr. Sandman was pleased to announce the success of the Tavistock hearing on September 21<sup>st</sup>. Two people from the Association attended in favor of the settlement, and nobody attended in opposition. Counsel was present to represent the Township, the Association, and the Bonding Company. Judge Savio signed the Order, which has been recorded in the court system, and Bob Bishop from the title company will assist in recording it with the County Clerk. We should have \$650,000.00 for the project in the next thirty days. Some discussion ensued.

Engineer – Mr. Filippone reported that application has been filed for an NJDOT Municipal Aid Grant involving New York Avenue, the value of which is \$650,000.00. Some discussion ensued.

A pre-construction meeting was held for the Road Program; he is optimistic that Landberg Construction will do a great job. Work continues on the Buffalo Pike Associates project. Outback Steakhouse is moving along nicely. Artist's Walk has contracted some of their lots with Ryan Homes, and are turning over 1-2 houses per week. He is preparing bonding estimates for the last four phases.

Janney Electric has done corrective sealant work on the Municipal Generator fuel tank. Three new street opening permits have been processed, and one CO inspection at Glen Eyre was conducted.

Mr. Filippone discussed Redevelopment and Rehabilitation, and the importance of educating the community about such a valuable tool. Some discussion ensued.

Township Committee:

Mrs. Link discussed Knock Out Opioid Abuse Day, and stated that the Hansen Foundation had a fundraiser at Hidden Creek. It was a great day and very well-attended. The Hansen Foundation has worked tirelessly to assist people with opioid addiction.

Mr. Kurtz reported that the demolition work on 7<sup>th</sup> Street is nearly complete, and similar work has begun on the Knights Bridge Way property.

The Wine Festival was a great success, despite the rainy Sunday we had. The Fall Festival will be held on October 20<sup>th</sup> at Memorial Park; he encouraged all to attend.

Mr. Silva recently attended an open house at Recovery Centers of America and was very impressed with the facility. He also attended the Senior Expo at Hamilton Mall, which had many vendors and was well-attended. He reminded everyone of the Coffee with a Cop event on October 3<sup>rd</sup>. A new business, Laundry and Sweets, will have its grand opening next week at Festival Mall.

Mr. Silva also reported that local veteran Lou Green will be discontinuing his Veterans' Assistance and Information Program after 17 years. Mr. Silva stated that Mr. Green's service was very valuable and will be missed and he asked that a proclamation be given to Mr. Green at a future meeting.

Mr. Guishard echoed Mr. Silva's comments about Lou Green, and hopes that we may present him with a proclamation for his longtime service to our community veterans. He also attended the Senior Health Expo and was impressed with the number of interesting vendors in attendance. He commended the Senior Citizens' Advisory Committee for a job well done. He also recently attended a meeting of the Veterans' Advisory Board, where achieving a quorum has been difficult; possibilities for adding Alternate Members were discussed, as well as a new consolidated Honor and Remember plaque in the Municipal Building.

He reminded everyone that the Special School Election will be held tomorrow, October 2<sup>nd</sup>.

He discussed a Historic Preservation Ordinance revision regarding solar panels in the Historic District. Solar panels are not currently deemed aesthetically consistent with the Historic Area, so the recommendation is to place them either on the ground or on roof portions not visible from the road. He expressed concern for public awareness of these types of restrictions and proposed sending letters to Historic property owners and asking/requiring realtors to educate their buyers. Some discussion ensued. It was determined that the Administrator would place residents and realtors on notice of existing regulations.

Mayor Schenker congratulated Diane Fox and the Senior Citizens' Advisory Committee on the Senior Health Expo, which was a huge success. The Wine Festival was also a great success, with many attendees despite the rainy Sunday.

He discussed the issue of opioid abuse and asked the Chief of Police for statistics. Chief Tappeiner stated that there has been an increase of 20 cases per year over the last three years. Last year there were approximately 55 overdoses, and we have about 5-6 fatalities each year. It is a significant problem that is getting worse. Solicitor Sandman stated that Class Action Lawsuits against the Pharmaceutical Industry are becoming more common, with the enormous settlements being used to fund rehabilitation efforts. Some discussion ensued.

Mayor Schenker then opened the floor for public comment.

**Public Comment**

Carole Wright stated that the last time she attended a meeting, approval was given for an Eagle Scout Project at the PAL Building. She stated that the project is currently at a standstill, and hopes that it will be kept in mind for another time.

Bruce Strigh stated that solar energy in the Historic District may possibly be applied for as an inherently beneficial use through the Zoning Board. Some discussion ensued.

Director of Community Development Phil Sartorio stated that solar panels are not a "use," but rather a type of equipment, similar to having an external HVAC unit. Zoning primarily hears cases regarding the setback of the structure supporting the equipment. The Historic District Ordinance is different than other residential areas, which have design guidelines and controls written into the standards that must be met. The Commission is looking to adopt clear standards to establish the conditions where solar panels are appropriate. There is also an appeal process to address issues.

Jennie Ayres stated that from what she just heard, the entire matter should be kicked back to the Historic Preservation Commission. There are many examples of Historic Districts coming together with solar options, but it should start with HPC, who can check the standards and consult with other communities. She stated that this would cause less impact on the homeowner than going to Planning and Zoning first. She discussed a packet that realtors could provide to potential homeowners.

Solicitor Sandman spoke to everyone regarding Richard DeFeo, who recently passed away. Mr. Sandman had the honor of providing part of Mr. DeFeo's eulogy, and gave some background on Mr. DeFeo's life and legacy. Mr. DeFeo started a youth activity group which included baseball, bowling, and similar activities for disabled children. Mr. Sandman stated that he has lost a good friend, and Hamilton Township has lost a good citizen.

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.

On motion of Mr. Silva, seconded by Mr. Kurtz and carried the meeting was adjourned at 7:40 pm.

Respectfully submitted,

Rita Martino, RMC, CMR  
Township Clerk