

Minutes of the Regular Meeting of the Township Committee of the Township of Commercial, held on Thursday, May 17, 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
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 that everyone stand and join the committee in the Flag Salute and Lord's Prayer.

Mayor Sutton said first item on the agenda is Station Commander Sgt. Ruco of New Jersey State Police.

Sgt. Ruco said that there were 1,248 calls from Commercial Township residents during the month of April. He said some calls were regarding domestic violence, medical investigations, overdoses from addictions, He said they were going to get additional officers assigned to the barracks which should be a tremendous help with the upcoming summer traffic.

Mayor Sutton asked if any questions and being none thanked Sgt. Ruco for the information and he was glad to hear that the barracks was going to get additional help.

Mayor stated we have minutes of previous meetings prepared by the clerk.

Minutes of the Agenda Meeting of April 16, 2018
Minutes of the Regular Meeting of April 19, 2018

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

Mayor said we have Bill List for the month of May as prepared by Chief Financial Officer. Pamela Humphries.

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

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

Mr. Dennis said this morning at 11:00 A.M., we had advertised and accepted bids for the Laurel Lake Drainage Phase III Project. He said we had seven bidders in all, that Mathis Construction Company, Inc., of Little Egg Harbor, NJ was the lowest bidder at \$226,270.55 and he recommended upon certification of funds that a contract be awarded to them. He said Mathis has worked for the township before, they are a good company and right now they are not busy and they can start right away. He said the permits for the Bivalve Station is progressing and that next month they will bid out the RFP's for the solar project.

Mayor thanked Mr. Dennis and asked the committee for a motion to award a contract to Mathis Construction contingent on certification of funds by chief financial officer.

Committeeman Vizzard made motion to award contract to Mathis Construction Company, Inc., and Committeeman Jamison seconded the motion with a unanimous roll call vote.

Mayor Sutton said we have several correspondence for consideration.

Mayor said we have a memo from Tax Collector verifying that for the year 2017, she does not consider any property taxes that she would be unable to collect in accordance to report requirement of Statute NJSA 54:4-91.1.

Clerk informed the committee that Leslie Kraus, Tax Collector, had been notified that her office and assessor's office will be audited, for senior deductions and disability deduction one day next week. Mrs. Kraus and Mr. Rosenberger will meet on Tuesday evening to have all records available.

Mayor stated that committee had been notified by the state that portions of Mauricetown have been entered into the New Jersey and National Registrars of Historic Places in January and March of 2018.

Clerk reminded governing body that a Founder's Day Celebration will take place on June 2, 2018 and Mayor Sutton, Committeeman Vizzard said they would attend and Committeeman Jamison said he would check his calendar and definitely try to make it.

Mayor said we have a memorandum from JIF, Atlantic County Municipal Joint Insurance Fund requesting that the clerk provide copies of a lawsuit that commenced back in 2005, Ferentz vs. West Wildwood and that circumstances pending from that case allowed JIF to deny West Wildwood coverage for a case in 2018. Clerk provided copies of case two weeks prior to meeting for their review.

Mayor said we have received a request for a partial payment plan from Pamela Gifford, 416 Satinwood Road, Laurel Lake. Mayor Sutton said Tax Collector approves the partial payment plan for Mrs. Gifford on back taxes of \$2,290.50.

Committeeman Jamison said on approval of collector I'll make a motion to approve, Committeeman Vizzard seconded with unanimous roll call vote.

Mayor Sutton said committee received a letter from an organization called New Jersey Share, He said they provide help to individuals that qualify for assistance with utility bills and they can be contact on their website, njshares.org

Mayor Sutton said we have second reading and public hearing on the following ordinance which was adopted on introduction on April 19th, 2018.

ORDINANCE 2018-589

SWAPPING LANDS BETWEEN THE TOWNSHIP OF COMMERCIAL
IN THE COUNTY OF CUMBERLAND, STATE OF NEW JERSEY AND
WHIBCO CORPORATION

Mayor Sutton asked for a motion and Committeeman Vizzard made motion to open meeting to the public and Committeeman Jamison seconded the motion. With no comments being made Committeeman Jamison made motion to close the public portion and to adopt the ordinance. Committeeman Vizzard seconded the motion and a unanimous roll call vote taken.

Mayor Sutton said we have an introduction of Ordinance 2018-590:

ORDINANCE 2018-590

AN ORDINANCE OF THE TOWNSHIP OF COMMERCIAL, COUNTY OF CUMBERLAND,
NEW JERSEY, PROVIDING FOR THE USE OF FUNDS FOR THE PURCHASE OF A VEHICLE
AVAILABLE IN THE CAPITAL FUND RESERVE FOR EQUIPMENT REPLACEMENT

BE IT ORDAINED, by the Township Committee of the Township of Commercial, County of Cumberland, New Jersey, as follows:

- Section 1. The funding for vehicle replacement
- Section 2. The total amount of \$7,382.43 is hereby appropriated from the Capital Fund Reserve for Equipment Replacement.
- Section 3. This Ordinance shall take effect upon publication of notice of final adoption as Provided by law.

Mayor Sutton said this is for a new pickup truck to replace the blue pickup which cost too much to repair. Mayor asked for motion and Committeeman Jamison made motion to adopt on first reading and Committeeman Vizzard seconded and a unanimous roll call vote taken. Mayor Sutton said second reading and public hearing will be held at the June 21st, 2018 meeting.

Mayor Sutton said we have several resolutions for consideration.

RESOLUTION 2018-66
Approving Bond Anticipation Note To Township Of East Brunswick
In The Amount of \$1,097,700.00 @ 2.229% Interest Cost

WHEREAS, the Commercial Township Bond Anticipation Note was due April 27, 2018;
and

WHEREAS, the Commercial Township Chief Financial Officer obtained quotes for the renewal of the note;

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Commercial that the Bond Anticipation Note in the amount of \$1,097,700.00 with a net interest rate of 2.229% and a due date of April 26, 2019 be awarded to the Township of East Brunswick.

RESOLUTION 2018-67

RESOLUTION 2018-67 Meeting: May 17, 2018 6:00 PM

**RESOLUTION APPROVING POLICY FOR PAYMENT OF CLAIMS, CLAIMANT'S
SIGNATURE FOR PAYMENT**

WHEREAS, Claimant Certification N.J.A.C. 5:30-9A.6 and 5:31-4.1 as outlined in Local Finance Notice 2018-13 allows greater flexibility for local units in implementing the claimant certification requirement set forth in N.J.S.A. 40A:5-16(a). Claimant or vendor certification is a certification from the party claiming payment that the bill or demand is correct.

WHEREAS, N.J.S.A. 40A:5-16(b) generally bars local unit funds from being paid out absent a "written or electronic certification of some officer or duly designated employee of the local unit having knowledge of the facts that the goods have been received by, or the services rendered to, the local unit."

WHEREAS, However, N.J.A.C. 5:30-9A.6(c)(1) and 5:31-4.1 now expressly permit payment to vendors in the following circumstances • Payment obligations to the State or to federal governments; • Membership in a non-profit organization; • Educational courses,

including, but not limited to, those where continuing education credits are awarded; •
Registration for a conference or convention sponsored by a nonprofit organization; and •
Website hosting, including registration and maintenance of a domain name.

WHEREAS, N.J.A.C. 5:30-9A.6 as well as 5:31-4.1 clarifies that the certification may be executed by a vendor or claimant by signature stamp, facsimile signature, or electronic signature in addition to a "wet" signature. N.J.A.C. 5:30-9A.6(c) and 5:31-4.1 gives The Township of Commercial discretion to not require claimant certification where such certification is not part of the vendor's normal course of business.

WHEREAS, Claimant certification cannot be waived for the advance or reimbursement of employee expenses, or for services provided exclusively and entirely by an individual (e.g. sole proprietors).

BE IT FURTHER RESOLVED, The Township of Commercial in the County of Cumberland is exercising its discretion to not require claimant certifications except as required for employee reimbursement or for services provided by an individual.

RESOLUTION 2018-68

Authorizing Solicitor To Prepare Amortization Schedule For Block 120, Lot 9552
In Monthly Payments of \$84.60.

BE IT RESOLVED that the Township Committee of the Township of Commercial has approved a partial payment plan for Pamela Gifford, 416 Satinwood Road, Laurel Lake; and

BE IT RESOLVED that solicitor is hereby authorized to prepare amortization payment schedule in a monthly payment of \$84.60, commencing June 1st, 2018.

RESOLUTION 2018-69

Awarding Contract To Mathis Construction Co. Inc.,
In The Amount of \$226,270.55, Laurel Lake Drainage Project Phase I

WHEREAS, the Township of Commercial advertised and solicited bids for the Laurel Lake Drainage Project Phase III; and

WHEREAS, seven bids were submitted and opened at the Township Hall, on Thursday May 17, 2018 at 11:00 a.m, and the lowest bid was in the amount \$226,270.55; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that upon certification of funds from the chief financial officer, a contract be awarded to Mathis Construction Company Inc. 1510 Route 539 Suite 1, Little Egg Harbor, New Jersey 08087, in the amount of \$226,270.55 for the reconstruction of the Laurel Lake drainage Project, Phase III.

Mayor Sutton asked the pleasure of the governing body and Committeeman Vizzard made motion to adopt Resolutions 2018-66 thru 69, and Committeeman Jamison seconded the motion and a unanimous roll call vote was taken.

Mayor asked for comments and said he had been approached by Raymond O'Brien, Yock Wock Road, Port Norris, that a truck driver is using his Jake Brake when approaching Yock Wock Road and High Street, to make the turn on High Street to go to the river. O'Brien said this wakes him up every morning around 4:00 a.m., and he is tired of it.

Mayor asked if committee had any suggestions.

Solicitor Seeley asked if there was any logical reason that this truck driver felt he needed to hit the Jake Brake, did we know who it was, could we contact the individual. He said township could post signs "No Jake Brakes" or committee could possibly adopt an ordinance not allowing trucks to use Yock Wock Road or the use of Jake Brakes.

Committeeman Vizzard said that is a consideration, why don't we do that.

Committeeman Jamison said he is not for that, he is not for having the trucks having to travel North Avenue into town down Memorial. These people get all the truck traffic when these trucks leave towns, up Memorial out on North Avenue. I'm not for that. He said maybe there's more to this. He said he would be in favor of posting signs, "No Jake Brakes".

Mayor said we will try the signs first and asked clerk to notify road supervisor to purchase signs and to post them at both ends of Yock Wock Road.

Mayor asked for motion to open meeting to the public and it was moved.

Mr. Gary Hickman, 241 Daffodil Road, Laurel Lake, said he is a retired truck driver and very rarely does a truck driver have to use his Jake Brake. It was nothing that he had to rely on when on the road, he knew it was there if it was needed but that was rare.

Committeeman Vizzard asked Mr. Hickman if he could think of any reason to apply a Jake Brake when coming up Yock Wock and stopping to turn on High Street.

Mr. Hickman said he can't think of any reason why someone would need to use their Jake Brake every night to make a turn.

Mrs. Carol Hickman, 241 Daffodil Road, Laurel Lake, said that summer is approaching and mosquitoes will be out. Mrs. Hickman said across the street from her property is a property with a foundation on it that collects and holds rain waater whenever it rains, it takes days, weeks before the water dries up and it is a breeding ground for mosquitoes, snakes and other animals. She said the foundation has been there for about ten years and nobody has done anything with it.

Committeeman Vizzard asked Mrs. Hickman if she knew who the owners was or is, does she have an address of the property, that he will send the code enforcement officer out there to investigate and he'll send them violation notices.

Mrs. Hickman said no she doesn't know who owns it now but the property is always filled with water and breeding mosquitoes.

Committeeman Vizzard said that he would have the code enforcement officer to do an onsite inspection and to send violation notices on what he finds.

Mrs. Hickman thanked the committee.

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

Motion was made and seconded.

Hannah E. Nichols, Township Clerk