

Minutes of the Regular Meeting of the Township Committee of the Township of Commercial, held on Thursday, February 15, 2018 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
Heather Sparks	Deputy Clerk

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

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

Mayor Sutton said we have the New Jersey State Police present and asked for his report for the month of January 2018.

The officer stated that they responded to 104 motor vehicle stops, 196 property checks, 41 criminal investigations, 3 accidents, 1 DWI arrest, 2 incidents at school. Again the officer stated that people should keep their houses, cars, sheds, garages, anything that they store stuff in should be locked because individuals are out there looking for metal and items they can salvage.

Mayor asked if there were any questions and being none thanked the officer and stated next item is the minutes of previous meetings.

Minutes of Reorganization Meeting, January 13, 2018
Minutes of Agenda Meeting, Tuesday, January 16, 2018
Minutes of Regular Meeting, Thursday, January 18, 201

Committeeman Jamison made motion to approve minutes and Committeeman Vizzard seconded the motion with a unanimous roll call vote.

Mayor Sutton said committee has received Bill List for the month of February 2018 as prepared by Pamela Humphries, CFO.

Bill List February 2018

Committeeman Vizzard made motion to approve and Committeeman Jamison seconded the motion with a unanimous roll call vote.

Mayor Sutton called upon Edward Dennis, Engineer, for his report.

Mr. Dennis said he didn't bring a written report this evening but he had very little to add the his extensive report on the 16th. He said he is waiting for response regarding our two applications for NJDOT funding for Port Norris Drainage and Laurel Lake Drainage Project Phase IV. He said he thinks the committee will hear shortly regarding those two applications. He said Bivalve Station Project is still on hold for proposal to be submitted for permitting. He said Laurel Lake Drainage Phase III will be going out to bid shortly. That Raymond Drive Phase III is

complete and closeout in progress and Berry Avenue and Lakeshore Drive Project is complete with Punch List in Progress.

Mayor thanked Mr. Dennis and stated we have several letters of correspondence that we reviewed at our agenda meeting and our decisions regarding the.

Mayor Sutton said the committee approved Application for 3rd Annual Laurel Lake Triathlon, Sprint Races in Honor of William Laubengeyer. Event will take place on July 28th, 2018, and we have a resolution on the agenda.

Mayor said the Atlantic City Electric has asked committee to inform residents that a telephone scam is going on and residents should call \$1, 800-642-3780 if they are contacted. Mayor said township printed flyers for residents to pick up at all business windows.

Mayor said we have received a letter of resignation due to health reasons from Christine Cannon, Alternate I member of the Commercial Township Land Use Board. She appreciated the committee reappointing her and being able to serve for the past several years.

Committeeman Jamison made motion to accept her resignation and suggested that Aaron Harden be appointed to Alternate I position to fill Mrs. Cannon's unexpired term. Committeeman Vizzard seconded the motion.

Mayor said we have a resolution on the agenda regarding Mr. Harden being moved up to Alternate I.

Mayor Sutton said the committee approved a request from William Reilly, Attorney, for a mining license extension for Ricci Bros. Sand Company until May 31, 2018. Resolution is on the agenda.

Mayor Sutton said the committee approved the request of Tracy Johnson, 409 Lark Road, Laurel Lake, Block 144, Lot 10494 request for a tax arrearage payment plan on their delinquent taxes of \$1,546.80. Committee is never in favor of resident loosing their homes if they can meet the payment plan plus they must keep their quarterly taxes paid. Resoluton on agenda

Mayor Sutton said the committee denied the request for a tax arrearage partial payment plan from Perraut Jean-Paul Industries LLC because they did not feel this was a hardship case, that applicant does not live on the property, that it was a private sale with a \$10,000 lien that committee assumes as a businessman that would have to be paid. Committee instructed clerk to send letter of denial.

Mayor said public works supervisor brought to committee's attention a brick sidewalk in Mauricetown that had bricks protruding causing a hazardous condition for people walking on it. Mr. Miller, Road Supervisor, asked if township responsible for fixing it.

Mayor Sutton stated that the brick sidewalk was put in by property owner and that owner should be informed of condition and let them make it safe or remove it if they do not want the maintenance of the walk, their choice.

Mayor Sutton said committee had received a \$2,000 bid on 7022 Charles Place, Laurel Lake. They were informed by the tax collector that the foreclosure of the property has not been finalized as yet. Committee informed potential bidder that once the foreclosure is finalized they will notify her, accept her bid and set a landsale date.

Mayor said we received a letter of request from the Commercial Township Emergency Services Association requesting a donation for their Annual Awards Banquet on April 21, 2018.

Committeeman Jamison made comment that we have given them \$500 in the past.

Mayor asked if they wanted to give the same for 2018.

Committeeman Jamison made motion and Committeeman Vizzard seconded with unanimous roll call vote.

Mayor Sutton said we have two ordinances for second reading and public hearing.

ORDINANCE 2018-586

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

Mayor asked for a motion to open meeting to the public.

Committeeman Jamison made motion and Committeeman Vizzard seconded. With no comments being made a motion was made and seconded to close the public portion and to adopt the ordinance with a unanimous roll call vote.

ORDINANCE 2018-587

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF VETERANS MEMORIAL PARK
IN AND BY THE TOWNSHIP OF COMMERCIAL, IN THE COUNTY OF CUMBERLAND, NEW JERSEY
APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR
NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mayor Sutton asked for a motion to open meeting to the public.

Committeeman Vizzard made motion and Committeeman Jamison seconded. With no comments being made a motion was made and seconded to close the public portion and to adopt the ordinance with a unanimous roll call vote.

Mayor Sutton said we have several resolutions for consideration and same will be read by title only under Resolution 2018-1 Consent Resolution

RESOLUTION 2018-33

Authorizing The Cancellation Or Refund Of Property Taxes
Due To Approval Of 100% Disable Veteran's Application

WHEREAS, on January 2, 2018 a Claim for Property Tax Exemption on Dwelling House of Disabled Veteran or Surviving Spouse, Civil Union Partner/Surviving Domestic Partner of Disabled Veteran or Serviceperson was filed, along with all supporting documentation on behalf of John Lombardo Sr. for Block 213, Lot 4 located at 1659 North Avenue, Port Norris; and

WHEREAS, after proper review of the application and all supporting documentation by the Tax Assessor it was determined that Mr. Lombardo met all requirements to receive the 100% permanently disabled veteran benefit pursuant to N.J.S.A. 54:4-3.30 et seq. (Supporting exemption approval attached) and approved the same January 16, 2018. Said Exemption approval was effective as of the VA Determination date of March 14, 2017; and

THEREFORE BE IT RESOLVED that the Certified Financial Officer is authorized to refund \$2,545.71 to Mr. Lombardo which represents the exemption of 2017 and refund \$689.03 to Corelogic Tax Service which represents the 1st quarter of 2018 paid by the mortgage company on Mr. Lombardo's behalf. The Tax Collector is authorized to cancel the prorated portion of 2017 in the amount of \$2,545.71 along with the 1st quarter and 2nd quarter of 2018 in the amount of \$1,378.00.

RESOLUTION 2018-34

Resolution Authorizing Shared Service Agreement To Provide Services Of Certified Recycling Coordinator As Review And Certified Agent Regarding Annual tonnage Reports

WHEREAS, the Township of Commercial desires to enter into a Shared Service Agreement with the following municipality to provide services as our Certified Recycling Coordinator; and

WHEREAS, pursuant to the terms of the Shared Service Agreement between the Township and the Municipality listed below the Township shall provide payment of specified monies in exchange for specified certified recycling coordinator services being performed by Maurice River Township's certified staff; and

WHEREAS, said Shared Service Agreement are permitted under the Statute pursuant to N.J.S.A. 40A:11-1 et seq., N.J.S.A. 18A:11, et seq and Inter Local Service Act (N.J.S.A. 40:8A-1, Et seq.) a local unit may enter into a contract with any other local unit to provide such service and shall require that the contract must be available for public inspection.

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

- 1) The Township hereby authorizes the Township Mayor and Clerk to execute individual Shared Services Agreement for services of certified recycling report in accordance with New Jersey Law and Regulations, with the following municipality.

Maurice River Township, 590 Main Street, P.O. Box 218, Leesburg, NJ 08327

- 2) A notice of this action shall be printed once in the South Jersey Times, a newspaper of general circulation in the Township.

RESOLUTION 2018-35

Resolution Certifying Submission Of Expenditures For Recycling Enhancement Act

WHEREAS, The Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to "Local Public Contracts Law," the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycle program.

NOW THEREFORE BE IT RESOLVED by the Committee of the Township of Commercial that Commercial Township hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chaper 311, in 2017 in the amount of \$5,759.76. Documentation supporting this submission is available at 1768 Main Street, Port Norris, NJ 08349 and shall be maintained for no less than five years from this date.

RESOLUTION 2018-36

2017 Commercial Township Tonnage Grant Application Resolution

WHEREAS, The Mandatory Source Separation and Recycling Act, P.O. 1987,c has established a recycling fund from which tonnage grant may be to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs, and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement The Mandatory Source Separation and Recycling Act, and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2017 Recycling Tonnage Grant will memorize the Commitment of this municipality to recycle and to indicate the asset of the Committee of the Township of Commercial to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Committee of the Township of Commercial that Commercial Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Louann Karrer, CRP of Maurice River Township by virtue of a Shared Service Agreement to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

RESOLUTION 2018-37

Approving 3rd Annual Laurel Lake Triathlon Sprint On July 28, 2018

BE IT RESOLVED that the Commercial Township Committee approves the 3rd Annual Laurel Lake Triathlon Sprint on July 28, 2018;

BE IT FURTHER RESOLVED that sprint is held in honor of William Laubengeyer and sponsored by DQ Events 316 Crestwood Avenue, Haddonfield

BE IT FURTHER RESOLVED that this resolution and application will be forwarded to the Cumberland County Road Department for final approval

RESOLUTION 2018-38
Appointing Aaron Harden To Position Of Alternate I Land Use Board
To Fill Unexpired Term of Christine Cannon

BE IT RESOLVED by the Township Committee of the Township of Commercial that Aaron Harden be appointed to the position of Alternate I of the Commercial Township Land Use Board to fill the unexpired term of Christine Cannon which was December 31, 2019.

BE IT FURTHER RESOLVED that Mrs. Cannon's resignation was accepted at regular township meeting held on February 15, 2018.

RESOLUTION 2018-39
Approving Partial Payment Tax Arrearages Plan Block 144, Lot 10494

BE IT RESOLVED by the Township Committee of the Township of Commercial that a partial payment tax arrearages plan has been approved for Tracy Johnson, 409, Lark Road Laurel Lake, Block 144, Lot 10494; and

BE IT RESOLVED that Tracy Johnson has agreed to making partial payment of \$64.45 for year 2018 and 2019 on arrearages of \$1,546.80, and that all four quarters be paid on current taxes; and

BE IT RESOLVED that Tracy Johnson has been informed that if she defaults that Property will go through foreclosure process.

RESOLUTION 2018-40
Extending Ricci Bros. Sand Company's Mining License Until May 31, 2018

WHEREAS, there have been several delays for Ricci Bros. Sand Company to file for their Mining License Renewal before the Commercial Township Land Use Board; and

WHEREAS, the Commercial Township Committee had previously given Ricci Bros. and Extension to January 31, 2018 to renew the license; and

WHEREAS, due to further delays Ricci Bros will not appear before the land use board until February 28th and if approved, the land use board will adopt the resolution at their March 28, 2018 meeting but if application in default it could take until April 25th meeting; therefore

BE IT RESOLVED that the township committee will grant Ricci Bros. Sand Company until May 31st 2018 to get their Mining License Renewed.

RESOLUTION 2018-41

Resolution Rescinding 2017-131 For The Authorization For The New Jersey Department Of Community Affairs (DCA) To Assume Jurisdiction For The Enforcement Of The State Uniform Construction Code In Commercial Township

WHEREAS. The Township of Commercial in the county of Cumberland is Rescinding the request for the Department of Community Affairs (DCA) to allow the Township of Commercial to transfer jurisdiction for Municipal Uniform Code Enforcement to the Regional Code Enforcement offices and to provide for the administration and enforcement of the State Uniform Construction Code in the Township of Commercial.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Commercial of the County of Cumberland that the local municipal Uniform Construction Code Enforcement will NOT be transferred over to DCA and the Regional Code Enforcement Agency.

THE TOWNSHIP OF COMMERCIAL

RESOLUTION 2018-42 AMEND TEMPORARY BUDGET

WHEREAS, an emergent condition has arisen in that the Township is expected to enter in contracts, commitments or payments prior to the 2018 budget is adopted, and no adequate provision has been made in the 2018 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2018 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$729,960.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Commercial Township, in the County of Cumberland, State of New Jersey, (not less than two-thirds of all the members there of affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$ 6,713.00 as follows:

COMMERCIAL TOWNSHIP EMERGENCY TEMPORARARY APPROPRIATION
 MEETING DATE FEBRUARY 15, 2018

MAINTENANCE SERVICE CONTRACT

8-1-20-140-026

EDMUNDS PROPERTY TAX BILLING	2,205
EDMUNDS FINANCIAL ACCOUNTING	3,308
EDMUNDS WIPP TAX ANNUAL FEE	1,200

Total	\$6,713
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2. Said emergency temporary appropriations will be provided for in the 2018 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services

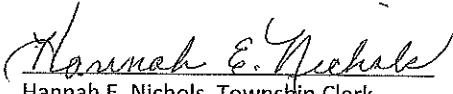
Mayor Sutton asked for motion on foregoing resolutions and Committeeman Vizzard made motion to adopt and Committeeman Jamison seconded with unanimous roll call vote.

Mayor asked committee if they had any comments and being none asked for motion to open meeting to the public, it was moved.

Mr. Judson Moore came forward and told the committee that the new LED lights were big improvement.

Mayor Sutton thanked him and said that LED lights will be installed in Mauricetown, Haleyville and Laurel Lake eventually.

Mayor asked for additional comments and being none asked for motion and second to adjourn and with nothing further committee concurred.


Hannah E. Nichols, Township Clerk