

Minutes of the Regular Meeting of the Township Committee of the Township of Commercial, held on February 18, 2016 at 6:00 P.M., at the Township Hall, 1768 Main Street, Port Norris, NJ

Those present:

Judson Moore	Mayor
Fletcher Jamison	Committeeman
Ronald L. Sutton	Committeeman
Thomas Seeley	Solicitor
Hannah E. Nichols	Township Clerk
Edward Dennis	Engineer

Mayor Moore presided and called the meeting to order with the announcement that the meeting had been advertised, that it was being electronically recorded and being held in full compliance of the Open Public Meeting Act.

Mayor Moore asked everyone to stand and join him in the Flag Salute and Lord's Prayer.

Mayor Moore said I'm certainly glad that we continue with the Lord's Prayer with everything that is going on in our country today. Mayor said we have introduction of officials and he introduced Lt. Horsey of NJ State Police.

Lt. Horsey said for the month of January of 2016 there was a decrease in crime which is always a good thing, we investigated five motor vehicle accidents, 207 motor vehicle stops, 134 property checks, 4 burglary thefts, I looked into those cases and once again, unlocked doors, unlocked vehicles, movable property in yards. I say it every month don't leave your stuff outside, lock it up.

Mrs. Carol Hickman asked Lt. Horsey what happened with the drug bust that just happened in Laurel Lake.

Lt. Horsey said over the past couple of months the state police were very cautious about their appearance in Laurel Lake and of course now the committee knows why because we had a very serious operation going on and we didn't want to compromise our situation. He said with this bust hopefully we will rid the area of a serious drug dealer and do our best to keep others from coming into the area.

Mayor Moore said I have a comment that I brought up to the governing body before and this is just a suggestion, I'm just throwing out some ideas here but I asked you before about that road that is between the state police barracks and the senior center is in pretty deplorable shape and there's water that collects on both end of it. I asked our engineer to look into it and give me a ballpark idea and he said between 20,000 and 25,000, what I would suggest just by going by and I'm not asking for any decisions tonight because we're going to have to think about it but I would like to see that road get paved, we have ideas to even pave the parking lot and we've talked to Clint about it and we'll get some quotes for it and see just where that goes because that needs a lot of attention too, but in order to get that paved I would suggest that we have about \$56,000 in our capital and take that money out and get that road paved and we're going to replenish that this year with another \$56,000 actually we'll have \$100,000 and we'll use \$20,000 to \$25,000 to get that road done. At the same time when I saw this article about Trooper Eli, McCarston, my suggestion would be because he worked so long in the barracks that we could have a ceremony and name that lane after we pave it and name it Eli McCarston Drive, Lane, Way or whatever the case may be and I know that we are all proud of that station up there and the work that gets done but we could have an open house and bring this mans family down and have your troopers out there, bring the cornel down, some officers and possibly the governor himself, plus the pubic and have a nice ceremony out there for everything.

Lt. Horsey, said the Mayor had floored him, nothing had entered by mind, I really am touched that you gentlemen would think of such a nice event, and anything that I can do let me know.

Mayor Moore said we'll have to think about it, I brought it up before and I certainly would like for them to consider that and make something happen by spring. I suggest that we have a sign at the one entrance with his picture on the sign with a sign saying dedicated to Eli McCarston.

Committeeman Sutton asked the Lieutenant how long the officer had serviced here.

The Lieutenant said nine months.

Mayor Moore said Fletcher and Ron and I will have to talk about it.

Mayor Moore said Megan Wren of Bayshore Bivalve Center and Renee Breahrt, CCIA didn't make it to the meeting. Mayor called upon Maggie Lopezfye who had filed a complaint against David Dean in not doing his job.

Ms. Maggie Fye said she was concerned that she and her children had been drinking contaminated water, it tested positive with coliform and they have been drinking and bathing in this water for this past year. That David Dean had signed Certificate of Occupancy without have the water tested. She said that she had him on tape admitting that he didn't. Ms. Fye said she has a twenty minute video where he admits he issued without the water certificate. Ms Fye reiterated her concerns again and said she felt that Mr. Dean should be fired and you can't dispute this it is a fact. I have an inspection report here that he signed for my unit that I live in and he indicated that he was there on March 10th of last year and he was never there and when I talked with Mr. Dean about this he molded the story and changed the story to fit a different circumstances I presented. This unit was not vacant in March I lived in it in January and I have documents to prove it. He changed it then to it was a re-inspection ordered by the Landlord, so I called the landlord and asked the landlord if he had let someone into my apartment and he said no he did not. Then Mr. Dean said I didn't have to go in, even though he had just said it was an electrical and he only needed to go outside. This is totally bogus, he signed off on inspections and it is unethical, coliform is in the water and I'm very unhappy about it. I am sorry about his current circumstances but that does not eliminate the fact that he has been doing unethical stuff for a long time and he finally got caught, or somebody finally said something about it. So I'm not okay with it just going away.

Mr. Seeley said we can deal with your complaint at this, we can investigate since you brought it to the township committee and it will be turned over to whoever's department that falls under.

Committeeman Sutton said we did investigate it and Mr. Dean stated that he did not require a water test for each CO, that it is a county requirement and my course of correction is I told him that I wanted a water test on every rental unit and that's our course of correction. As far as the inspections, you say one thing, he says another, he said he inspected it before you moved in and then there was a re-inspection of and I'm not sure of the house number.

Ms. Fye said how could he inspect the outlet if he didn't come in.

Committeeman Sutton said on something like that, the landlord had been notified and he certainly assumed the landlord had fixed it because when he does the yearly inspections he's sure the landlord will not want to be sited for not fixing it. I talked with him and I've talked with others who stated they do this because they would never get their job done for every little thing but regarding the water tests, there will be a requirement of water testing of every rental unit in the township.

Ms. Fye, Mr. Sutton I beg to differ, our code requires before a CO is issued that a water test be done, I've done the research and it is in the code.

Committeeman Sutton said our course of action is that there will be a water test for every rental unit in the township. I know what you want, you want him fired and we are not going to do that, so we need to go from there.

Mr. Seeley said we have heard your complaints and if we fired an employee every time there was a complaint there wouldn't be any employees.

Ms. Fye said he has gotten paid to do a job, he has not done it, people's safety is at stake here and in most businesses when someone does not do their job they get fired.

Mr. Seeley said Mr. Sutton did explain that every single unit is going to have a water inspection. If there were some issues regarding David Dean and I can speak from my own professional relationship with Mr. Dean, he's been code inspector in several municipalities and according to City of Bridgeton, Lawrence Township, Commercial and I can tell you that I can count on one hand the number of complaints against him. I'm not saying that your complaint is not legitimate, the answer Mr. Sutton said to alleviate your fear of what has gone on, number one Mr. Dean is being spoken to about the issues that you have, number 2 every single well is going to be inspected. Now that's his answer and if you're not happy with that answer there's nothing else that we can do. If what you want us to do and say yes we're going to fire Mr. Dean tonight, that's not how union works for one and a shop steward and we would have to deal with the union in order to fire somebody, it is impossible for the committee to sit up here tonight and say we're firing Mr. Dean.

Mrs. Fye said so I understand that you plan to do absolutely nothing other than test the wells. You said only five complaints, you need to ask around I did and there are a lot of complaints.

Mr. Seeley said I've done the best I can and that is why I had told you to put your complaint in writing,

Ms. Fye said I went to Mr. Dean and spoke to him personally, I have a twenty minute recording of him lying and your still not going to do nothing.

Mr. Seeley said who are you talking about when you state you.

Ms. Fye.

Mayor Moore said when I talked with you I said we all have separate departments and the first protocol is to go to the department head that is responsible for that department and I handed it off to Mr. Sutton, but I did follow it up with Mr. Sutton to make sure that contact was made and then it went into the process and I would like to suggest and I am only suggesting, have you talked to Mr. Dean about this.

Mr. Seeley said I talked to Mr. Dean about what the complaints are. I have not confronted him, I haven't heard any video.

Mayor Moore said speaking to Mr. Seeley, you meet with David and Ms. Fye and discuss this one on one.

Mr. Seeley said you are not satisfied with anything less than termination.

Ms. Fye said that's not true I believe there needs to be disciplinary action, I don't think it right to get paid for a job when you haven't been there for years.

Mayor Moore said would you be interested in meeting with Mr. Dean and Mr. Seeley?

Committeeman Sutton said what do you want besides his getting fired, give me an example.

Ms. Fye, he needs to be disciplined.

Committeeman Sutton, how?

Ms. Fye, that's not my call.

Mr. Seeley asked if Ms. Fye would bring the tape to his office.

Ms. Fye said she would and she would call him to set a date and time.

Mayor Moore said would she be willing to meet with Dave Dean and Mr. Seeley.

Committeeman Sutton said at this time Mr. Dean is unavailable due to his injuries.

Ms. Fye will set up meeting with Mr. Seeley and bring her tape.

Mayor Moore

Nicole said this an awareness program, and she has been contacting municipalities to endorsed the adoption of a resolution designating the month of June as Gun Safety and Violence Awareness Month. Nicole said Cumberland County has the largest recreational hunting population, the 6th highest percentage of total Firearm License Holders in New Jersey, Cumberland County was the 4th highest Youth Firearm License Holder County in New Jersey in 2011 and Cumberland County has experienced an increase of fatal shootings and juvenile firearm possession between 2012 and 2014. She stated that too many of our youth are losing their lives all across the United States. She stated that hopefully she would like to get all of the municipalities in Cumberland County to endorse June as Gun Safety and Violence Awareness Month and possibly the County Freeholders will join and endorse it also.

Mayor Moore stated that we have the resolution, it is not on our agenda for this evening but we will adopt it at our March 17th, meeting. He thanked her for coming and appreciated all of the information she had presented. He told her he would read all of the information she had presented.

Mayor Moore said the next item is the minutes of previous meetings for consideration of approval, corrections, etc.,

Minutes of Personnel Meeting January 13, 2016
Minutes of Regular Meeting January 21, 2016
Minutes of Executive Session January 21, 2016
Minutes of Personnel Meeting January 28, 2016
Cancellation of Special Meeting of February 4, 2016

Committeeman Sutton made motion to approve, Committeeman Jamison seconded the motion with a unanimous roll call vote.

Mayor called upon Edward Dennis, Engineer, to give report.

Mr. Dennis said there had not been any response on the Raymond and Samuel Drive application to NJDOT. He told the committee that grant money will be harder to get and they might want to think about putting some funding in their capital improvement line item, he stated that to do a road 28 feet wide, 3" overlay would be \$350,000 for per mile. Mr. Dennis said to do a reconstruction of a road, cost would be \$500,000. He said the Bivalve Station Shore Protection Improvements has been an ongoing project, he's been coordinating permits with

NJDEP. Closeouts are in progress for the following grants: Doris Drive and Maurice Street, Reconstruction of Raymond Drive, Phase II. On the Landfill solar Project there is nothing to report. His office will do Tax Map, GIS and deed review for 2016. He has completed field survey for Block 135, Lots 7009, 7011, 7013. He said the street opening ordinance will be ready for March's regular meeting along with amendment to Flood Prevention Ordinance.

Mr. Seeley said his report would be brief this evening, he has talked with Ms. Fye earlier to discuss her complaints against Mr. Dean. He has received In Rem. He stated he has had numerous conversations with Mr. Hiles regarding the lot he purchased at the land sale which has piping on it. Committee had discussed that in order for sale to continue Mr. Hiles would need to give the township and easement so they could maintain the drainage. He stated that the property sold to Bivalve Packing has been re-deeded back to the township.

Mayor said we have a few item of correspondence for this evening.

Letter had been received from Doris Moore who owns property behind Paulies Park, she wants to sell and property is assessed at \$10,500, and that is her asking price.

Committee Sutton and Committeeman Jamison said it would be nice to have the property, it would be good site for Veterans Park, but definitely not at that price.

Port Norris Rotary is sponsoring their 19th Annual Walkathon & 5K Run on Saturday, April 2, 2016 to benefit Bayshore Center in Bivalve and the AJ Meerwald, applications can be obtained at the Bayshore Center Office. In Bivalve.

Letter received from the John Wesley United Methodist Church they will be honoring Georgia Mae Robinson, celebrating her 100th birthday and the committee is invited.

Mayor Moore said he is preparing a proclamation and will read it to Mrs. Robinson on Saturday, February 20th.

Committee received a letter from the JIF stating that the employees through their involvement with the Safety Incentive Program received an award of \$1650.00 for 2015. This program encourages the employees to do all things that make their lives and their jobs safe and it also recommends life changing programs for eating, exercising, sleeping, wellness programs.

Mayor Moore said the following items are being approved by motion & second.

1. Township will obtain quotes for Testing of Water of Municipal Facilities and Landfill.
2. A Contract has been awarded to Frailinger Engineering for Re-Examination of Master Plan in the amount of \$6,500.
3. Approving Remington/Vernick Walberg Engineers proposal for Easement plan and legal Description for township drainage facility Block 135, Lots 7011,7013 in the amount of \$1,700. This is in addition to \$1,500 that was allotted for field survey.
4. Approving Remington Vernick & Walberg Engineers proposal for preparing a street Opening ordinance to regulate construction activities within the Township's road right away in the amount of \$800.
5. Approving Tri-County Gateway Headstart Bus Pickup and Drop off at Haleyville Community Center(Jiff approved, have certificate of insurance).

Mayor Moore said these items were discussed at the agenda meeting for approval tonight. He asked for a motion.

Committeeman Jamison made motion and Committee Sutton seconded all in favor.
COMMERCIAL TOWNSHIP

Mayor Moore said we have two ordinances for introduction and read same by title only.

ORDINANCE 2016-573
CALENDAR YEAR 2016

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Committee of the Township of Commercial in the County of Cumberland finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$81,743.90 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Committee of the Township of Commercial, in the County of Cumberland, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of Commercial shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$81,743.90, and that the CY 2016 municipal budget for the Township of Commercial be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Moore asked for a motion and Committeeman Jamison made motion to adopt on first reading and Committeeman Sutton second with a unanimous roll call vote.

Mayor said we have an ordinance that is more or less required because of the Best Practice Report and this is Fair and Open Ordinance, Pay to Play.

COMMERCIAL TOWNSHIP
ORDINANCE 2016-574
ESTABLISHING A FAIR AND OPEN PROCESS FOR THE AWARD OF
PROFESSIONAL SERVICE AGREEMENTS

WHEREAS, Professional entities are exempt from established New Jersey Public bidding laws, specifically said exception being set forth under N.J.S.A. 40A:11-5; and

WHEREAS, Commercial Township has recognized that there is a need for a fair and open process for the awarding of professional service contracts where other contracts and agreements which are not subject to public bidding and to insure that quality public services are received;

WHEREAS, the State of New Jersey has enacted N.J.S.A. 19:44A-20.5 which bars any municipality, agency or instrumentality thereof from entering into a contract in excess of \$17,500.00 (See N.J.S.A. 40A:11-3) with a business entity that has made a political contribution reportable pursuant to N.J.S.A. 19:44A-1 et seq. to any municipal committee of a political party in that municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded or to any candidate committee of any person serving in an elective public office of that municipality when that contract is awarded unless said contract is awarded pursuant to a fair and open process.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Commercial, County of Cumberland and State of New Jersey, that the Township of Commercial enact an Ordinance to be known as an Ordinance Establishing a Fair and Open Process for the Award of Professional Service Agreements, and said Ordinance shall read as follows:

AN ORDINANCE ESTABLISHING A FAIR AND OPEN PROCESS FOR THE AWARD OF PROFESSIONAL SERVICE AGREEMENTS

SECTION 1. PROHIBITION AWARDDING CERTAIN PUBLIC CONTRACTS

A. Any other provision of the law to the contrary notwithstanding, the Township, or an agency or instrumentality thereof, shall not enter into a contract having an anticipated value in excess of \$17,500.00 (See N.J.S.A. 40A:11-3) as determined in advance and certified in writing by the Township, agency or instrumentality with a business entity that has made political contribution that is reportable by the receipt under N.J.S.A. 19:44A-1 et seq. to any municipal committee of a political party in that municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded; and

A business entity that has entered into a Contract having an anticipated value in excess of \$17,500.00 (See N.J.S.A. 40A:11-3) with the Township or any agency or instrumentality thereof, except a contract that is awarded pursuant to a fair an open process, shall not make such a contribution reportable by the recipient under N.J.S.A. 19:44A-1 et seq., to any municipal committee of a political party in the Township if a member of that political party is serving in an elective public office of the Township when the Contract is awarded or to any candidate committee of any person serving in an elective public office of the Township when the Contract is awarded, during the term of that Contract.

B. Notwithstanding the provisions of Paragraph A above, although New Jersey Statute address contracts with an anticipated value in excess of \$17,500.00, all other licensed professionals who are subject to appointment either annually or for a time period as otherwise set forth by statute that may enter into a contract having an anticipated value of less than \$17,500.00 shall also be subject to the fair and open process as set forth herein so as to provide the Township with uniformity in both time frames to receive request for proposal as well as documentation required to be submitted.

C. When using the terms "business entity" and "interest" the following definitions shall be utilized:

(1) The term "business entity" shall mean any natural or legal person, business corporation, professional services corporation, Limited Liability Company, partnership, limited partnership business trust, association or any legal commercial entity organized under the laws of this State or any other State or foreign jurisdiction.

(2) The term "interest" shall mean the ownership or control of more than 10% of the stock, assets, or profits of any public held company and any percentage interest of a privately held or closed corporation.

SECTION 2. FAIR AND OPEN PROCESS

A. Any professional service entity or other business entity providing services to the Township

of Commercial shall be subject to a fair and open process. That fair and open process shall be set forth in subsection D below which shall establish criteria for the fair and open process.

B. The fair and open process established by the Township of Commercial shall require the Following:

(1) Any professional position or service contract not subject to bidding that shall expire not later than December 23 of that calendar year shall be advertised by the Township Clerk's Office, appointing authority or Board as the case may be, in the official newspaper of the Township of Commercial for publication of notices and published in the Township's website, not later than December 3. The published notice shall set forth the name of the position or contract which is to become open, and set forth the criteria to be considered and materials required to be submitted by the applicant.

(2) Should the applicant be a professional requiring licensure in the State of New Jersey, said applicant shall submit the applicant's number of years of experience in the professional any other professional experience.

(3) The applicant shall submit a "Certificate of Good Standing" or other similar document evidencing that the professional's license is not presently suspended or revoked.

(4) The applicant shall submit a current New Jersey Business Registration Certificate.

(5) The application shall submit an Affidavit/Certification that the applicant is a compliant Equal Employment Opportunity Employer.

(6) The applicant shall submit a resume which shall set for the information including, but not limited to the following (as applicable to a business entity or individual professional):

- (a) Full name and business address;
- (b) A listing of all post high school education of the applicant;
- (c) Dates of Licensure in the State of New Jersey and any other State;
- (d) A listing of any professional affiliations or memberships in any Professional societies or organizations, with an indication as to any offices held therein;
- (e) The number of licensed professionals employed by/affiliated with the Business entity or the business entity which employs the applicant;
- (f) A listing of all special accreditations held by the individual licensed Professional or business entity;
- (g) A listing of all previous or current public entities served by the business entity or licensed professional, indicating the dates of services and position held.

C. The applications received from professionals will be received and opened by the Township Clerk on designated date not later than December 23 of the year prior to the Reorganization Meeting. The Township Clerk shall open the applications for the advertised positions and prepare a summary report listing each person or business entity that submitted an application/proposal and will further indicate whether the professional or business entity met the criteria as outlined in the Ordinance herein.

D. The summary report shall be prepared by the Township Clerk and provided to the Governing Body within five (5) days of the deadline date set for the receipt of Applications/proposals.

E. The Mayor, appointing authority or Board shall thereafter select the professional or business entity for the position so advertised which shall thereafter be confirmed or approved as required by law and to ensure compliance with the requirements of this Ordinance.

SECTION 3. SEVERABILITY

If any of the provisions of this Ordinance or the application of this Ordinance shall be found invalid, the remainder of this Ordinance, to the extent that it can be given effect or application, shall remain in full force and effect.

BE IT FURTHER ORDAINED, that if any section, sentence, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of the competent jurisdiction, such holdings shall not effect or impair any other section, sentence, clause, provision or portion of this Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon its final passage, adoption and publication provided by law.

Mayor Moore asked for a motion and Committeeman Sutton made motion, Committeeman Jamison second and a unanimous roll call vote taken. Mayor Moore said both ordinances will have second reading and public hearing on March 17, 2016.

Mayor Moore said we have been presented with a petition signed by the residents that live on Lakeshore Drive between Buckshutem Road and Fern Road. Petition said road is deplorable and has not had any overlay of any kind in 27 years.

Mayor said right now we cannot do anything because we have not introduced our budget, but once that is adopted we will see where we stand and hopefully we'll be able to correct.

Mayor said on the proclamation he will present that to Mrs. Robinson on Saturday, February 20th. Mayor said we have several resolutions for consideration.

RESOLUTION 2016-29
Extending Temporary Budget For 2016

WHEREAS, an emergency condition has arisen with respect to Township of Commercial (municipality) As of February 18, 2016, the Township of Commercial has not adopted 2016 budget and no adequate provision has been made in the 2016 Temporary Appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the 2016 pursuant to the provision of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$13,605.00

NOW THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the name is hereby made for as follows:

Professional Services	\$8,605.00
Auditing Fees	\$5,000.00
Total	<u>\$13,605.00</u>

2. That said emergency temporary appropriation for the line items listed above will be or has been provided for in the 2016 budget under the titles as noted.

That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION 2016-30
Municipal Alliance Prevention Alcoholism And Drug Abuse

Whereas, the Governor's Council on Alcoholism and Drug Abuse Established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and

engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Committee of the Township of Commercial, County of Cumberland, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages, and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Cumberland:

NOW THEREFORE, BE IT RESOLVED by the Township of Commercial, County of Cumberland, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Commercial Township Municipal Alliance grant for fiscal year 2017 in the amount of:

DEDR	\$9,695
CASH MATCH	\$2,424
IN-KIND	<u>\$7,271</u>

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. Government Services.

RESOLUTION 2016-31
Port Norris Rotary's 19th Annual Walkathon And 5K Run
Saturday, April 2, 2016

BE IT RESOLVED by the township Committee of the Township of Commercial that the Port Norris Rotary 19th Annual Walkathon & 5K Run scheduled for Saturday, April 2, 2016 be applauded as a very worthwhile event and the following route will be:

"Starting at Bayshore Center in Bivalve on Germantown Avenue up to Nature Trail West on Nature Trail to Strawberry Avenue, North on Strawberry to County Road 553 to Pearl Street and South on Bike Path to Bayshore Center."

BE IT FURTHER RESOLVED that Resolution and Certificate of Insurance will be forwarded to the Cumberland County Freeholders for their consideration.

RESOLUTION 2016-32

Change Order #1 To Reduce Contract Amount of \$566.15
For Project Reconstruction of Doris Drive and Maurice Street

BE IT RESOLVED by the Township Committee of the Township of Commercial that upon recommendation of the Township Engineer, Edward Dennis that Change Order #1, to reduce

contract amount of \$566.15 for project known as Reconstruction of Doris Drive and Maurice Street is hereby approved.

RESOLUTION 2016-33
Change Order #3, Reconstruction Of Raymond Drive Phase II
In An Increase To Contract In The Amount of \$1,117.56

BE IT RESOLVED by the Township Committee of the Township of Commercial that upon recommendation of Township Engineer, Edward Dennis, that Change Order #3 for Project known as Reconstruction of Raymond Drive, Phase II to increase contract in the amount of \$1,117.56 be approved.

RESOLUTION 2016-34
Awarding Contract To Remington/Vernick & Walberg Engineer's In The Amount Not To Exceed \$7,500 Without Written Consent For Upgrading Tax Map and Deed Review For Tax Assessor's Office

BE IT RESOLVED by the Township Committee of the Township of Commercial that Remington/Vernick and Walberg Engineers are awarded contract, not to exceed, \$7,500 for the proposal of updating the Township's tax map and geographic information system GIS database for calendar year 2016 as well as assisting the Tax Assessor's office with deed review and research pertaining to the annual tax map maintenance .

BE IT FURTHER RESOLVED that a written consent will be required for work over \$7,500 to be performed.

RESOLUTION 2016-35
Authorizing Five Year Sand Mining License To
Unimin Corporation For Phase 7 & 8

BE IT RESOLVED by the Township Committee of the Township of Commercial that a five year sand mining license be issued to Unimin Corporation for Phases 7 & 8 which are known as Block 170, Lots 10.01, 10.02, 11, 12, 13; Block 171, Lots 9, 10, 11, 11.01; Block 173, Lot 4; Block 269, Lots 2, 3; which includes property, Easterly and Westerly Sides of Spring Garden Road, and North of Highland Street

BE IT FURTHER RESOLVED that all requirements and stipulations as mandated by the Commercial Township Land Use Board's Resolution 2015-9 be adhered to for the duration of this sand mining license permit from November 24, 2015 to November 24, 2020.

RESOLUTION 2016-36

Appointing Brian Rosenberger As Tax Assessor For Commercial Township

WHEREAS, pursuant to N.J.S.A. 40A:9-146, the tenured Tax Assessor, Ruth Benz submitted a letter of resignation effective January 4, 2016, and

WHEREAS, the Tax Assessor term is for a period beginning July 1st and ending on June 30th and

WHEREAS, the Township Committee of Commercial Township has determined that it is in the best interest of the Township to appoint Brian Rosenberger to the part-time position of Tax Assessor to fill the vacancy retroactive to February 1, 2016, and

WHEREAS, Brian Rosenberger, has the qualification for said position and holds a current tax assessor certification issued by the New Jersey Department of Community Affairs; and

WHEREAS, the Township Committee of Commercial Township has determined that reasonable and appropriate funds are available in the Budget of the Township for said purpose.

NOW, THEREFORE, BE IT RESOLVED by THE Township Committee of the Township of Commercial as follows:

1. The Township Committee, as the designated appointing authority of the Township, may employ and hire Brian Rosenberger as the part-time Tax Assessor retroactive to February 1, 2016;
2. Said individual shall complete the current term of the Tax Assessor period ending June 30, 2016;
3. Said individual will then be appointed for a term of four years starting July 1, 2016 and Ending June 30, 2020;
4. Said individual shall be compensated at a salary of \$18,000 for calendar year 2016;
5. Said individual shall be governed by the terms and conditions of the Collective Bargaining Agreement between the Township and its Collective Bargaining.

Mayor Moore asked for motion and Committeeman Sutton made motion to adopt and Committeeman Jamison second with a unanimous roll call vote of adoption of Resolution 2016-29 thru 36.

Mayor Moore said the rabies clinic will be held on March 5th at the Laurel Lake Fire House.

Mayor Moore asked for reports and Committeeman Jamison said he wanted to congratulate Heather for passing her finance course. Mayor Moore said Heather is taking the Clerk's Classes and she's done pretty well so far and will take the clerk's exam in April. So congratulation and I'm sure Clint doesn't help you study.

Committeeman Jamison said he will be attending the celebration of life for Mrs. Robinson. He said they had a surprise birthday party at the Cohansey Country Club last Friday night. Mayor said on April 23rd it is opening day for little league and they were hoping that Larry Millbourne might attend and Mayor wondered if Fletcher could contact him about attending. Mayor said LoBiondo will be attending.

Mayor said on February 1st he attended a basketball game at the Port Norris School because we gave them a \$1,000 toward recreation and they bought shirts, they all looked pretty nice and thanks to the committee for seeing that they got them. He said on February 6th he attended the Eagle Festival because I wanted to talk to the Land Trust people, I saw that they were there and a lady was really going on about how great it is that they are taking over all this land and super for the state about all this open space, and I said to her now that you've talked about all this open space when are you going to give the township's money for in lieu of taxes and I guess I took her by surprise. We had a conversation for about fifteen minutes and my point was we're at 49 or maybe 50 percent state owned, Dividing Creek is 69 percent and Maurice River is 49 per cent state owned and the state takes one third of our open space money away which is close to \$40,000 which is a penny and half on our tax rate. I'm all for open space and I've talked with the freeholders about some open space for recreation and funding. He said the state buys all this land and then puts up signs that they don't want ATV's on there, they don't have walking paths, you have to watch out for nature and all of that, it comes to a point where it is almost too much. She said all the land they own is swamp land and meadow land and I said it is probably not worth too much but it would be worth something if someone was paying taxes on it but right up there past the state police barracks is all this high ground of wooded land that you own and you have that all posted and she said she didn't know anything about that, but I made my point on behalf of the township. He said February 9th there was a solid waste meeting with Cumberland County Improvement Authority where all the mayors get together and talk about solid waste issues in the county and there are a number of things that they are trying out for the county about recycling, they have a tub grinder now for pallets and talk about all the issue we're having with E waste. He said there is a mandatory meeting and Clint and Heather said they were going to attend. Mayor said he received a call today from Ed Salmon and he does a lot with public utilities and this was a meeting regarding Verizon, now they are going to call me on March 23rd to talk about there is no cell power here, interference in bad and it's hard to get out on a telephone, he said he was in the lake with Clint during a storm and a pole came down and we called them and they said it wasn't there problem, but it is there problem because it is their pole and their wires, so it appears they don't want to take up that responsibility. Is there anything that you would want me to discuss with them, they want me on the phone with the vice-president of Verizon, they are doing this with all of the towns.

Committeeman Sutton said they have a problem they cut the poles down in size but they never take them out, they leave them for the electric company.

Clint Miller said we've had these meeting with them almost on a yearly event. They promise the world and then when you have a situation they don't want to hear it.

Mayor Moore said he met with Leahe on the building in Laurel Lake and I told her to talk to Ron regarding those issues.

Clint said everything up there is done except the door and that is supposed to be in tomorrow and he will install it on Monday. Railings are all up, she has a lot of things she wants to do and she's talked with a couple different contractors.

Mayor Moore said he talked with the state officials and believe it or not we couldn't make contact but there is a draft here Cumberland County Bayshore Economic Development Plan and it has a lot of about our township, about Maurice River, Greenwich and Downe Township, we finally said we're going to call each other at night or on a Saturday, so two Saturday's ago he was at the mall with his kids and we sat on the phone for 53 minutes going through the book, this is important because the county had a grant with the state and there is a lot of good things in here on what we can do about promoting economic development. Mayor said a lady had called him today and he was giving it to Ron, Mrs. Weiss and Diane Walker, they are from the division of youth and family services, they have an issue with the construction office and they need to make contact with someone, so I'll pass this on to you.

Committeeman Sutton said did you turn it over to Kathi.

Mayor Moore said he did but they didn't get the answer from Kathi, but they need to get into a mobile home with kids involved up in the lake and I have them your cell number and work number so they will be calling you. They have to make contact and they need our code enforcement to get involved. Dave did an inspection in November and they are trying to get information on it. You need to talk with them because there is more than meets the eye and I don't want to go over it. He said he took a ride through Laurel Lake several times this past week and it is bad as far as code enforcement, I found a trailer on one of the side streets and there is another one on quail road, there's tires, trash, debris, junk cars and this was all before David had this incident, I know Ron you want to step things up, that's good but I've seen it and you may want to take a ride through there, there's a lot of issues going on up there and if you don't have a mind set of cleaning up that area then it is just going to harbor negative responses and all, there's a lot of great people up there, but there's a lot of issues and I want to make it a point that we have to follow up. He said he talked with Megan Wren, she was going to come tonight and I stressed to her that she has to take out a loan and do something down there at the Bayshore regarding the toilet issues down there. You can't invite dignitaries down to that operation, they just have to do something about the rest rooms that is all, it's a bad issue down there so I'm going to try and encourage her.

Mayor Moore asked for a motion to open the meeting to the public. Motion was made and seconded.

Mr. Hoduka, Lakeshore Drive, asked if there is anyway we can get rid of the old trailers and not allow any new trailers in.

Mayor Moore said if someone removes a trailer they can bring another in at the same size but on other vacant lots, then it has to be 100x100.

Mr. Hoduka said lots' use to be 60X100 for septic and well but now its 100X100. He said some of the houses are beautiful but can't we keep them out.

Mr. Seeley said if you see violations come and tell us, we can do demo's but you can't eliminate and if someone has a buildable lot, they can chose to put a trailer on it and you can't take that away from them.

Mr. Hoduka said the township, can't they pass something that will eliminate any new trailers from coming in to the township.

Mr. Seeley said is we did that we would be in the newspapers and would be sued for unconstitutional taking.

Mr. Seeley said the original plan was not thought out when it was created. He said the problem was at the time the developers did not see that as being a year around residential area, they only thought of it as being a summer homes for people out of Philadelphia who left at the end of the summer. It use to be a ghost town in the winter, nobody lives there year round, or if they did it was very few.

Mayor asked for additional comments and being none, asked for a motion to adjourn and it was so moved.


Hannah E. Nichols, Township Clerk