



MINUTES
TOWNSHIP OF HAMILTON
REGULAR COUNCIL MEETING
FEBRUARY 07, 2023 AT 6:30 PM

STATEMENT OF THE PRESIDENT

"This meeting is being held with the benefit of public notice as required by the Open Public Meetings Act"

ROLL CALL

PRESENT:

Councilman Pasquale Papero, Jr.
Councilman Rick Tighe
Council Vice President Anthony Carabelli, Jr.
Council President Charles Whalen

ABSENT:

Councilwoman Nancy Phillips

ALSO PRESENT:

Mayor Jeffrey S. Martin
Kathryn Monzo, Business Administrator
Elissa Grodd-Schragger, Township Attorney
Eileen Gore, Municipal Clerk
Alison Sabo, Deputy Municipal Clerk

FLAG SALUTE

The Salute to the Flag was led by Council President Whalen.

INVOCATION

The Invocation was given by Council Vice President Carabelli.

COMMUNICATIONS

Motion made by Council Vice President Carabelli and seconded by Councilmember Papero to accept Communications C1 and C2.

Voting Yea: Councilmember Papero, Councilmember Tighe, Council Vice President Carabelli, Council President Whalen

- C1. JOINT PROCLAMATION HONORING EILEEN A. GORE, RMC, CMC, MMC - MUNICIPAL CLERK ON HER RETIREMENT

Mayor Martin and Councilmembers offered congratulations and words of praise to Eileen Gore as on tenure as Municipal Clerk for the Township of Hamilton. Council presented Ms. Gore with a beautiful bouquet of flowers along with the Proclamation of Mayor Mayor.

- C2. JOINT PROCLAMATION COMMEMORATING FEBRUARY 2023 AS BLACK HISTORY MONTH

Councilmember Tighe read the Proclamation for the members of the audience.

CONSENT AGENDA

Motion made by Councilmember Tighe and seconded by Councilmember Papero to approve Consent Agenda items CA1-CA27 with the exception of CA15 which was previously removed from the Agenda.

Voting Yea: Councilmember Papero, Councilmember Tighe, Council Vice President Carabelli, Council President Whalen

- CA1.** **23-065** - A RESOLUTION REQUESTING AN EXTENSION OF TIME FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TO AWARD THE CONTRACT FOR A FY 2021 SAFE STREET TO TRANSIT PROJECT (2021 Safe Street to Transit - South Broad Street Pedestrian Safety Improvements; South Broad Street between Sunnybrae Boulevard and Highland Avenue; Grant Identifier: SST-2021-South Broad Street Pedestrian Safet-00006)
- CA2.** **23-066** - RESOLUTION CONSENTING TO THE APPOINTMENT OF DAN SCZWECK AND GEORGE KOUTSOURADIS TO THE HAMILTON TOWNSHIP ECONOMIC DEVELOPMENT ADVISORY COMMISSION
- CA3.** **23-067** - RESOLUTION CONSENTING TO THE APPOINTMENT OF JOSE CARABALLO TO THE HAMILTON TOWNSHIP MUNICIPAL ALLIANCE COMMITTEE ON ALCOHOLISM AND DRUG ABUSE FOR A TERM OF TWO YEARS
- CA4.** **23-068** - RESOLUTION AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A GRANT APPLICATION TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (USEPA) FOR A FY 2022 BROWNFIELDS PROGRAM CLEAN UP GRANT TO CONDUCT SITE INVESTIGATION AND REMEDIATION WORK AT THE FORMER NEARPARA RUBBER SITE LOCATED AT 1849 EAST STATE STREET AND IDENTIFIED AS BLOCK 1636, LOT 4 IN THE TOWNSHIP OF HAMILTON, MERCER COUNTY, NEW JERSEY (Grant amount: \$500,000.00)
- CA5.** **23-069** - RESOLUTION AUTHORIZING THE ACCEPTANCE OF A RECOVERY ACT 2021 JAG (EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROGRAM AWARD - LOCAL SOLICITATION) AND AN AGREEMENT WITH THE COUNTY OF MERCER TO FUND OVERTIME OPERATIONS TO PROACTIVELY COMBAT SURGES IN CRIMES (Grant Award: \$13,684.00)
- CA6.** **23-070** - RESOLUTION AUTHORIZING THE ACCEPTANCE OF A RECOVERY ACT 2022 JAG (EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROGRAM AWARD - LOCAL SOLICITATION) AND AN AGREEMENT WITH THE COUNTY OF MERCER TO FUND OVERTIME OPERATIONS TO PROACTIVELY COMBAT SURGES IN CRIMES (Grant Award: \$16,067.00)
- CA7.** **23-071** - RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE COUNTY OF MERCER FOR THE PROVISION OF EMS DISPATCH SERVICES FOR THE PERIOD OF JANUARY 1, 2023 TO DECEMBER 31, 2023 (\$122,840.00 maximum)
- CA8.** **23-072** - RESOLUTION AUTHORIZING THE PROPER OFFICIALS OF THE TOWNSHIP OF HAMILTON TO EXECUTE MODIFICATION NO. 1 TO FEDERAL AID AGREEMENT 2021-DT-DLA-547 FOR THE FINAL DESIGN COSTS ASSOCIATED WITH THE KLOCKNER ELEMENTARY SCHOOL PEDESTRIAN SAFETY IMPROVEMENTS PROJECT (FEDERAL PROJECT NO.: TA-D00S(411); STATE JOB NO.: 6503342)
- CA9.** **23-073** - RESOLUTION AUTHORIZING THE PROPER OFFICIALS OF THE TOWNSHIP OF HAMILTON TO EXECUTE AN AFFILIATION AGREEMENT WITH PURDUE UNIVERSITY GLOBAL, INC. TO ALLOW A MASTER OF PUBLIC HEALTH STUDENT TO COMPLETE THEIR INTERNSHIP WITH THE HAMILTON TOWNSHIP DIVISION OF HEALTH
- CA10.** **23-074** - RESOLUTION AUTHORIZING ASSIGNMENT OF THREE (3) TAX SALE CERTIFICATES HELD BY THE TOWNSHIP OF HAMILTON PURSUANT TO N.J.S.A. 54:5-114.2(1)(b) (BERRISFORD AVENUE, 526 LYNWOOD AVENUE AND WILLIAM STREET)

- CA11.** **23-075** - RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION NO. 21-354 WHICH AUTHORIZED THE AWARD OF AN ALTERNATE AWARD/FULL DISCLOSURE PROFESSIONAL SERVICES AGREEMENT WITH APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C. TO SERVE AS SPECIAL PROJECTS ATTORNEY FOR THE TOWNSHIP OF HAMILTON WITH REGARDS TO PENSIONS MATTERS (Extend term from September 16, 2022 to February 28, 2023; +\$20,000.00)
- CA12.** **23-076** - RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION NO. 21-355, WHICH AUTHORIZED THE AWARD OF AN ALTERNATE AWARD/FULL DISCLOSURE PROFESSIONAL SERVICES AGREEMENT WITH LOCCKE, CORREIA & BUKOSKY TO SERVE AS SPECIAL PROJECTS ATTORNEY FOR THE TOWNSHIP OF HAMILTON WITH REGARDS TO PENSIONS MATTERS (Extend term from September 16, 2022 to February 28, 2023; +\$20,000.00)
- CA13.** **23-077** - A RESOLUTION AMENDING RESOLUTION NO. 22-371, WHICH AUTHORIZED THE PROPER OFFICIALS OF THE TOWNSHIP OF HAMILTON TO EXECUTE A SHARED SERVICES AGREEMENT WITH THE COUNTY OF MERCER TO ENABLE HAMILTON TOWNSHIP TO ACCEPT FUNDS AWARDED BY A FY23 DIVISION ON MENTAL HEALTH AND ADDICTION SERVICES ("DMHAS") YOUTH LEADERSHIP GRANT AND TO DEPOSIT GRANT FUNDS IN THE AMOUNT OF \$10,597.00 INTO THE PROPER ACCOUNTS TO ASSIST THE HAMILTON TOWNSHIP MUNICIPAL ALLIANCE COMMITTEE ON ALCOHOLISM AND DRUG ABUSE FOR THE PERIOD OF JULY 1, 2022 THROUGH MARCH 14, 2023 (Extend term to June 30, 2023)
- CA14.** **23-078** - RESOLUTION ESTABLISHING SPECIAL TRAFFIC REGULATIONS PURSUANT TO N.J.S.A. 39:4-197.3
- CA15.** **23-079** - REMOVED
- CA16.** **23-080** - RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS WITH ACT ENGINEERS; ALAIMO GROUP CONSULTING ENGINEERS; CME ASSOCIATES AND REMINGTON & VERNICK ENGINEERS TO PROVIDE SPECIAL PROJECT SURVEYOR CONSULTANTS FOR THE PERIOD OF JANUARY 1, 2023 TO DECEMBER 31, 2023 (NOT TO EXCEED \$152,000.00)
- CA17.** **23-081** - RESOLUTION AUTHORIZING THE REFUND OF 2022 REAL ESTATE TAXES FOR SOUTH OLDEN CO-OPERATIVE (\$2,750.00)
- CA18.** **23-082** - RESOLUTION AUTHORIZING THE REFUND OF FEE PAID BY DOREEN SPENCE FOR A CONSTRUCTION PERMIT (\$91.00)
- CA19.** **23-083** - RESOLUTION AUTHORIZING THE REFUND OF FEE PAID BY A-Z ELECTRIC INC. FOR A CONSTRUCTION PERMIT (\$160.00)
- CA20.** **23-084** - RESOLUTION AUTHORIZING THE REFUND OF FEE PAID BY JOHN NATHANS FOR THE USE OF SAYEN HOUSE AND GARDENS (\$1,000.00)
- CA21.** **23-086** - RESOLUTION AUTHORIZING THE REFUND OF FEE PAID BY DONNA COLEMAN FOR THE USE OF SAYEN HOUSE AND GARDENS (\$550.00)
- CA22.** **23-086** - RESOLUTION AUTHORIZING THE REFUND OF FEE PAID BY MIRA LYUDMILOVA NENCHEVA FOR THE USE OF SAYEN HOUSE AND GARDENS (\$1,000.00)
- CA23.** **23-087** - RESOLUTION AUTHORIZING THE REFUND OF FEES PAID BY VARIOUS INDIVIDUALS FOR THE USE OF THE BROMLEY NEIGHBORHOOD CIVIC CENTER (\$414.00 TOTAL)
- CA24.** **23-088** - RESOLUTION AMENDING RESOLUTION 23-061 AUTHORIZING THE RELEASE PERFORMANCE GUARANTEE FOR ON-SITE IMPROVEMENTS MADE TO THE DEVELOPMENT KNOWN AS ENCLAVE II AT HAMILTON (GROVEVILLE-ALLENTOWN ROAD)
- CA25.** **23-089** - RESOLUTION AUTHORIZING THE REDUCTION OF THE PERFORMANCE GUARANTEE FOR ON-SITE IMPROVEMENTS MADE TO THE PROPERTY KNOWN AS MERLINO PROPERTIES, LLC LOCATED AT THE CORNER OF SOUTH BROAD STREET AND WEST PARK AVENUE
- CA26.** **23-090** - RESOLUTION AUTHORIZING THE REFUND OF 2021 AND 2022 REAL ESTATE TAX APPEAL SETTLEMENTS AND REAL ESTATE AND SEWER TAX OVERPAYMENTS (\$225,724.17)

CA27. 23-091 - RESOLUTION APPROVING CHANGE ORDER NUMBER ONE TO CONTRACT RESOLUTION 22-050 FOR THE REHABILITATION OF THE DEPARTMENT OF WATER POLLUTION CONTROL'S BELT PRESS NO. 3 WITH KOMLINE-SANDERSON AND MUNICIPAL MAINTENANCE. (\$16,190.00)

ORDINANCES

SECOND READING AND PUBLIC HEARING

ORD1. 23-001 - ORDINANCE AMENDING AND SUPPLEMENTING THE *CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY*, CHAPTER 485, *VEHICLES AND TRAFFIC*, ARTICLE II, *PARKING*; § 485-19, *HANDICAPPED PARKING (Establishing space for 1224 Deutz Avenue)*

After the above Ordinance had been read by title, the President declared the public hearing open and asked if anyone wished to be heard concerning same. There being no response, a motion was made by Councilmember Tighe and seconded by Councilmember Papero to close the public hearing and adopt the Ordinance on second reading.

Voting Yea: Councilmember Papero, Councilmember Tighe, Council Vice President Carabelli, Council President Whalen

ORD2. 23-002 - ORDINANCE AUTHORIZING A RENTAL AGREEMENT BETWEEN THE TOWNSHIP OF HAMILTON AND THE HAMILTON TOWNSHIP POLICE ATHLETIC LEAGUE ("P.A.L.") FOR THE REAL PROPERTY KNOWN AS 392 CHURCH STREET, BLOCK 2663, LOT 12 (DWIER CENTER)

After the above Ordinance had been read by title, the President declared the public hearing open and asked if anyone wished to be heard concerning same. There being no response, a motion was made by Councilmember Papero and seconded by Council Vice President Carabelli to close the public hearing and adopt the Ordinance on second reading.

Voting Yea: Councilmember Papero, Councilmember Tighe, Council Vice President Carabelli, Council President Whalen

ORD3. 23-003 - AN ORDINANCE AMENDING ORDINANCE NO. 21-055, WHICH ADOPTED THE APPRAISAL OF YARVILLE-HAMILTON SQUARE ROAD RIGHT OF WAY AND AUTHORIZED THE ACQUISITION OF YARVILLE-HAMILTON SQUARE ROAD RIGHT OF WAY LOCATED IN A PORTION OF BLOCK 2173 LOTS 24.01 and 24.02 FOR THE PUBLIC PURPOSE OF ROAD WIDENING

After the above Ordinance had been read by title, the President declared the public hearing open and asked if anyone wished to be heard concerning same. There being no response, a motion was made by Council Vice President Carabelli and seconded by Councilmember Tighe to close the public hearing and adopt the Ordinance on second reading.

Voting Yea: Councilmember Papero, Councilmember Tighe, Council Vice President Carabelli, Council President Whalen

ORD4. 23-004 - ORDINANCE FOR THE ADOPTION OF FLOODPLAIN MANAGEMENT REGULATIONS, CHAPTER 536

After the above Ordinance had been read by title, the President declared the public hearing open and asked if anyone wished to be heard concerning same.

Ms. Janice Glonek of 432 Trinity Avenue asked if this was Townshipwide or just one area and it was advised that the ordinance applied to the entire township which is mandated by the state.

There being no further comments, a motion was made by Councilmember Papero and seconded by Councilmember Tighe to close the public hearing and adopt the Ordinance on second reading.

Voting Yea: Councilmember Papero, Councilmember Tighe, Council Vice President Carabelli, Council President Whalen

ORD5. 23-005 - ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, PART II, GENERAL LEGISLATION, CHAPTER 468, TOWING

After the above Ordinance had been read by title, the President declared the public hearing open and asked if anyone wished to be heard concerning same.

Mr. Brian Hawkins of 401 New York Avenue stated that while he was appreciative of the work the Township did for the ordinance, questioned the exclusion of charges for labor and roadside service. It was advised that the exclusions were done at the direction of Mayor Martin. It was advised that the ordinance does not incorporate roadside services as they are fees that are agreed upon between two parties and is not a service covered under the ordinance. After discussion, it was felt that the charges in question be reviewed further, therefore a motion was made by Councilmember Papero and seconded by Council Vice President Carabelli to continue the public hearing to the February 21, 2023 meeting.

Voting Yea: Councilmember Papero, Councilmember Tighe, Council Vice President Carabelli, Council President Whalen

ORD6. 23-006 ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, PART II, GENERAL LEGISLATION, CHAPTER 215, FEES, § 215-1, MUNICIPAL CLERK

A motion was made by Councilmember Tighe and seconded by Councilmember Papero to continue the public hearing until the February 21, 2023 Council meeting.

Voting Yea: Councilmember Papero, Councilmember Tighe, Council Vice President Carabelli, Council President Whalen.

FIRST READING AND INTRODUCTION

ORD1. 23-007 ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, CHAPTER 485, VEHICLES AND TRAFFIC, ARTICLE II, PARKING, § 485-19, HANDICAPPED PARKING (Repealing the space established at 876 South Olden Avenue by Ordinance No. 19-048)

Motion made by Councilmember Papero and seconded by Councilmember Tighe to introduce the Ordinance on first reading.

Voting Yea: Councilmember Papero, Councilmember Tighe, Council Vice President Carabelli, Council President Whalen

COMMENTS FROM THE PUBLIC

Mr. Stanley Brick of 73 Versailles Court which is a Mount Laurel unit, sought assistance in determining whether the air conditioning unit which is located on his deck is safe. The second and third floor residences have their units on their deck as opposed to the ground and stated the condensers emit harmful radiation. He noted that the Township had been out to the development to address the issue of collapsing decks which were replaced. He stated the inspector was in agreement with him about the matter. Mr. Brick added that he had an ADR hearing with his association and was told that maybe in a year, they would hire an engineer to look into the situation. Ms. Monzo stated that she would look into the matter and respond.

Ms. Janice Glonek of 432 Trinity Avenue stated that she had heard of a fire in Robbinsville where Hamilton had responded. She asked if the Fire Division was still broken down by district, and it was advised that there are no more districts, but they are known by stations. When asked if Hamilton still used the Colonial Firehouse, it was advised by Ms. Monzo that Hamilton no longer has equipment at that location.

Lt. Kristen Seitz, Executive Director of the Hamilton Police Athletic League thanked Council for the adoption of an ordinance that allows the P.A.L. to utilize the Ray Dwier Center.

COMMENTS FROM COUNCIL

Councilman Tighe thanked the audience members for attending the meeting. A reminder was given about the vaccination clinics at the Health Division which are scheduled for every Friday with the exception of February 17. There will also be a clinic on February 23 at the Senior Center. He advised that the Parks and Recreation Advisory Committee is doing a needs assessment survey whereby

township residents are asked their input as to how they would like to see parkland utilized. The deadline to respond is March 7. He thanked Ms. Gore for her many years of service and wished her all the best in her retirement.

Council Vice President Carabelli thanked all for attending the meeting. He added that Council appreciates hearing from the residents about issues before them. He concluded by congratulating Ms. Gore on her retirement. He recounted when he became Council President in 2017 and all the help and support she provided him and all of Council these many years. She and her office always made sure that Council was prepared for their meetings.

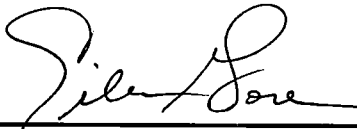
Councilman Papero thanked all for attending the meeting. He gave thanks to Eileen for everything she has done for the Township and its residents and wished her well in her retirement. He considered Eileen not just a friend, but family and would miss her presence. He looked forward to seeing and playing some golf with her in the days ahead.

Council President Whalen also thanked all for attending the meeting. He wished Ms. Gore congratulations and wished her all the best on her retirement. He hoped that they would be able to play some golf together and that she enjoys her days down the shore.

Ms. Gore extended her thanks to Alison Sabo, Deputy Clerk, the Administration and the Township Council for their kind words and beautiful flowers

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:26 pm



**Eileen Gore, RMC, CMC, MMC
Municipal Clerk**



**Charles Whalen
Council President**