



MINUTES
TOWNSHIP OF HAMILTON
REGULAR COUNCIL MEETING
FEBRUARY 01, 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"

"Adequate Notice of this Remote Public Meeting was provided pursuant to N.J.A.C. 5:39-1.5 and the content required in N.J.S.A. 10:4-8"

ROLL CALL

PRESENT:

Councilman Anthony Carabelli, Jr.
Councilman Richard Tighe
Councilman Pasquale "Pat" Papero, Jr.
Council Vice President Charles Whalen
Council President Nancy Phillips

ALSO PRESENT:

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

FLAG SALUTE

The Salute to the Flag was led by Councilmember Whalen.

INVOCATION

The Invocation was given by Councilmember Carabelli.

MINUTES

Motion made by Councilmember Carabelli, seconded by Councilmember Tighe to approve the minutes of January 18, 2022.

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

M1. JANUARY 18, 2022 - REGULAR MEETING MINUTES

COMMUNICATIONS

C1. PROCLAMATION - AMERICAN HEART MONTH - WOMEN'S HEART HEALTH - WEAR RED DAY

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

C2. PROCLAMATION - TEEN DATING VIOLENCE AWARENESS MONTH

Council President Phillips read the Proclamation for the members of the audience. Ms. Sheri Kurdakul, CEO of Victim's Voice spoke of educating teenagers the importance of boundaries. She provided information with regard to a webinar scheduled for February 8th at 2:00 pm for parents and others responsible for youth to recognize signs that teen violence is taking place.

- C3. RECEIPT OF DOCUMENTATION TO UPDATE ALCOHOLIC BEVERAGE CONTROL LICENSE 1103-31-063-001 HAMILTON TOWNSHIP LODGE NO. 2262 BPOE D/B/A HAMILTON ELKS LODGE 2262 (UPDATE OF OFFICERS)
- C4. JOINT PROCLAMATION COMMEMORATING FEBRUARY 2022 AS BLACK HISTORY MONTH

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

Motion made by Councilmember Tighe, seconded by Councilmember Carabelli to accept Communications C1 through C4.

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

CONSENT AGENDA

Prior to the review of the Consent Agenda, it was noted by the Municipal Clerk that Item CA3 was removed from the agenda.

Council President Phillips gave the audience a brief overview of the items listed on the Consent Agenda. Councilman Tighe requested clarification as to the costs associated with CA2 and it was advised that the figure represented a per month cost and was awarded without competitive bids since it is under state contract. He also requested information for CA5 and it was advised the contract was for information technology maintenance. The local public contracts law allows the Library to conduct their bid process through the Township since it retains a Qualified Purchasing Agent. He inquired as to the length of time that the Township had been contracting for sludge removal, it was advised that this contract is only used on emergent situations and for when improvements at the facility were being undertaken.

There being no further questions of Council, President Phillips asked if any audience member had any questions on any item.

Ms. Bonnie Tillery of Sawmill Road inquired as to whether the Township would consider consolidating with the Mercer County Library System. Ms. Monzo stated the Township is always looking at ways of reducing costs and thanked her for the suggestion. There were no further questions by members of the public.

Motion made by Council Vice President Whalen, Seconded by Councilmember Papero. to approve Consent Agenda items.

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

- CA1.** **22-087** - RESOLUTION AUTHORIZING THE PROPER OFFICIALS OF THE TOWNSHIP OF HAMILTON TO EXECUTE AN APPLICATION FOR FUNDING MUNICIPAL ALLIANCES TO THE STATE OF NEW JERSEY GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FOR THE HAMILTON TOWNSHIP MUNICIPAL ALLIANCE COMMITTEE ON ALCOHOLISM AND DRUG ABUSE FOR THE FISCAL GRANT YEAR JULY 1, 2022 THROUGH JUNE 30, 2023 (FY2023)
- CA2.** **22-088** - RESOLUTION AUTHORIZING AN AGREEMENT WITH THE ARC MERCER, INC. TO PROVIDE EVENING CUSTODIAL SERVICES FOR VARIOUS HAMILTON TOWNSHIP BUILDINGS (MUNICIPAL BUILDING, HEALTH BUILDING, VETERANS PARK MAINTENANCE BUILDING AND OUTSIDE COMFORT STATIONS, GOLF CENTER, CALL CENTER, DEPARTMENT OF PUBLIC WORKS ADMINISTRATION BUILDING), AND PORTER SERVICES FOR THE JOHN O. WILSON NEIGHBORHOOD SERVICE CENTER AND BROMLEY CIVIC CENTER (\$17,934.58 per month; \$215,214.96 annual maximum)
- CA3.** **22-089** - REMOVED FROM THE AGENDA
- CA4.** **22-090** - RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE COUNTY OF MERCER FOR THE PROVISION OF EMS DISPATCH SERVICES FOR THE PERIOD OF JANUARY 1, 2022 TO DECEMBER 31, 2022 (\$115,830.00 maximum)
- CA5.** **22-091** - RESOLUTION AUTHORIZING THE PURCHASING AGENT TO SOLICIT PROPOSALS FOR COMPETITIVE CONTRACTING FOR THE OPERATION MANAGEMENT OR ADMINISTRATION OF DATA PROCESSING OF THE HAMILTON TOWNSHIP LIBRARY

- CA6.** **22-092** - RESOLUTION OF THE TOWNSHIP OF HAMILTON, COUNTY OF MERCER, STATE OF NEW JERSEY, AUTHORIZING A RE-ESTABLISHMENT OF PETTY CASH FUND FOR THE DEPARTMENT OF WATER POLLUTION CONTROL IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00)

- CA7.** **22-093** - RESOLUTION AUTHORIZING AGREEMENTS FOR PROFESSIONAL SERVICES WITH THE FIRMS OF DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP; GLUCK WALRATH LLP; LENOX LAW FIRM; MALAMUT & ASSOCIATES LLC; MASON, GRIFFIN & PIERSON; MCMANIMON, SCOTLAND & BAUMANN, LLC; PARKER MCCAY P.A.; AND RAINONE COUGHLIN MINCHELLO LLC TO SERVE AS SPECIAL PROJECT ATTORNEYS FOR THE TOWNSHIP OF HAMILTON FOR THE PERIOD OF JANUARY 1, 2022 TO DECEMBER 31, 2022 (\$60,000.00 shared maximum)

- CA8.** **22-094** - RESOLUTION ESTABLISHING AN EMERGENCY CONTRACT WITH ROOT 24HRS, INC. FOR HAULING AND REMOVAL OF LIQUID SLUDGE FROM SCUM PIT FOR THE DEPARTMENT OF WATER POLLUTION CONTROL (\$17,700.00 MAXIMUM)

- CA9.** **22-095** - RESOLUTION AUTHORIZING THE REFUND OF FEE PAID BY TRINITY SOLAR FOR A CONSTRUCTION PERMIT (\$330.00)

- CA10.** **22-096** - RESOLUTION AUTHORIZING THE REFUND OF FEES PAID BY VARIOUS INDIVIDUALS FOR THE USE OF THE BROMLEY NEIGHBORHOOD CIVIC CENTER (\$1,451.00)

- CA11.** **22-097** - RESOLUTION AUTHORIZING REFUND OF 2021 REAL ESTATE TAXES FOR SOUTH OLDEN CO-OPERATIVE (\$3,000.00)

- CA12.** **22-098** - RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BOND FOR SITE IMPROVEMENTS MADE TO THE PROPERTY LOCATED AT CLARENDON AVENUE

ORDINANCES

SECOND READING AND PUBLIC HEARING

- ORD2.** **22-001** – BOND ORDINANCE OF THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF MERCER, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF PROPERTY AT 185 SAWMILL ROAD IN AND BY THE TOWNSHIP OF HAMILTON, APPROPRIATING \$4,700,000 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$4,700,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME -

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. Ed Pfeifer of 4 Halley Drive understood the importance of preserving this property, but was under the impression that there was currently a conservation easement on the property. Ms. Schragger stated there was a partial easement on the property, and asked the attorney Mr. Hasty to provide more information. He expressed concern that there would no no funding remaining in order to preserve other lands since a large amount of money was being spent for this land. Councilmember Tighe advised the approval for the spending of the money by the county and state is specific to this property and is considered separate from any applications which may be made for properties in the future.

Mr. Tom Hasty stated there were a number of easements on the land, some established by Mercer County and others by DEP Green acres Program. He indicated that Green Acres seemed enthused that the Township is taking public ownership to preserve it instead of it being taken over privately.

Ms. Bonnie Tillery of Sawmill Road asked what the Township was planning on doing with the property and it was advised that it will continue to operate as usual or will it expand. The only change is the ownership of the property to preserve and maintain. When asked if the camp would be renting the property from the Township and for what amount, Ms. Schragger stated lease payments will be made every month. The costs have not been determined yet, but will be net zero to the Township. She added that the Y will be responsible for the day-to-day business of the property. Ms. Tillery requested that conditions be placed on the purchase such as no increase in the current use of the property because the septic system would not be able to handle it; no organized school events because there would be an increased amount of noise, traffic, and light pollution; no additional artificial turf because it is harmful to the environment and to users. Council President Phillips noted the concerns and asked that she send them via email to her.

Ms. Diana Zita thanked the Council for considering this purchase. She stated the importance to the community as well as to the YMCA as will them to continue their services at the site as well as expand them by freeing up resources. Ms. Zita stated this is a place where kids can go and participate in many recreational activities. As it related to Ms. Tillery's comment about the septic system, Ms. Zita stated the camp was built to house a large number of children, and noted the septic system is nowhere near capacity. Once the property is transitioned and it is under the ownership of Hamilton Township, it will be ensured that there are incentives and benefits to reduced fee structures for Hamilton residents.

Mr. Rich Fornaro of 15 Bear Court thanked the Council and Mayor Martin for putting forth the initiative to Council to assist the YMCA.

Ms. Tammy Duffy of 109 Sweetbriar Avenue asked that the YMCA have more programs for the youth in Hamilton without a charge. She suggested that the Township reach out for donations so residents do not have to pay when participating in programs. She suggested that the Township look into grants that may be available to assist. Council President Phillips stated there are already existing grants in place. Ms. Schragger clarified this will actually be at no cost to the Township. Half of the money is coming from Mercer County and the other half from the Green Acres Program. Any additional costs will be covered by the lease agreement. Relative to the trail, it is a known issue and is being addressed and will be open to the public with parking provided.

Council Vice President Whalen asked if the fee structures would be determined on the amount of money received from Green Acres and the County. Councilmember Tighe stated that anytime there's enhanced programming offered on Township property, there are fees which have to be paid in order to be able to participate.

Ms. Diana Zita stated that in the last twenty years, the YMCA has given out millions of dollars in financial aid to families to attend camp.

Motion made by Councilmember Papero, seconded by Council Vice President Whalen to close the public hearing and adopt the Ordinance on second reading and public hearing. Voting Yea: Councilmember Carabelli, Councilmember Tighe, Councilmember Papero, Council Vice President Whalen, Council President Phillips

ORD2. **22-003** - ORDINANCE AUTHORIZING THE TOWNSHIP OF HAMILTON'S ACQUISITION OF CERTAIN PROPERTY KNOWN AS THE HAMILTON YMCA SUMMER CAMP LAND LOCATED AT 185 SAWMILL ROAD AND DESIGNATED AS BLOCK 2730, LOT 14.01, HAMILTON, NEW JERSEY (Purchase price: \$4,495,000.00)

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

ORD3. **22-004** - ORDINANCE AUTHORIZING THE LEASE WITH THE HAMILTON CAREER FIREFIGHTERS FOUNDATION INC. FOR USE OF THE ADDRESS OF THE PROPERTY KNOWN AS 13 RENNIE STREET, HAMILTON, NJ 08610

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

ORD4. **22-005** - ORDINANCE AMENDING AND SUPPLEMENTING THE *CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, CHAPTER 550, LAND DEVELOPMENT, ARTICLE VII, DEVELOPMENT APPLICATION REVIEW PROCEDURES, § 550-223, GENERAL REQUIREMENTS*

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. Ames Hoyt of 29 Country Lane asked how the public would be informed if an applicant submits new paperwork for a particular project. He voiced concern that documents would be submitted at the last minute and felt that some sort of software to apply a date and time stamp to the document would be needed. Council President Phillips stated that most digital documents are date and time stamped. Councilmember Papero clarified that the applicants will still have to submit the seven digital copies and one hardcopy.

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

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

FIRST READING AND INTRODUCTION

ORD1. 22-006 - 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 129 Redfern Street)*

Motion made by Councilmember Papero, seconded by Council Vice President Whalen to adopt the Ordinance on first reading and introduction. Voting Yea: Councilmember Carabelli, Councilmember Tighe, Councilmember Papero, Council Vice President Whalen, Council President Phillips

ORD2. 22-007 - 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 spaces established at 229 East Franklin Street by Ordinance No. 15-015)*

Motion made by Councilmember Carabelli, seconded by Councilmember Tighe to adopt the Ordinance on first reading and introduction. Voting Yea: Councilmember Carabelli, Councilmember Tighe, Councilmember Papero, Council Vice President Whalen, Council President Phillips

COMMENTS FROM THE PUBLIC

Ms. Zoe Leach of 810 Lawrenceville Road spoke about the transport of liquefied natural gas through the township and whether Council would pass a resolution regarding such. There were no comments made by Council on the matter.

Mr. Ed Pfeiffer of 4 Halley Drive noted an infestation of lantern flies last summer and asked what the township was doing to control the issue. Councilman Carabelli indicated he would check with his Mercer County contacts about the issue and get back to him with information. It was requested that Mr. Pfeiffer email Council with his information. Mr. Pfeiffer also spoke about the snowplow blocking his driveway with snow and asked if the plan could be changed so residents do not have their driveways plowed in. He suggested that the plow be raised at the resident's driveway and lowered when passed.

Mr. Ames Hoyt of 29 Country Lane stated that relative to the lantern fly issue, the County has a program through the County. He also stated that there is a naturally occurring fungus which can suppress the population. He suggested that the Township talk to the County to see what could be done. Relative to the snowplow issue, Mr. Hoyt stated he shovels beyond the apron of his property which seems to help the problem. He concluded by asking that the Zoom information be placed on the agenda. Ms. Gore took note and would see what could be done.

Ms. Janice Glonek of 432 Trinity Avenue referred to her comments at the previous Council meeting about receiving a letter about the creek being dredged. Ms. Monzo stated that her contact information had been passed on to the township engineer Samantha Brown for review. Ms. Glonek stated she had read that twenty-two three-story multi-family buildings were going to be built on Klockner Road. Councilmember Tighe stated that a luxury apartment complex is being built near the senior housing. It is a private development which is zoned residential. The only issue was a height variance issue where they wanted to go with a three-story version instead of two-story. It will be luxury housing with affordable housing units. Ms. Glonek asked for an update on the American Legion issue on Schiller Avenue. Council President Phillips stated the matter is being reviewed by the Police Department. The Police Department will be meeting with the commander and assistant commander to discuss the issue and was hopeful that progress would be made by the next Council meeting. Ms. Glonek suggested that permit parking be instituted as it was at Cornell Heights.

Ms. Tammy Duffy of 109 Sweetbriar Avenue spoke of some businesses disregarding public safety with regard to snow removal and not cleaning their sidewalks. She spoke of an Ordinance in place for snow removal and there being fines for those who are in violation. She suggested the Township start implementing fines to businesses who are in violation. She also suggested the Ordinance be amended to indicate that commercial buildings be fined. Councilmember Tighe suggested that any resident who sees a business is in violation of not having their sidewalks cleaned should call HamStat.

Ms. Lisa Williams of 130 Briner Lane voiced concern with some houses not having sidewalks and suggested the accessibility of the sidewalks throughout the Township be reviewed. She then asked the status of the audit and bank reconciliations to which Ms. Monzo stated there were two accounts which had to be finished for 2020 and was hopeful that everything would be finalized by the end of that week, and the audit ready by March 1st. Relative to the 2021 bank reconciliations, there is an individual in-

house who will be working along with an individual at Mercer County who will entering into a shared services agreement with to assist as well. There is a retired CFO who will be coming in to help with them as well. She expressed her appreciation to Ms. Eugene and Donielle for all that they have done at the animal shelter. She stated that any time she has placed a call to the shelter, Donielle is very honest regarding the behavior of animals. She felt the shelter has done the right thing in trying to work with animals and being responsible and added that not every animal can be placed. Councilmember Papero thanked Ms. Williams for her kind words regarding the shelter. He also acknowledged that Ms. Eugene has done a great deal of work with the shelter and they will continue as there is work still to be done.

Ms. Debbie DeBlasio of 113 Gridley Street spoke of application to become a volunteer at the shelter being denied. She stated three reasons for the denial which were the Facebook Page for which she is one of the administrators, having an Amazon wish list for helping the animals at the shelter, and for not going inside the shelter and advising what animals are being fed and what she is feeding them. Ms. DeBlasio felt that people are being denied because they are not liked. She stated that during the past two months, there were three dogs which were euthanized. She understood that with this administration, such things would not happen and urged that this be looked into. Assistant Township Attorney Jennifer Eugene stated that during 2021, there were 258 animals taken into the shelter and only four were euthanized. One was put down in January due to medical reasons. Another in May which was by court order because it was a potentially dangerous dog. The two put down in November were deemed dangerous, but several animal rescues were contacted but refused to take them because of their disposition and history. There was also one animal euthanized in January of 2022 due to behavioral issues. It was noted that the dog was so dangerous that the professional behaviorist which the Township hired was unwilling to work with the animal. Ms. Eugene stated the Township has made great progress with the shelter.

COMMENTS FROM COUNCIL

Councilmember Carabelli thanked all for participating in the meeting. He commended the work which Ms. Eugene has done with the animal shelter. He mentioned the upcoming police promotion ceremony where three officers will be recognized.

Councilmember Papero thanked all for participating in the meeting and for their feedback. He noted that February is Black History Month and indicated there were many events happening which were available on the County website for anyone interested in attending.

Councilmember Tighe felt very confident in the procedures which have been put in place at the animal shelter. He added there is a chain of command at the shelter, and decisions to euthanize animals are not made by one person. There is a committee which takes appropriate steps in making a decision regarding an animal. He congratulated Ms. Eugene, the animal shelter staff, as well as the health department staff for all their work. He noted that the properties involved in a fire on East State Street were demolished after nearly ten years which will be replaced with modern housing. He also mentioned that Kuser Park Farm would be opening for tours this year and urged residents to go and see the historical buildings.

Council Vice President Whalen thanked the residents and all who participated in the meeting. Praise was given to the Department of Public Works employees for their snow removal work.

Council President Phillips also gave thanks to Ms. Eugene, Ms. Schragger, and Councilmember Tighe for their work with the animal shelter. Relative to the sewer rate study, Council President Phillips made mention that there will be a meeting on February 17 by way of Zoom. Council President Phillips gave thanks to all for participating in the meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:45 p.m.

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

**Nancy Phillips
Council President**