



**MINUTES**  
**TOWNSHIP OF HAMILTON**  
**REGULAR COUNCIL MEETING**  
**MAY 17, 2022 AT 6:30 PM**

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**STATEMENT OF THE PRESIDENT**

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

*"Both Adequate and Electronic Notice of this 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 Pasquale "Pat" Papero, Jr.  
Councilman Rick Tighe  
Council Vice President Charles Whalen  
Council President Nancy Phillips

**ALSO PRESENT:**

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

**FLAG SALUTE**

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

**INVOCATION**

The Invocation was given by Councilman Carabelli.

**MINUTES**

M1. APRIL 5, 2022 - REGULAR COUNCIL MEETING

Motion made by Council Vice President Whalen and seconded by Councilmember Papero.

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

**COMMUNICATIONS**

C1. COMMENDATION RECOGNIZING THE MONTH OF MAY AS MENTAL HEALTH AWARENESS MONTH

Council President Phillips read the Proclamation for the members of the public.

C2. COMMENDATION DECLARING THE FIRST FRIDAY IN JUNE TO BE NATIONAL GUN VIOLENCE AWARENESS DAY

Councilman Tighe read the Proclamation for the members of the public. Ms. Frances Carroll thanked the Council and Mayor. She stated that on June 3, at 5:00 p.m., there will be a picture taken on the front steps of the Municipal building and invited all who were present to attend the event.

- C3. RECEIPT OF DOCUMENTATION TO UPDATE ALCOHOLIC BEVERAGE CONTROL LICENSE ON FILE 1103-33-012-006 CHANGE IN CORPORATE STRUCTURE TO 100% TO PETER PALOMBI FORMERLY KNOWN AS HAMILTON TAVERN
- C4. THE VETERANS OF FOREIGN WARS OF THE UNITED STATES "FRANK J. UVEGES POST 3525" REQUEST PERMISSION TO CONDUCT ANNUAL POPPY DRIVE ON VARIOUS APPROVED DATES AND LOCATIONS

Motion made by Councilmember Tighe and seconded by Council Vice President Whalen to approve Communications C1 through C4.

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

**RESOLUTIONS**

- RES1.** **22-213** - RESOLUTION OF HAMILTON TOWNSHIP, COUNTY OF MERCER, STATE OF NEW JERSEY SUPPORTING UNIQUE BOTANICALS, LLC'S APPLICATION TO THE CANNABIS CONTROL COMMISSION FOR A CLASS 1 CANNABIS CULTIVATION MICROBUSINESS LICENSE

Ms. Maxine Kot appeared before Council in her capacity as the representative for the applicant, Unique Botanicals which is a minority women and veteran owned business pursuing a microbusiness cultivation license. The proposed business location is 121 Youngs Road and is in receipt of the required letter from the Zoning Office. It was hoped that the presentation to Council would result in the necessary Resolution of Support. which would then allow the applicant to move forward in obtaining the license. The owner, Shatoya Moss is the owner of the proposed business who gave an overview of her business background.

Councilman Carabelli inquired as to whether the currently building would remain. It was advised that new construction would take place that would house the business and that the current building would be used as office space.

Council President Phillips expressed her pleasure at having another microbusiness in Hamilton. Ms. Kot indicated that the business would employ ten individuals with a requirement that at least fifty percent of those be residents of Hamilton.

Motion made by Councilmember Carabelli and seconded by Councilmember Papero.

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

**CONSENT AGENDA**

Prior to Council reviewing the Consent Agenda items, Ms. Gore advised Items CA14 and CA19 were removed from the agenda.

Council President Phillips gave a brief overview of the items on the Consent Agenda for the members of the audience. There were no questions received by members of the public.

Councilman Tighe asked for an explanation on Consent Agenda item CA25 which was provided by Ms. Schragger.

Motion made by Council Vice President Whalen and seconded by Councilmember Tighe to approve the Consent Agenda as presented.

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

- CA1.** **22-214** - RESOLUTION ADOPTING A CASH MANAGEMENT PLAN FOR THE TOWNSHIP OF HAMILTON FOR THE YEAR 2022

- CA2.** **22- 215** - RESOLUTION OF THE TOWNSHIP OF HAMILTON, COUNTY OF MERCER, STATE OF NEW JERSEY, AUTHORIZING THE CHIEF FINANCIAL OFFICER TO CREATE AND OPEN A SEPARATE BANK ACCOUNT FOR THE REDEMPTION OF LIENS AND PREMIUMS

- CA3.** **22-216** - RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR A DIVISION ON MENTAL HEALTH AND ADDICTION SERVICES YOUTH LEADERSHIP GRANT FOR THE HAMILTON ALLIANCE AGAINST SUBSTANCE ABUSE MUNICIPAL ALLIANCE (Grant Funding Amount: \$10,597.00)
- CA4.** **22-217** - RESOLUTION AUTHORIZING THE APPLICATION AND ACCEPTANCE OF AN FM GLOBAL PREVENTION GRANT (Grant Amount: \$2,524.00)
- CA5.** **22-218** - RESOLUTION AUTHORIZING THREE SEPARATE LICENSE AGREEMENTS WITH THE PROPERTY OWNERS OF 1215-1309 STATE HWY 33, BLOCK 1945 LOT 2, 2145 YARDVILLE-HAMILTON SQ. ROAD, BLOCK 1943 LOT 5 AND 2900 KLOCKNER ROAD, BLOCK 1943 LOT 7 FOR ACCESSIBILITY TO CONSTRUCT AND/OR REPAIR AND/OR REPLACE SIDEWALKS AND ADA ACCESS RAMPS
- CA6.** **22-219** - RESOLUTION APPROVING THE DISCHARGE OF FIREWORKS AT VETERANS' PARK ON JULY 1, 2022 (RAIN DATE: JULY 2, 2022)
- CA7.** **22-220** - RESOLUTION ESTABLISHING A CONTRACT WITH INTERNATIONAL FIREWORKS FOR PYROTECHNIC DISPLAYS FOR THE JULY 4<sup>TH</sup> COMMUNITY EVENT (\$24,000.00 MAXIMUM)
- CA8.** **22-221** - RESOLUTION AUTHORIZING AN AGREEMENT WITH PHYSICIAN PRACTICE SPECIALISTS TO ASSIST THE TOWNSHIP OF HAMILTON IN BECOMING CREDENTIALLED WITH ADDITIONAL MEDICAL INSURANCE COMPANIES (\$5,490.00 maximum)
- CA9.** **22-222** - RESOLUTION APPROVING A SEVEN-MONTH EXTENSION TO CONTRACT 17-126 WITH AMERICAN WEAR, INC. FOR UNIFORM CLEANING AND RENTAL FOR THE DEPARTMENT OF PUBLIC WORKS AND THE DEPARTMENT OF WATER POLLUTION CONTROL (\$14,138.44 MAXIMUM)
- CA10.** **22-223** - RESOLUTION ESTABLISHING A CONTRACT FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR THE CORNELL HEIGHTS PLAYGROUND REQUESTED BY THE DEPARTMENT OF PUBLIC WORKS WITH GENERAL RECREATION, INC. VIA STATE OF NEW JERSEY CONTRACT #16-FLEET-00130 (\$65,377.00 MAXIMUM)
- CA11.** **22-224** - RESOLUTION ESTABLISHING A CONTRACT FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR THE CONNECTICUT AVENUE PLAYGROUND REQUESTED BY THE DEPARTMENT OF PUBLIC WORKS WITH GENERAL RECREATION, INC. VIA STATE OF NEW JERSEY CONTRACT #16-FLEET-00130 (\$55,158.00 MAXIMUM)
- CA12.** **22-225** - RESOLUTION AUTHORIZING AN ALTERNATE AWARD/FULL DISCLOSURE CONTRACT WITH GRANITE INLINER, LLC FOR THE MONTANA AVENUE SANITARY SEWER PIPE LINING PROJECT FOR THE DEPARTMENT OF WATER POLLUTION CONTROL (\$43,120.00 MAXIMUM)
- CA13.** **22-226** - RESOLUTION ESTABLISHING A CONTRACT FOR ROOF REPLACEMENT AND RESTORATION OF FIVE ROOFS AT THE DEPARTMENT OF WATER POLLUTION CONTROL WITH VMG GROUP VIA MERCER COUNTY COOPERATIVE CONTRACT PURCHASING SYSTEM (\$232,516.80 MAXIMUM)
- CA14. 22-227 - REMOVED FROM THE AGENDA
- CA15.** **22-228** - RESOLUTION ESTABLISHING A TWO-YEAR CONTRACT WITH OPTIMUM CONTROLS CORP. TO PROVIDE ROUTINE MAINTENANCE, CALIBRATION AND EMERGENCY REPAIRS FOR INSTRUMENT AND CONTROL SYSTEMS AT THE DEPARTMENT OF WATER POLLUTION CONTROL (\$107,000.00)
- CA16.** **22-229** - RESOLUTION ESTABLISHING A CONTRACT WITH EARLE ASPHALT FOR ROAD IMPROVEMENTS TO YARDVILLE-HAMILTON SQUARE ROAD (ROUTE 33 TO 300 LINEAR FEET SOUTH OF CONNOR COURT FOR THE DEPARTMENT OF COMMUNITY PLANNING & COMPLIANCE, DIVISION OF ENGINEERING (\$998,412.93 MAXIMUM)
- CA17.** **22-230** - RESOLUTION APPROVING CHANGE ORDER NUMBER ONE TO CONTRACT 21-400 AWARDED TO F.R. BEINKE WRECKING, INC. FOR THE DEMOLITION OF SEVEN (7) STRUCTURES ALONG EAST STATE STREET (INCREASE OF \$21,034.40)

- CA18.** **22-231** - RESOLUTION AUTHORIZING THE REFUND OF SECURITY DEPOSIT FEES PAID FOR THE MONTHS OF MARCH AND APRIL, 2022 BY VARIOUS INDIVIDUALS FOR THE USE OF KUSER PARK, VETERANS PARK COURT GAMES PAVILION (NORTH AND SOUTH LOCATIONS AND THE GOLF/TENNIS CENTER - \$1,650.00 TOTAL)
- CA19.** **22-232** - REMOVED FROM THE AGENDA
- CA20.** **22-233** - RESOLUTION AUTHORIZING THE REFUND OF FEE PAID BY TRINITY SOLAR FOR A CONSTRUCTION PERMIT (\$438.00)
- CA21.** **22-234** - RESOLUTION AUTHORIZING THE REFUND OF 2020-2022 REAL ESTATE TAX AND 2022 SEWER TAX OVERPAYMENTS (\$16,812.15)
- CA22.** **22-235** - RESOLUTION AUTHORIZING THE REFUND OF FEE PAID BY ICONIC MANAGEMENT, LLC FOR RENEWAL OF A RETAIL FOOD LICENSE FOR THE ESTABLISHMENT KNOWN AS 7-ELEVEN LOCATED AT 2582 WHITEHORSE-MERCERVILLE ROAD (\$200.00)
- CA23.** **22-236** - RESOLUTION ADOPTING APPRAISAL OF 1744 EAST STATE STREET PROPERTY, BLOCK 1637, LOT 18
- CA24.** **22-237** - RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE MERCER COUNTY IMPROVEMENT AUTHORITY FOR CAPITAL PROJECT OVERSIGHT AND IMPLEMENTATION
- CA25.** **22-238** - RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE TOWNSHIP OF HAMILTON TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER A CERTAIN AREA WITHIN THE TOWNSHIP QUALIFIES AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT (BLOCK 2658 LOTS 1, 2, 3, 4, 5, 13, 21, 45, 46)

**ORDINANCES**

**SECOND READING AND PUBLIC HEARING**

- ORD1.** **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)

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 none, a motion made by Councilmember Tighe and seconded by Council Vice President Whalen to close the public hearing and adopt the Ordinance on second reading.

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

- ORD2.** **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})

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

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

- ORD3.** **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*

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 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, Council President Phillips  
Abstained: Councilmember Tighe

**FIRST READING AND INTRODUCTION**

**ORD1.** **22-019** - ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED RELINQUISHING ANY AND ALL OWNERSHIP INTEREST THE TOWNSHIP OF HAMILTON MAY HAVE IN A PORTION OF BLOCK 1581, LOT 27 (APPROX. 1.175 ACRES) (SWEETBRIAR AVENUE)

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

**ORD2.** **22-020** - ORDINANCE AMENDING AND SUPPLEMENTING THE *CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, PART II, GENERAL LEGISLATION, CHAPTER 485, VEHICLES AND TRAFFIC, ARTICLE III, TRAFFIC REGULATIONS, § 485-27, TURN PROHIBITIONS*, WHICH ESTABLISHED CERTAIN TRAFFIC REGULATIONS IN AND FOR THE TOWNSHIP OF HAMILTON ON QUAKERBRIDGE ROAD, HAMILTON, NEW JERSEY INCLUDING THE APPLICATION OF THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 OF THE NEW JERSEY STATUTES

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

**ORD3.** **22-021** - ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, PART II, GENERAL LEGISLATION, CHAPTER 311, NOISE, AND REPEALING THE PREVIOUS CHAPTER 311 IN ITS ENTIRETY

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

**ORD4.** **22-022** - ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, PART II, GENERAL LEGISLATION, CHAPTER 317, NUISANCES, AND REPEALING THE PREVIOUS CHAPTER 317 IN ITS ENTIRETY

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, Council President Phillips

**ORD5.** **22-023** - AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY LOCATED AT 1744 EAST STATE STREET IN THE TOWNSHIP OF HAMILTON, DESIGNATED AS BLOCK 1637, LOT 18 OF THE HAMILTON TOWNSHIP TAX MAP FOR THE PUBLIC PURPOSE OF AFFORDABLE HOUSING AND THE PROTECTION OF PUBLIC HEALTH AND SAFETY

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

**ORD6. 22-024** - ORDINANCE AUTHORIZING A TEMPORARY USE AGREEMENT BY AND BETWEEN THE TOWNSHIP OF HAMILTON AND THE HAMILTON AREA YOUNG MEN'S CHRISTIAN ASSOCIATION, INC. TO ALLOW FOR THE HAMILTON AREA YOUNG MEN'S CHRISTIAN ASSOCIATION, INC. TO CONTINUE TO OCCUPY USE AND OPERATE THE SAWMILL YMCA FACILITY FOLLOWING THE TOWNSHIP'S ACQUISITION OF THE SAME.

Motion made by Council Vice President Whalen and seconded by Councilmember Tighe to introduce the Ordinance on first reading.

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

## **CY 2022 MUNICIPAL BUDGET**

**ORD1. 22-239** - RESOLUTION AUTHORIZING THE MUNICIPAL CLERK TO READ THE STATE CALENDAR YEAR 2022 MUNICIPAL BUDGET RESOLUTION BY TITLE ONLY

Motion made by Councilmember Tighe and seconded by Council Vice President Whalen to authorize the Municipal Clerk to read the State Calendar Year 2022 Municipal Budget Resolution by title only.

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

The Municipal Clerk read the budget document for the members of the public.

A motion was made by Councilmember Papero and seconded by Councilmember Carabelli to continue the public hearing to a future date.

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

**ORD2. 22-240** - RESOLUTION AUTHORIZING AMENDMENT TO THE CALENDAR YEAR 2022 CURRENT MUNICIPAL BUDGET

### **PUBLIC HEARING**

Motion made by Councilmember Tighe and seconded by Council Vice President Whalen to amend the Calendar Year 2002 Municipal Budget. There were no public comments received.

A motion was made by Councilmember Tighe and seconded by Councilmember Whalen to continue the public hearing on the budget amendment to a future date.

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

**ORD3. 22-241** - RESOLUTION AUTHORIZING AMENDMENT TO THE CALENDAR YEAR 2022 CURRENT MUNICIPAL BUDGET (CAPITAL PLAN)

The Municipal Clerk read the Capital Budget amendment into the record for the benefit of the members of the audience.

Motion made by Councilmember Carabelli and seconded by Council Vice President Whalen to approve said amendments.

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

## **COMMENTS FROM THE PUBLIC**

There were no comments received by the members of the public.

## **COMMENTS FROM COUNCIL**

The members of Council thanked all who participated in the meeting via Zoom as well as those who were involved in preparing the budget. A reminder was given about the two parades taking place on Memorial Day. Council President Phillips stated there was a special Council meeting scheduled for

May 31 at 6:30 p.m. at which time the public hearing would be continued on the adoption of the budget.

**ADJOURNMENT**

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

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

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**Nancy Phillips**  
**Council President**