

TOWNSHIP OF HAMILTON  
6101 THIRTEENTH STREET  
MAYS LANDING, NJ  
June 17, 2019

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was called to order June 17, 2019 at 6:30 pm with Mayor Art Schenker presiding.

Flag Salute.

Township Clerk Rita Martino certified that 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 1/10/19, and the Atlantic County Record on 1/16/19.

**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.

**Addition/Deletion of Late Agenda Items**

Mr. Silva moved, seconded by Mr. Guishard that the following changes be made to the agenda:

**Deletions:**

Guest Presentations  
A. Energy Aggregation

**Changes:**

Public Hearing Date Changed from July 1, 2019 to August 5, 2019:

5C. Ordinance #1906-2019 – An Ordinance adopting an amendment to Ordinance #1897-2019, the Redevelopment Plan for the entirety of the Township of Hamilton, a Designated Rehabilitation Area, with respect to the property identified as Block 979, Lot 5 on the Tax Map of the Township of Hamilton.

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

Motion Carried 4-0.

**Early Public Comment**

5C. Ordinance #1906-2019 – An Ordinance adopting an amendment to Ordinance #1897-2019, the Redevelopment Plan for the entirety of the Township of Hamilton, a Designated Rehabilitation Area, with respect to the property identified as Block 979, Lot 5 on the Tax Map of the Township of Hamilton.

Fred Kneble of Mays Landing, and owner of Block 979, Lot 5, stated that he has no sign changes, no driveway changes, and no parking lot changes, and nothing additional to change, other than a use. In his industry, it is necessary to evolve, and this action helps him to reduce the number of existing cars at his business.

Bruce Strigh of Mays Landing stated that this action is more of a “rewrite” than an “amendment,” as it contradicts the purposes of the originally promoted redevelopment and abatement program. He urged Committee to reject this action.

**Discussions**

**Second Street Park (Block 890/Lot 6) Settlement Terms**

Township Administrator Mike Jacobs explained that we had agreed to accept this property at no cost to the Township; all costs were to be covered through grants from Atlantic County and from Green Acres. Atlantic County can only write their check to the Township; therefore, the Township must write its own check at settlement for that same amount of approximately \$19,000. Mayor Schenker asked and confirmed that Solicitor Sandman approves, and that no formal action is needed.

**Public Hearing/Adoption of Ordinances**

**Ordinance #1901-2019 – An Ordinance Authorizing the sale of Lot 31 in Block 207 as shown on the Tax Map of the Township of Hamilton and granting to the owner or owners of said Real Property contiguous to same the right of prior refusal to purchase such land in the Township of Hamilton.**

Mr. Jacobs stated that this is 3.26 acres on Woodbury Road. The Zoning is FA10, and the minimum bid is \$1,600.

Hearing nothing from the public, on the motion of Mr. Kurtz, second of Mr. Silva, it was moved to close the public hearing of Ordinance #1901-2019.

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

Motion Carried 4-0.

**Adoption of Ordinance #1901-2019**

Mr. Guishard moved, seconded by Mr. Silva, that Ordinance #1901-2019, which was introduced and passed first reading on 6/3/19 and was duly advertised in the 6/5/19 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.

**Ordinance #1902-2019 – An Ordinance to vacate the following public street situate in the Township of Hamilton and to release and relinquish the public rights therein a portion of Portland Avenue to Hickory Street (between Block 865, Lot 21.01 and Block 867, Lot 1 to Block 865, Lot 21.02 and Block 865, Lot 2.)**

Hearing nothing from the public, on the motion of Mr. Silva, second of Mr. Kurtz, it was moved to close the public hearing of Ordinance #1902-2019.

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

Motion Carried 4-0.

**Adoption of Ordinance #1902-2019**

Mr. Silva moved, seconded by Mr. Kurtz, that Ordinance #1902-2019, which was introduced and passed first reading on 6/3/19 and was duly advertised in the 6/5/19 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.

**Ordinance #1903-2019 – An Ordinance Rescinding Ordinance #1972-2015, Ordinance #1811-2016, and Ordinance #1847-2017 and Implementing a New Tax Exemption and Abatement Program pursuant to the “Five Year Tax Exemption and Abatement Law: NJSA 40A:21-1 et seq. for the entirety of the Township of Hamilton.**

Aline Dix of Park Road questioned how the three rescinded Ordinances compare to the content of Ordinance #1906-2019. Redevelopment Counsel Jim Maley stated that there were prior Ordinances that dealt with specific geographic areas where abatement programs were available; Ordinance #1903-2019 eliminates the prior Ordinances and covers the entire Township. Some discussion ensued. Ms. Dix asked why we are proposing to amend Ordinance #1897-2019 (in Ordinance #1906-2019) if we are only going to have one Ordinance. Mr. Maley stated that Ordinance #1903-2019 addresses Tax Abatements; Ordinance #1897-2019 addresses the Redevelopment Plan, which is a separate issue. A lengthy discussion ensued.

Bruce Strigh of Mays Landing asked if Ordinance #1906-2019 was part of the presentation on March 11<sup>th</sup>, at which he asked and confirmed that no Zoning Laws and Ordinances would be superseded. Mr. Maley stated that the plan that was adopted (Ordinance #1897-2019) did not change any Zoning procedures. Mr. Strigh stated that the proposed amendment is to effectively overturn a prior Zoning Board denial to allow used car sales on one particular lot. Mr. Maley stated that the governing body

has the authority to make specific changes to the Redevelopment Plan. Some discussion ensued, and it was understood that Ordinance #1897-2019 did not change any Zoning issues; however, proposed Ordinance #1906-2019 would make such a change.

Hearing nothing additional from the public, on the motion of Mr. Silva, second of Mr. Kurtz, it was moved to close the public hearing of Ordinance #1903-2019.

Recorded Vote: Aye: Guishard, Kurtz, Schenker, Silva  
Nay: XXX  
Abstain: XXX  
Motion Carried 4-0.

**Adoption of Ordinance #1903-2019**

Mr. Silva moved, seconded by Mr. Kurtz, that Ordinance #1903-2019, which was introduced and passed first reading on 6/3/19 and was duly advertised in the 6/5/19 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 #1904-2019 – An Ordinance Amending Chapter 301, Article I and Chapter 301, Article VIII of the Township Code to Create a No Parking, Stopping, or Standing Zone on Cantillon Boulevard and Oakwood Boulevard in the Township of Hamilton, County of Atlantic and State of New Jersey.**

Mr. Jacobs explained that our Traffic Safety Officer recommended that we have parking on one side only throughout the industrial park; this is the first phase. The Traffic Engineer designed same, the Industrial Commission made a few changes and endorsed it, and it is now before Committee.

Mr. Silva asked and confirmed that this would affect Oakwood Boulevard from Cantillon to Babcock Road. He also confirmed that signs will be placed to inform the public of the change, and that the change will be enforced. Mayor Schenker commented that many people are parking on the street when there is ample space in the designated parking lots.

Mr. Kurtz moved, seconded by Mr. Guishard that the following Ordinance #1904-2019 be introduced on first reading with public hearing to be held July 1, 2019:  
Ordinance #1904-2019 – An Ordinance Amending Chapter 301, Article I and Chapter 301, Article VIII of the Township Code to Create a No Parking, Stopping, or Standing Zone on Cantillon Boulevard and Oakwood Boulevard in the Township of Hamilton, County of Atlantic and State of New Jersey.

Recorded Vote: Aye: Guishard, Kurtz, Schenker, Silva  
Nay: XXX  
Abstain: XXX  
Motion Carried 4-0.

**Introduction of Ordinance #1905-2019 – An Ordinance authorizing the acquisition of Real Property known as Block 809, Lot 6 in the Township of Hamilton from Fred A. Bohren, for Open Space and Recreation purposes with funding through the Great Egg Harbor Watershed Association, the NJDEP Green Acres Program and the Atlantic County Open Space Trust.**

Mr. Jacobs stated that this is the previously discussed property on Second Street; one of the County's requirements for the grant is that we do this by Ordinance. Fred Akers will be present for the public hearing.

Mr. Guishard moved, seconded by Mr. Silva that the following Ordinance #1905-2019 be introduced on first reading with public hearing to be held July 1, 2019:  
Ordinance #1905-2019 – An Ordinance. authorizing the acquisition of Real Property known as Block 809, Lot 6 in the Township of Hamilton from Fred A. Bohren, for Open Space and Recreation purposes with funding through the Great Egg Harbor Watershed Association, the NJDEP Green Acres Program and the Atlantic County Open Space Trust.

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

Abstain: XXX

Motion Carried 4-0.

**Introduction of Ordinance #1906-2019 – An Ordinance Adopting an amendment to Ordinance #1897-2019, the Redevelopment Plan for the entirety of the Township of Hamilton, a Designated Rehabilitation Area, with respect to property identified as Block 979, Lot 5 on the Tax Map of the Township of Hamilton.**

Mr. Kurtz stated that he has often heard his fellow Committee Members ask how we can make our Township more business-friendly. One of the processes was hiring Mr. Maley as Redevelopment Counsel; his knowledge has put us in a position to do great things for our Township, including making minor, site-specific changes available, by lot and block amendment to an Ordinance. He stated that Fred and Nancy Kneble went before the Zoning Board in July of 2012 for a similar request, to designate five existing parking spots in their lot for the sale of used cars, with sale signs in the windshield only. The Zoning Application needed five votes to pass, and was defeated in a 4-1 vote. Mr. Kurtz speculated that the application would have passed if the Board had not been short by two members that night. If introduced tonight, this matter still must go to the Planning Board, and then back to Committee for public hearing.

Mr. Maley explained again that if this Ordinance is introduced, it goes to Planning Board for review before coming back to Township Committee for public hearing and vote. If Planning Board opposes the Ordinance, Township Committee may still adopt with a super majority vote and specification of the basis for adoption. Some discussion ensued.

Mayor Schenker stated that the proposal for Block 979, Lot 5 was denied by the Zoning Board, regardless of the score, and there was opportunity to appeal that decision with the Superior Court. This Ordinance was intended to allow for tax relief to bring new people in, not to change or lift Zoning decisions. Solicitor Sandman confirmed that the Redevelopment Plan has indeed adjusted the Township's authority to do things that would have been done only by the Zoning Board. Mayor Schenker stated that we have a Planning Board and a Zoning Board for a reason, and these decisions should stay with them. He further stated that this action is essentially an appeal, and such an appeal should be addressed with the Superior Court. He stated that he is therefore not in favor of this action; it would set a precedent, and it would go outside of the duties of Township Committee. Mr. Maley stated that it allows the governing body to take action that they believe is in the best interest of the Township. More discussion ensued.

Mr. Kurtz commented that one size does not fit all in these matters; he further stated that he hates to see larger chains such as Walmart grouped in the same category as Mom and Pop operations who are trying to continue business in this Township. He stated that this Ordinance gives them the vehicle to be business-friendly, and that introduction of same is proper.

Mr. Silva stated that he reviewed the minutes from the Zoning Board in July of 2012. He stated that the comments therein were positive, and approval of the original request may indeed have been obtained if the other two members had been present.

Mayor Schenker stated that he supports the decisions of the Zoning and Planning Boards, regardless of majority or minority vote. These are their decisions, and for Committee to get involved in those decisions would set a bad precedent.

Mr. Kurtz moved, seconded by Mr. Guishard that the following Ordinance #1906-2019 be introduced on first reading with public hearing to be held August 5, 2019:

**Ordinance #1906-2019 – An Ordinance Adopting an amendment to Ordinance #1897-2019, the Redevelopment Plan for the entirety of the Township of Hamilton, a Designated Rehabilitation Area, with respect to property identified as Block 979, Lot 5 on the Tax Map of the Township of Hamilton.**

Recorded Vote: Aye: Guishard, Kurtz, Silva

Nay: Schenker

Abstain: XXX

Motion Carried 3-1.

Solicitor Sandman stated again for the record that the public hearing for Ordinance #1906-2019 is set for August 5, 2019.

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

**Resolution #2019-0240 – Resolution authorizing the purchase of five (5) WatchGuard 4RE Mobile Video Recorders from WatchGuard under State Contract #T0106, cost not to exceed \$28,240 (\$5,648 x 5).**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2019-0240 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0241 – Resolution authorizing the purchase of four (4) Chevrolet Tahoes from Day Auto under the Cranford Cooperative Contract #47-CPCPS, cost not to exceed \$153,433.68.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2019-0241 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0242 – Resolution authorizing the upfitting of four (4) Chevrolet Tahoes by Major Police Supply under State Contract #17-FLEET-00760, cost not to exceed \$52,331.48.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2019-0242 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0243 – Resolution approving purchase of a Hustler Vanguard Big Block EFI (37 hp) 104” RD Wing Mower from Farm-Rite, Inc., cost not to exceed \$22,749.**

Mr. Guishard moved, seconded by Mr. Silva that Resolution #2019-0243 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0244 – Resolution authorizing the proposal for Surveying, Engineering, and Construction Management Services for 2019 Road Reconstruction Program with Steve Filippone of EDA, cost not to exceed \$55,000.**

Mr. Silva moved, seconded by Mr. Kurtz that Resolution #2019-0244 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. Stars Salon – 4403 Black Horse Pike, Store #2078
2. River Beach RV Resort, LLC – 4678 Mays Landing SP Road
3. TNT Fireworks/Jeff Klehamer – 190 Hamilton Commons
4. TNT Fireworks/Zoe Scull – Transient Vendor – Tent at Walmart

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

Motion Carried 4-0.

**Resolution #2019-0245 – Resolution approving Raffle License #15-2019 for Gilda’s Club South Jersey – On-Premise 50/50 Raffle to be held 7/14/19.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0245 be adopted.

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

Abstain: XXX

Motion Carried 4-0.

**Resolution #2019-0246 – Resolution approving Raffle License #16-2019 for Gilda’s Club South Jersey – On-Premise Draw Raffle to be held 7/14/19.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0246 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 Gilda’s Club South Jersey for their Dragon Boat Event to be held 7/14/19 from 12pm – 5:30pm, beer and wine to be dispensed.**

Upon motion of Mr. Kurtz, second of Mr. Silva it was moved to confirm no objection to the Division of ABC granting a special liquor license to Gilda’s Club South Jersey for their Dragon Boat Event to be held 7/14/19 from 12pm – 5:30pm, beer and wine to be dispensed.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Resolution #2019-0247 – Resolution authorizing the acceptance of a donation/gift from Protecting K9 Heroes.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0247 be adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Resolution #2019-0248 – Resolution accepting and ratifying Public Land Sale – Block 207, Lots 8&9 (Woodbury Road), \$5,200.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0248 be adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Resolution #2019-0249 – Resolution to authorize release of International Fidelity Insurance Company Bond #0503734 in the amount of \$40,212.15 posted as 2-year Maintenance Guarantee for Demo of 6372 Beacon Avenue (Bid #2015-11 – Earthtech Contracting, Inc.) upon its expiration date of 8/11/19, as recommended by Township Engineer Steve Filippone in his correspondence dated 6/5/19.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0249 be adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Resolution #2019-0250 – Resolution renewing Liquor Licenses for the 2019-2020 License Term.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0250 be adopted.

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

Nay: XXX

Abstain: XXX

Motion Carried 4-0.

**Resolution #2019-0251 – Resolution supporting the 2019 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0251 be adopted.

Recorded Vote: Aye: Guishard, Kurtz, Schenker, Silva  
Nay: XXX  
Abstain: XXX  
Motion Carried 4-0.

**Resolution #2019-0252 – Resolution authorizing submission of Application for Grant – 2019 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0252 be adopted.

Recorded Vote: Aye: Guishard, Kurtz, Schenker, Silva  
Nay: XXX  
Abstain: XXX  
Motion Carried 4-0.

**Resolution #2019-0253 – Resolution approving issuance of Excavation (Sand & Gravel Pit) License to Aztec Materials, LLC (Block 229, Lots 1 & 4; Block 232, Lots 1-7; and Block 235, Lots 1-8) for 5/31/19-5/31/21, as recommended by Township Engineer Steve Filippone in his correspondence dated 6/10/19.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0253 be adopted.

Recorded Vote: Aye: Guishard, Kurtz, Schenker, Silva  
Nay: XXX  
Abstain: XXX  
Motion Carried 4-0.

**Resolution #2019-0254 – Resolution authorizing application for the New Jersey Department of Transportation for the Atlantic Avenue Project and authorizing the Mayor to sign same.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0254 be adopted.

Recorded Vote: Aye: Guishard, Kurtz, Schenker, Silva  
Nay: XXX  
Abstain: XXX  
Motion Carried 4-0.

**Resolution #2019-0255 – Resolution requesting permission for the Dedication by Rider for donations toward cost of Township of Hamilton Park Improvements.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0255 be adopted.

Recorded Vote: Aye: Guishard, Kurtz, Schenker, Silva  
Nay: XXX  
Abstain: XXX  
Motion Carried 4-0.

**Personnel**

**Resolution #2019-0256 – Resolution to appoint Lisa Marcolongo the Township of Hamilton Municipal Alliance Coordinator effective 7/1/19 – 6/30/20 at \$2,000 annually to be paid quarterly from the 2019-2020 Municipal Alliance Grant as recommended by the Municipal Alliance Chair.**

Mr. Kurtz moved, seconded by Mr. Guishard that Resolution #2019-0256 be adopted.

Recorded Vote: Aye: Guishard, Kurtz, Schenker, Silva  
Nay: XXX  
Abstain: XXX  
Motion Carried 4-0.

**Resolution #2019-0257 – Resolution authorizing change in employment status of Charles Wilbert from Temporary Full-Time Laborer to Regular Full-Time Truck Driver/Laborer I at \$34,287.66 annually, effective 6/18/19. Must obtain CDL A within one year as a condition of continued employment, as per Article 25 of the Collective Bargaining Agreement.**

Mr. Silva moved, seconded by Mr. Kurtz that Resolution #2019-0257 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0258 – Resolution to hire Vernon Burch as a Regular Full-Time Truck Driver/Laborer I at \$34,287.66 annually, effective 7/1/19, contingent upon successful completion of background check and employment physical/drug screening. Must obtain CDL A within one year as a condition of continued employment, as per Article 25 of the Collective Bargaining Agreement.**

Mr. Silva moved, seconded by Mr. Kurtz that Resolution #2019-0258 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0259 – Resolution to hire Samantha Liepe as a Temporary Full-Time Laborer at \$16.00 per hour, effective 6/24/19, not to exceed 11 months in duration. Employment contingent upon successful completion of background check and employment physical/drug screening.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0259 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0260 – Resolution to appoint Lisa Catalano as a Member of Hamilton Township Municipal Alliance for a one-year term effective 7/1/19 – 6/30/20.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2019-0260 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0261 – Resolution to appoint John Cressey as a Member of Hamilton Township Municipal Alliance for a one-year term effective 7/1/19 – 6/30/20.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2019-0261 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0262 – Resolution to appoint Sherrie Snyder as a Member of Hamilton Township Municipal Alliance for a one-year term effective 7/1/19 – 6/30/20.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2019-0262 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0263 – Resolution to appoint Lisa Yaccarino as a Member of Hamilton Township Municipal Alliance for a one-year term effective 7/1/19 – 6/30/20.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2019-0263 be adopted.

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

Motion Carried 4-0.



**Resolution #2019-0264 – Resolution to appoint Paul Sorrentino as an Alternate II Member of Hamilton Township Municipal Alliance for a one-year term effective 7/1/19 – 6/30/20.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2019-0264 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0265 – Resolution to reappoint Warren Dagrosa as Building Sub-Code Official to a four (4) year term effective 8/31/19 – 8/31/23.**

Mr. Silva moved, seconded by Mr. Kurtz that Resolution #2019-0265 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0266 – Resolution to hire Abigail Thompson as a Lifeguard for the 2019 Cove Season at \$11.00 per hour, effective date TBD. Employment contingent upon completion of employment physical/drug screening.**

Mr. Silva moved, seconded by Mr. Guishard that Resolution #2019-0266 be adopted.

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

Motion Carried 4-0.

**Resolution #2019-0267 – Resolution to increase Tony Lucchin’s hourly rate (Temporary Full-Time Laborer) from \$15.30 per hour to \$16.00 per hour effective 6/18/19.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0267 be adopted.

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

Motion Carried 4-0.

**Approvals:**

Mr. Guishard moved, seconded by Mr. Kurtz that the regular meeting minutes of the June 3, 2019 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. Kurtz that the Executive Session meeting minutes of the June 3, 2019 meeting are approved as presented.

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

Motion Carried 4-0.

**Resolution #2019-0268 – A Resolution authorizing payment of approved payrolls and bills – \$781,877.96.**

Mr. Kurtz moved, seconded by Mr. Silva that Resolution #2019-0268 be adopted.

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

Motion Carried 4-0.

## **Reports**

Administrator – Nothing to report.

Solicitor – Mr. Sandman stated that, as authorized, he has placed Travelers Insurance Company on notice of defaults under the Maintenance Bonds for Victoria Pointe. He has spoken with their Counsel and with our Engineer, and expects to have a situation report at the next meeting.

Engineer – Mr. Filippone gave a brief report to supplement his written report.

### Township Committee:

Mr. Kurtz spoke in favor of Ordinance #1906-2019. He said that not all applicants are the same, and this Ordinance allows for a way to help those applicants. It takes away the reason to have to come before the Planning Board or Zoning Board, get professionals involved, and saves the Township money by having Committee make a minor decision with the backup that it still must go to Planning or back to Committee for a final vote and public comment. He stated that he does not understand how we can hire a gentleman like Mr. Maley, and then not approve some of his ideas. This application is an independent, small business operator who needs some relief; he stated that this was an opportunity for us to make it happen. He stated that we take an important step in making sure that the people who come before the Board are treated fairly, and this Ordinance helps to further that along. He said that in no way, as long as he has been on the Planning Board, would he ever vote on anything that circumvented the Planning Board or the Zoning Board, only on things that would be beneficial to the applicant, if it can be handled at the Committee level. He said that is the way he thinks it should be handled, and that is why he voted the way he did tonight.

Mr. Silva stated that he read the Special Project Manager's report, he inquired about the Girl Scouts' safety during their involvement in local projects. Mr. Jacobs stated that he would look into it.

He also spoke briefly about the issues with trash collection last week. He questioned whether there is sufficient equipment to handle the job. He also said he has received numerous complaints about the amount of traffic on Old Egg Harbor Rd. by Underhill. He suggested use of an electronic sign to remind everyone that no heavy truck traffic is permitted in that area. He also stated that the situation will be temporarily worsened by the work on the Cotton Mill Bridge, and discussed the possibility of the County assisting with traffic control during that time. Some discussion ensued. Township Engineer Steve Filippone stated that he will keep everyone updated on the status of the project. He also stated that sensors will be placed on the affected houses to monitor the noise level. More discussion ensued.

Mr. Guishard briefly discussed the sensors and how they would monitor the noise.

He also mentioned that our local Boy Scouts did some landscaping around the VFW's new electronic sign, with excellent results.

Mayor Schenker stated that he did not understand Mr. Kurtz' distress, as Ordinance #1906-2019 did get introduced. He further stated that as he has witnessed in other matters, when you open up a different way of handling matters from the established norm, you are setting yourself up. He clarified that his decision has nothing to do with the Knebles; it has to do with the next request, or the next one after that. It opens up the door for anyone to try again if they do not get what they want, and that is not the intent of Ordinance #1879-2019.

Mayor Schenker then opened the floor for public comment.

## **Public Comment**

Aline Dix of Park Road discussed an article titled, "Rooming Houses No More: AC Residence Transforming." She stated that these are small buildings, and questioned what would happen if a homeowner wanted to turn his five-bedroom home into a rooming house. She said that the first step is the host community's action – either a zoning board decision, or a certificate of continuing use. She discussed a specific one dated 5/7/15; eighteen months later, we found out we had a methadone clinic that never went to the Zoning Board, Planning Board, or for a site plan amendment. She said she is unsure if there is a Township employee qualified to sign one of these, and that if another one like this went to Trenton, we could have more boarding houses suddenly appearing, and that is not a good idea. These things are through Department of Community Affairs, and have nothing to do with Health and Human Services or any of the other protected classes of citizens in America.

She segued to the topic of tonight's Ordinance, and Mr. Maley's comment that it would not override past Zoning Board decisions. She said that use variances in this town have had a way of forgetting that they are use variances – they don't belong where they are. She questioned whether existing use variance holders would now come forward to request an amendment to the redevelopment plan to reverse established restrictions. She stated that this opens a Pandora's Box, all due to one specific situation, and is very dangerous. She also pointed out that when a Zoning decision is made with only

five members present, it is the applicant's option to proceed or wait to have the matter considered at a later time with more members present.

Dan Snodgrass, President of the Mays Landing Merchants' Association, commended Committee tonight for taking a leadership role in passing the Ordinance. He said we are being left behind by Egg Harbor Township, Galloway Township, and Egg Harbor City. Hamilton Township does not have a good reputation when it comes to being business-friendly, and we need to change that. He stated that they are setting a precedent and showing leadership through passing this Ordinance. He said that Committee places the people on the Planning and Zoning Boards, and they look to Committee for leadership. He said the businesses in town are watching and making sure that their voices are heard, so that business does get better in Hamilton Township.

Mayor Schenker stated that Egg Harbor Township and Galloway are moving away from used car lots now; they are changing their Ordinances to do away with them. Mr. Snodgrass said that he is not speaking specifically about used cars, he is saying that Committee showed leadership tonight and telling businesses that they can adjust and the town will adjust with them in the business world.

Jim Kerrigan asked where Block 979, Lot 5 is, and confirmed that it is the location of Mr. Kneble's business.

Bruce Strigh of Mays Landing stated that he has never witnessed politics in the Planning or Zoning Boards. They are qualified professionals, and decisions are made based on the arguments of the Board and the Applicant. He stated that Township Committee has taken those non-political decisions and placed them squarely in the political arena. He echoed Ms. Dix's comments that Zoning applicants have the option to postpone a vote if there are only five members present instead of seven. The notion that "business-friendly" means that a small business can throw procedure out the window actually lowers the bar and demeans the role of volunteer Planning and Zoning Board members. He stated that businesses could, many years later, decide they don't like a Zoning Board restriction and decide to "find a friend" on Township Committee to introduce an amendment to override the Planning Board and Zoning Board, and this goes down the wrong path.

Fred Kneble of Kneble's Auto in Mays Landing stated that he has had to go to Zoning multiple times for multiple issues in order to get seven members present, causing the cost of his attorney and engineer to increase greatly each time. He asserted that the current system had failed him.

John Percy of Laurel Street asked to have striping placed on Volunteer Way, or even to consider an overall striping program, as striping in many areas is deteriorating. Mr. Filippone stated that part of the 2019 Road Program is for striping.

Michael Dougherty of 913 Morningside Drive and local business owner, confirmed that the Ordinance would still have to go back to the Planning Board for a recommendation before adoption. Some discussion ensued. Mr. Dougherty said that he sees this from the perspective of a new business owner, where matters can be considered on a case-by-case basis.

Mayor Schenker stated that the issue is that in five years, there might be five different people on Committee. It is not the mom and pop shops that concern him; it is companies that will come in with a team of lawyers. If we say yes to one, it will muddy the water to say no to others. He said it is very concerning, he prefers to follow the rules as the rules are written, and his decision was not a political one.

Jennie Ayres of 4812 Green Ash Lane stated that she believes the reason politics came into this is because of the person who offered introduction of this Ordinance. She stated that many people know that Mr. Kurtz is friends with Mr. Kneble and has served on many Boards with him, and there have been several times where the conflict of interest perception has come up. She said that ethics law states that public servants are the guardians of public trust – for everybody, not an individual. So when things get done for a public servant or somebody else, that trust is gone, and it impacts everybody.

Carolyn Downs-Holtzin of 76 Chancellor Park Drive thanked Committee for the recent work done to alleviate the issue of water coming across Thirty-second Street into their development. The situation has greatly improved and efforts continue. Some discussion ensued.

Rodrick Green of 2471 Arbor Court discussed his business, Ideal Institute of Technology, a post-secondary private college currently in Absecon, with additional spaces in Hamilton Mall, such as Ideal VR Lab, South Jersey's first virtual reality experience. Plans are underway to bring their corporate offices to the Hamilton Mall.

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, 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 8:04 pm.

Respectfully submitted,

Rita Martino, RMC, CMR  
Township Clerk