

Minutes of the Agenda Meeting of the Township Committee of the Township of Commercial, held on August 15, 2016 at 6:00 P.M., at the Township Hall, 1768 Main Street, Port Norris, NJ

Those present:

Ronald L. Sutton, Sr.	Mayor
Fletcher Jamison	Committeeman
Mike Vizzard	Committeeman
Thomas Seeley	Solicitor
Hannah E. Nichols	Township Clerk
Edward Dennis	Engineer
Clint Miller	Public Works Supervisor
Heather Sparks	Deputy Clerk

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

Mayor Sutton called upon Mr. Paul Miola, Executive Director, Atlantic County Municipal Joint Insurance Fund.

Mr. Miola stated that he was here to thank the committee for adopting a resolution back in June reaffirming the township's renewing their membership in the Atlantic County Municipal Joint Insurance Fund. Mr. Miola did a presentation of the JIF organization, their members, the cost of insurance, the dividends coming back to the municipalities, the safety records of the members and how their safety program has helped many municipalities learn how to protect their employees with the various safety measures. The presentation was very good and the committee thanked Mr. Miola for the insight of the JIF Program.

Mr. Seeley questioned Mr. Miola on the various items that are covered under Atlantic County Municipal Joint Insurance Fund. Mr. Seeley said litigation in his mind is questionable for coverage.

Mr. Miola asked Mr. Seeley to be more specific and it was decided that they would discuss the matter at a later date.

Committeeman Vizzard asked Mr. Miola what was the cause of the rate increases for the past three years.

Mr. Miola said it is really a matter of you are in a pool, medical cost and worker's compensation continues to increase, the rate for workers compensation goes up each year. Automobile, property liability also is part of that increase but when people get hurt on the job the benefit levels keep going up, so that's what is driving it.

Mayor Sutton thanked Mr. Miola and asked for Mr. Edward Dennis to give his Engineer's report.

Mr. Dennis said Raymond Drive is still on hold, the governor's executive order has still affected NJDOT projects. Bivalve Station is still in permitting, he said on landfill solar he is still getting calls, one call we had I could advertise it, he said we could put an ad in the paper to ask people to come and submit a proposal again since the market seems to be bouncing back a little bit and if this is something the committee wants to do I can send it out to the press. We would re-advertise the Redevelopment Plan and ask if anyone is interested to contact us.

Mayor Sutton said the problem is Unimin does not want to commit and without them.

Mr. Dennis said what is weird is the companies that are calling me say that they can still make it work just by putting the power back into the grid because the solar effect is bouncing

back. He said these companies feel that the project would work even without Unimin. He said they could put an ad together and reach out, we're not obligated to anything but you can see what interest there might be. Mr. Dennis said on the Cambria solar project they have gotten approval to move forward and they also will be reimbursing the township for my costs and Toms, check will be in the amount of \$10,000. He said we received bids on the Haleyville Lights and the following were received: Janney Electric, Inc., Base Bid \$188,550.00 Atl. \$199,575.00 Joseph R. Delgado, Inc., Base Bid \$419,884.00 Atl. \$436,148.00 and Berenato Contractors Base Bid \$219,510.00 Alt. \$232,370.00. Mr. Dennis said Janney Electric, Inc. is the lowest bidder at \$188,550 which is high because we have \$130,000 for construction, but the way we bid it was under three items, one and three are fixed costs, the rest is for the time of the year, the fixed costs of a lump sum electrical which is a conduit in the ground that has to run from one end to the other, fixed cost on site restoration which would be trenching, shoulders, driveways, they have to repair it and then what we did item number two as a unit and we included 21 light fixtures and the reason we did 21 is they gave us an average of 225 feet between each light, which the lights out there now varies, but 225 is like an average. How we structured this bid, the township has the option because we bid it this way, that we can reduce or increase item number two by the unit in order to award a bid that fits our budget. "I highlighted it in yellow" and if you look at it, in yellow is the unit price per pole and that includes the pole into the foundation. So if we wanted to get this bid into our budget we would have to remove eight light fixtures which means it would leave us thirteen lights which would have to be stretched out across that whole length every 350 feet. So you would be spending \$130,000 for thirteen lights fixtures which amounts to about \$10,000 per light, that's what you would end up doing.

Committeeman Vizzard questioned I understand you saying that you can reduce the quantity to come down to the \$130,000, my past experiences were or have been even if you do the 20 percent the threshold still holds no matter how many you try to reduce, in this case you would only be limited to reducing two lights, that'll be your twenty percent.

Mr. Dennis said it is my understanding that it works Mike, my understanding is the twenty percent is the limit on the increase,

Mr. Vizzard said it doesn't matter how you look at it, it is still a twenty percent

Mr. Dennis said no, that is not the way the Open Public Contract Laws are written, you can reduce by more than twenty percent at any time, even after the contract is awarded. In this case you would be awarding the contract, the twenty percent stays on the contract amount and we don't have a contract yet, the bid was specifically written it is on the bid form and it says that we could reduce the number of lights and once you award the contract you reduce the contract amount you and then you award of twenty percent of the contract. So we would award a bid on the flexibility that was built into this bid, we have done this before with other projects, even if the Open Public Contract Laws applied before we awarded the bid, if you read it, it says that a contract cannot be increased by more than twenty percent, it does not say that it cannot be decreased, you can actually decrease by more than twenty percent.

Committeeman Vizzard said I personally don't like the idea of spreading out the lights 300 feet apart, if you reduce the lights to the \$130,000 you will not get the effect of the lights, that's my opinion on it.

Mr. Dennis said that is a decision for you guys to make, but you're saying to award a contract for the \$130,000 for thirteen lights and then do another bond for the balance of the lights.

Committeeman Vizzard, right.

Solicitor Seeley said let's see what the auditors have to say about it.

Mayor Sutton thanked Mr. Dennis and said the township accepted bids on August 9, 2016 for One New 4-Wheel Drive Cab Tractor and Boom Mower.

Central Jersey Equipment, LLC	\$114,000.00
Farm rite Inc.,	\$112,650.00

Mayor said lowest bidder is Farm Rite, Inc., and committee decided to award a contract to them at the regular meeting on August 18th, upon certification of funding by CFO. Mayor said for clerk to prepare resolution for that meeting.

Mayor said Leahe Togne wants to be put on the agenda of the regular meeting to discuss the National Night Out Program.

Committeeman Jamison said he attended the affair and he felt it was a huge success, he stated he thought there were 500 people in attendance.

Committeeman Vizzard said he had attended a meeting with Leahe in Trenton regarding the Family Success Center and he was very impressed.

Mayor Sutton said we have a letter from Rick Brown, NJDEP regarding a joint meeting between Maurice River Township and Commercial to discuss the Planning and Projects under consideration for the mouth of the Maurice River. Meeting is scheduled for August 22, 2016 1:00 to 3:00 P.M., at the Cumberland County Improvement Authority.

Mayor and Committee stated that they could not get away from their employment and that they were going to ask Barney Hollinger if he would sit in and represent Commercial Township. (Mr. Hollinger was in attendance and stated he would attend)

Mr. Mark Russell coach of the Commercial Township Traveling Baseball Team, requested permission to use the township ballfields and said his organization would donate \$150 to the Commercial Township Baseball Association.

Mayor Sutton said to contact Mr. Russell and take it up with the association and if they were in agreement the committee didn't have a problem with them using our fields and the \$150 goes to the association.

Mayor said we have a letter from Cumberland County Purchasing Office and they have Awarded to contract to South State as the lowest bidder in providing High Performance Cold Patch at \$99.00 per ton.

Mr. Clint Miller, Public Works Supervisor, requested that township committee award contract to South State for cold patch.

Committee authorized clerk to prepare resolution for regular meeting.

Mayor Sutton said we will have second reading and public hearing on Bond Ordinance for Municipal Lights in Haleyville. He said other items for the regular meeting are as follows:

1. Land Sale Block 66, Lots 7571 thru 7575, bid \$500.
2. Awarding Contract To Farm Rite, for 4Wheel Tractor & Boom Mower
3. Resolution: South State Cold Patch at \$99.00 a ton.
4. Resolution: Uncollectible Taxes
5. Resolution: Refund of Taxes Due To Incorrect Ownership Block 253, Lot 2
6. Resolution: Cancellation or Refund of Taxes Disabled Veteran-Garrison
7. Resolution: Cancellation or Refund of Taxes Disabled Widow Veteran-Cope
8. Resolution: Civil Rights

Mayor Sutton asked for committee reports and being none asked for motion to open meeting to the public.

Mr. Barney Hollinger stated that there will be a joint meeting in September between the Commercial and Maurice River to decide about the mouth of the river, what plans and projects. He stated that we have barges in the river, they are 100 feet long and 30 feet wide they are hauling cement piping and it is cheaper doing it this way then across the roads.

Mayor Sutton asked if there were any places open that sells crabs.

Mr. Hollinger said Bateman's was open also you can buy crabs across the river, Matt's Landing, Port Elizabeth. He said Bayshore is going to open a farmers market for fresh seafood.

Mayor Sutton said we need to open a store here in Port Norris.

Mayor Sutton asked for additional comments and being none asked for a motion to close the public portion and to adjourn the meeting.

Committeeman Jamison made motion, Committeeman Vizzard seconded and meeting was adjourned.

Hannah E. Nichols, Township Clerk