



MINUTES
TOWNSHIP OF HAMILTON
REGULAR COUNCIL MEETING
MAY 03, 2022 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 Anthony Carabelli, Jr.
Councilman Pasquale Papero, Jr.
Councilman Richard Tighe
Council Vice President Charles Whalen

ALSO PRESENT:

Kathryn Monzo, Business Administrator
Elissa Grodd-Schragger, Director, Department of Law
Eileen Gore, Municipal Clerk
Alison Sabo, Deputy Municipal Clerk

ABSENT:

Council President Nancy Phillips

FLAG SALUTE

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

INVOCATION

The Invocation was given by Councilman Anthony Carabelli.

MINUTES

M1. APRIL 19, 2022 – REGULAR MEETING MINUTES

Motion made by Councilmember Carabelli and seconded by Councilmember Papero to approve the Minutes of April 19, 2022.

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

COMMUNICATIONS

The Municipal Clerk advised Communication C2 was removed from the agenda.

C1. COMMENDATION - MAY 2022 KIDS TO PARKS DAY

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

Motion made by Councilmember Carabelli and seconded by Councilmember Papero.

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

RESOLUTIONS

RES1. 22-196 - RESOLUTION OF HAMILTON TOWNSHIP, COUNTY OF MERCER, STATE OF NEW JERSEY SUPPORTING HERB-A-MORE LLC'S APPLICATION TO THE CANNABIS REGULATORY COMMISSION FOR A CLASS 1 CANNABIS CULTIVATOR AND/OR A CLASS 2 MANUFACTURER LICENSE

Ms. Heather Kumer, Esquire representing Herb-A-More LLC appeared before Council. Ms. Kumer gave a brief company background and indicated there is currently a partnership with Nature's Medicine, which is a multi-state business that operates in seven different states. It was stated that a lease for property located at 1218 Walnut Avenue. The State of New Jersey has issued the applicant a conditional license to the applicant. If an approving resolution is received from Hamilton Township, the applicant will then submit their conversion application to the state. Previously, the facility was approved as a Trenton Social Equity who had been working with the landlord who was very helpful with the needed process. The facility will employ between thirty and fifty individuals who will be locally sourced. When asked to as the type of operation proposed, it was stated the facility will be both cultivation and manufacturing. While Nature's Medicine engages in retail, they are only focusing on cultivation and manufacturing in Hamilton and have been working with the engineers and architect to ensure all possible concerns are addressed in the plans according to the ordinance. It is their intention that at the time when they appear before the Planning Board, an in-depth architectural plan will be available to show the security system, water mitigation and traffic control. Councilman Carabelli questioned if this will come back to Council once they vote on it that evening. Ms. Schragger stated once their license is issued by the State, it will come to the Municipal Clerk to issue the municipal license.

Ms. Wanda Broach-Butts of 118 Central Avenue asked what type of facility this was going to be? It was stated that both manufacturing and cultivation will be held at the facility.

Mr. Fred Dumont, Director of Community and Economic Development, stated there are six applicants for growing in Hamilton Township and that Herb-A-More would be located at a currently vacant factory.

There being no further discussion, a motion made by Councilmember Carabelli, seconded by Councilmember Papero.

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

RES2. 22-197 - RESOLUTION OF HAMILTON TOWNSHIP, COUNTY OF MERCER, STATE OF NEW JERSEY SUPPORTING MULE EXTRACTS LLC'S APPLICATION TO THE CANNABIS REGULATORY COMMISSION FOR A CLASS 1 CANNABIS CULTIVATOR LICENSE

Ms. Nicole Sampson and Mr. Wilder Sampson were in attendance at the meeting representing Mule Extracts that is a family owned company originating in Oregon that employ over thirty-five (35) employees and generate over \$5.6 million in sales. They anticipated that sales would exceed \$10 million this year. In Hamilton, they will apply as a Class II Cannabis Manufacturing Company with no retail sales. Their plan is to use locally owned businesses to build relationships to support the start of the company and will employ between thirty-five (35) and fifty (50) local employees which will consist of a diversified group at their facility. It was estimated that sales would generate between \$15 and \$20 million yearly. They will be buying from growers in the State of New Jersey and the product will be processed using a carbon dioxide machine. The carbon dioxide would be cleaned using a filtration system and ethanol. Products would then be produced from the cleaned oil. On January 12, 2022, they applied for their conditional license and are currently negotiating for the lease of 1416 Thomas J. Rhodes Industrial Drive in Hamilton.

Councilman Carabelli asked if they would ever consider purchasing product from Herb-A-More or do they already have a list of facilities they would be purchasing from. Mr. Sampson stated that in Oregon one can purchase from another manufacturing company, but would look into whether it is permissible in New Jersey.

Motion made by Councilmember Tighe, seconded by Councilmember Papero.

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

CONSENT AGENDA

Council Vice President Whalen gave a brief overview of the items listed on the Consent Agenda.

Councilman Carabelli stated he was glad to see the contract between Hamilton and Robbinsville was on the agenda. Councilman Tighe noted the many improvements being made to our parks.

Ms. Janice Glonek of 432 Trinity Avenue asked if the Township owns the Rusling Hose Fire Company and was informed that we do. Ms. Glonek then asked what was being done at the firehouse.

Council Vice President Whalen stated the office space was not laid out properly and needing to be reconfigured.

Ms. Glonek then noted the increased pickleball activity taking place at Veteran's Park.

Council Vice President Whalen stated there was a pickleball tournament last year and they want to come back this year.

Ms. Monzo stated pickleball is not replacing tennis.

Councilman Papero noted that last year he worked the pickleball tournament and noticed there were more out of state license plates than ones from New Jersey.

Councilman Tighe added that the two tennis courts being replaced were already out of order.

Motion made by Councilmember Carabelli, seconded by Councilmember Papero. Voting Yea: Councilmember Carabelli, Councilmember Tighe, Councilmember Papero, Council Vice President Whalen

- CA1.** **22-198** - RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH THE PROPERTY OWNER OF 477-479 JEREMIAH AVENUE LOCATED AT BLOCK 2405, LOT 4 AND BLOCK 2210, LOT 12 FOR ACCESSIBILITY TO THE DRIVEWAY AND REAR YARD FOR THE NECESSARY EQUIPMENT TO REHABILITATE A STORM DRAIN PIPE, OUTLET STRUCTURE AND THE SURROUNDING AREA THAT IS CAUSING DRAINAGE CONCERNS ALONG THE REAR OF 7 BIGELOW ROAD

- CA2.** **22-199** - RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH THE PROPERTY OWNER OF 56 VALLEY VIEW ROAD LOCATED AT BLOCK 2614, LOT 107 FOR ACCESSIBILITY TO THE DRIVEWAY AND REAR YARD FOR THE NECESSARY EQUIPMENT TO REHABILITATE A STORM DRAIN PIPE, OUTLET STRUCTURE AND THE SURROUNDING AREA THAT IS CAUSING DRAINAGE CONCERNS ALONG THE REAR OF 56 AND 58 VALLEY VIEW ROAD

- CA3.** **22-200** - RESOLUTION AUTHORIZING THE TOWNSHIP OF HAMILTON TO PARTICIPATE IN THE INTRA-COUNTY MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS IN THE COUNTY OF MERCER

- CA4.** **22-201** - RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE TOWNSHIP OF HAMILTON AND THE TOWNSHIP OF ROBBINSVILLE TO GOVERN PAYMENTS FOR WASTEWATER TREATMENT SERVICES FOR CY2022 AND CY2023

- CA5.** **22-202** - RESOLUTION APPROVING AMENDMENT NO. FIVE (5) TO RESOLUTION 22-033 AUTHORIZING CONTRACTS WITH MERCER COUNTY COOPERATIVE PURCHASING PROGRAM (CK09-MERCER) VENDORS FOR THE CALENDAR YEAR 2022 (MERSHON CONCRETE - \$35,000)

- CA6.** **22-203** - RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH SPIEZLE ARCHITECTURAL GROUP, INC. FOR ARCHITECTUAL CONSULTANT SERVICES FOR THE RENOVATIONS TO HAMILTON TOWNSHIP FIRE DEPARTMENT BUILDING KNOWN AS RUSLING HOSE, 13 RENNIE STREET (\$19,400.00 MAXIMUM)

- CA7.** **22-204** - RESOLUTION ESTABLISHING A CONTRACT FOR THE ROOF REPAIRS TO THE VETERANS PARK – NORTHSIDE COMFORT STATION WITH VMG GROUP FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF BUILDINGS AND GROUNDS VIA MERCER COUNTY COOPERATIVE CONTRACT PURCHASING SYSTEM (\$13,830.00 MAXIMUM)

- CA8.** **22-205** - RESOLUTION ESTABLISHING A CONTRACT FOR THE ROOF REPLACEMENT OF THE VETERANS PARK – DEMEO COMFORT STATION WITH VMG GROUP FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF BUILDINGS AND GROUNDS VIA MERCER COUNTY COOPERATIVE CONTRACT PURCHASING SYSTEM (\$16,312.40 MAXIMUM)

- CA9.** **22-206** - RESOLUTION ESTABLISHING A CONTRACT FOR THE ROOF, GUTTER AND DOWNSPOUT REPAIRS TO THE VETERANS PARK – SENIOR GAMES PAVILION WITH VMG GROUP FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF BUILDINGS AND GROUNDS VIA MERCER COUNTY COOPERATIVE CONTRACT PURCHASING SYSTEM (\$33,850.20 MAXIMUM)

- CA10.** **22-207** - RESOLUTION ESTABLISHING A CONTRACT WITH A. TAKTON CONCRETE CORPORATION FOR THE 2021 MISCELLANEOUS CURB, SIDEWALK, AND ACCESSIBLE RAMP IMPROVEMENTS PROJECT AT VARIOUS LOCATIONS (\$195,932.75 MAXIMUM)

- CA11.** **22-208** - RESOLUTION ESTABLISHING A CONTRACT FOR THE REPAIR AND RESURFACING OF FOUR (4) TENNIS COURTS AND THE CONVERSION OF TWO (2) TENNIS COURTS TO SIX (6) PICKELBALL COURTS AT VETERANS PARK WITH FIELDTURF USA VIA THE EDUCATIONAL SERVICES COMMISSION OF NJ (ESCNJ) CO-OP #65MCECCPS (\$373,055.00 MAXIMUM)

- CA12.** **22-209** - RESOLUTION REJECTING BIDS RECEIVED TO ESTABLISH A CONTRACT FOR ELECTRIC GENERATION SERVICES FOR THE DEPARTMENT OF WATER POLLUTION CONTROL ISSUED ON BEHALF OF THE NEW JERSEY SEWERAGE AND MUNICIPAL UTILITY AUTHORITY ELECTRICAL SUPPLY AGGREGATION (NJSAMUAESA)

- CA13.** **22-210** - RESOLUTION AUTHORIZING THE REFUND OF 2022 REAL ESTATE TAX AND SEWER TAX OVERPAYMENTS AND REFUNDS (\$817.48)

- CA14.** **22-211** - RESOLUTION AUTHORIZING THE REFUND OF FEE PAID BY VICTOR KAO FOR A LIEN FEE ASSESSED TO THE PROPERTY LOCATED AT 457 WHITEHEAD ROAD (\$2,554.80)

ORDINANCES

SECOND READING AND PUBLIC HEARING

- ORD1.** **22-015** - ORDINANCE ACCEPTING A DEED OF RIGHT-OF-WAY DEDICATION (TJC at Hamilton LLC - Fletcher Avenue; Block 1890; p/o Lot 17)

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. No comments were received.

Motion made by Councilmember Carabelli and seconded by Councilmember Papero to close the public hearing and adopt the Ordinance on second reading

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

Voting Nay: Councilmember Tighe

FIRST READING AND INTRODUCTION

- ORD2.** **22-016** - ORDINANCE ACCEPTING A DEED OF RIGHT-OF-WAY DEDICATION (1384 Yardville LLC – 1384 Yardville Hamilton Square Road; Block 2591; p/o Lot 6)

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

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

- ORD1.** **22-017** - ORDINANCE ACCEPTING A DEED OF RIGHT-OF-WAY DEDICATION (The Estate of Barry Grobels, d/o/d April 22, 2015, Docket No. 15-00810, by his Executrix, Jennifer Grobles – Youngs Road; Block 1509; p/o Lot 22 {Proposed Lots 22.01 & 22.02})

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

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

ORD2. 22-018 - ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, PART III, LAND USE LEGISLATION, CHAPTER 550, LAND DEVELOPMENT, ARTICLE IV, GENERAL REGULATIONS AND DESIGN STANDARDS, § 550-143, CANNABIS AND MEDICAL CANNABIS ESTABLISHMENTS

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

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

RESOLUTIONS

CP1. 22-212 - RESOLUTION REFERRING PROPOSED AMENDMENTS TO THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, PART III, LAND USE LEGISLATION, CHAPTER 550, LAND DEVELOPMENT, ARTICLE IV, GENERAL REGULATIONS AND DESIGN STANDARDS, § 550-143, CANNABIS AND MEDICAL CANNABIS ESTABLISHMENTS, TO THE HAMILTON TOWNSHIP PLANNING BOARD FOR REVIEW PURSUANT TO N.J.S.A. 40:55D-26

Motion made by Councilmember Tighe and seconded by Councilmember Papero.

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

COMMENTS FROM THE PUBLIC

Mr. James Walters, a member of the Mercer County Board of Mental Health an former police sergeant shared with the Council that he had been diagnosed with PTSD, anxiety, and major depression disorder. He added he just spent over thirty days out of state working on those issues which were all related to trauma and racial trauma. He read a quote from U.S. Attorney Charles Covats. After the George Floyd verdict was announced, he stated that the officers had a moral responsibility, a legal obligation, and a duty to intervene. And by failing to do so, they committed a crime. Mr. Walters gave a reminder that all sworn law enforcement officers regardless of rank, seniority, individually and independently, have a duty to intervene and provide medical aid to those in their custody. He requested a moment of silence for the loss of a brother officer due to the situations that he spoke about. He felt that mental health for law enforcement officers should be taken very seriously.

Mr. Leroy Ames of Ridge Avenue thanked Councilman Papero for going out to his neighborhood. He spoke about speed bumps being placed on Pitman Avenue due to the speeding issue. Councilman Papero stated that while he was visiting the neighborhood he did witness the speeding issue along Putman Avenue. The issue will be reviewed and he will reach back out to Mr. Ames.

Mr. Ricardo Ramos of 215 Clover Avenue raised concern about a new neighbor at 211 Clover Avenue. He stated that the property owners have become a nuisance with public drinking, urination taking place at the old club ten, bonfires created by using the wood from inside the house. They erected a volleyball court which brings fifty to sixty cars for what they think are volleyball tournaments. These types of examples begin at 10:00 am and goes until 1:00 am. It was his understanding that the volleyball court is being rented out. Ms. Schragger advised that the Township has foreclosed on the Club Ten property and were in the process of accepting bids to tear the building down. Council Vice President advised that the proper authorities will be notified and will look into the matters and get some answers to his concerns.

Ms. Janice Glonek of 432 Trinity Avenue inquired as to whether any new information relative to the park located in Cornell Heights. Ms. Monzo apologized but she had not received a response as of yet, but she get a response and reach out to her. She did indicate that the playground equipment was being replaced, but was unsure if that included the tennis courts. She also raised concern about the benches that were placed in front of Carella's. When asked about a new business to be located on Route 33, it was advised that it was slated to be an Amazon Grocery store. Lastly, she inquired about a possible grant for redoing Whitehead Pond. Ms. Monzo stated all of the entities have to be gotten together and that it's not just a Hamilton issue. The issue is in the list of the Township Engineer who has expertise in stormwater.

Ms. Lisa Williams of 130 Briner Lane thanked Council for acquiring the necessary software to link PetFinder with the Animal Shelter to help minimize the amount of time an animal remains at the shelter. She also brought to their attention that the number of dog licenses issued to date is one thousand fewer than last year. Ms. Monzo advised that the link to allow for the payment online is currently in the hands of the vendor and it should be complete very shortly, but was not sure if the Health Division was caught up with the licenses.

COMMENTS FROM COUNCIL

The Councilmembers thanked all for attending the meeting and wished a Happy Mother's Day. They stressed the importance of hearing from the public about matters which in turn, helps them. Councilman Tighe acknowledged the work the Administration is doing for redevelopment and revitalization throughout the Township. Council Vice President Whalen gave a reminder of the Azaleafest the following Saturday.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:47 p.m.

Eileen Gore, RMC, CMC, MMC
Municipal Clerk

Nancy Phillips
Council President