

Minutes of the Agenda Meeting of December 12, 2016 of the Township Committee of the Township of Commercial, held 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 electronically recorded and held in full compliance of the Open Public Meeting Act.

Mayor Sutton said we have a representative from Resource Renewal to answer any questions we might have regarding the landfill solar project.

Mr. Edward Dennis, Engineer, said to review the representatives came to an earlier meeting showing their interest and at the same time there was another company interested and the committee held off until other proposal could be obtained. He said he reached out to the other company and they never did respond, so Resource Renewal was glad to return and Mr. Dennis said he has prepared a resolution, memorandum of understanding to allow them to do their due diligence to investigate and come up with some figures.

Mayor Sutton asked Mr. Dennis if he had any questions, he said no he did not it is just a matter of letting them in to do some research and getting back to the committee with their findings.

Mr. Seeley said that the resolution is rather lengthy he said because it is long he does have some questions about it.

Mr. Dennis said he prepared the resolution and the reason that it is so long is because of the redevelopment law.

Mr. Seeley said my only problem is the perpetuity issues, basically deed restrictions number one, in recent times come under scrutiny and I'm going to prepare the deed restrictions so my part of that concerns me. Whenever I write a deed restriction into perpetuity. Perpetuity means correct

Mr. Dennis said that was required by the director of DCA.

Mr. Seeley said okay, but my problem with that is there are so many unforeseen issues that can come up when you say forever without any type contingencies, so let's just take for example solar power and this project but if DCA is requiring that, my question is for example is grange halls, and they said this has to be a grange hall and I can think of Mauricetown is a bad one, and someone wanted to buy it and use it as an elementary school but the township couldn't sell it because it always had to be used as a grange hall and there are no more grange halls, so empty building, empty lot and deed restriction for a grange hall and the township couldn't do anything about it. We had to get the superior court to overturn the fact that it was being used as a grange hall. So if this is always going to be used as a some type of solar, or energy providing, newable energy projects and in years to come will not be apples to apples.

Mr. Dennis said these guys probably don't know what you are talking about because they didn't put that in there, but what that is, when we prepared the redevelopment plan and because Commercial Township is in a non growth planning area in the state plan we were

required to go to the the Commissioner of the DEP for approval, the only way they would approve it is if we would deed restrict the landfill in perpetuity for renewable energy, which will be up for interpretation in years to come. What makes this a little bit different than your example is the fact that this is a landfill and we don't know what could be put on it anyway.

Mr. Seeley said let's just assume that the waste underneath has settled down to where someone wants to use it as a golf course and now you can't use it as a golf course fifty years from now because we've written it into renewable development and the township is in to it forever, a thousand years, a million years, I don't like it the courts don't like it and that is just my concerns. Now if you guys want to do it at least my concerns are on the record.

Mr. Dennis said to the committee that Mr. Seeley's concerns are with anyone that wants to develop the land not just these guys. These guys are looking to research the project and present the township a proposal that says, we can put X amount of mega watts on your landfill and we can pay you a retainer of X amount of dollars. So that is what they would do over the next ninety days if we were approve the resolution on Thursday.

Representative said he has to agree with solicitor, he said we are partnered with solar energy, we are environmental folks, so we work on redevelopment projects around mostly south jersey and our business is basically we are consultants and we cleanup sites. Solar Energy has been around for a long time they are non-profit and originally out of Massachutes and now they are into clean energy.

Mayor Sutton said this is not going to cost the township a penny out of pocket is that correct?

Representative said that's the whole idea, not that your expectations are too high, what you will get is the closure of the landfill and some monies coming out of the other end.

Mr. Dennis said the township would receive some type of payment in lieu of taxes, but at this point he does not have figure, you can't buy their power the way the law is structured right now. He said closing the landfill would be a big benefit.

Representative said to answer your question directly, we don't have a figure now, but what we ask for is a three month exclusive due diligence period to look at the information that Ed has, then incorporate our plan for the site as far as mega watts and before we start to enter into a redevelopment agreement, we'll come back and have a business discussion to see what the answer to your question is.

Mayor Sutton said when you speak of closing the landfill to whose specifications are you closing it.

Rep. said the DEP.

Mayor Sutton said to put the resolution on for Thursday's regular meeting.

Mayor called upon Barney Hollinger, Riverfront Coordinator, who stated he had attended a meeting at Cumberland County College on the Delaware Estuary Program and their plans for the next twenty years for the bay and the river. The Bayshore Council meeting has been changed until January 25, 2017 in Salem.

Mayor asked Engineer, Ed Dennis, for his report.

Mr. Dennis said the township needs to determine which roads they would like to submit for state aid for this year. He said he and Clint will be doing a road survey and will get back to the committee on the ones he feels will get funded. He said because it came late this year, the awards will probably not come out until late summer and that will set things back somewhat. He said applications are due February 3rd.

Mayor Sutton said for them to keep Lakeshore Drive in mind when they do it.

Mr. Dennis said on the Haleyville lighting, they have the light foundations done, they will install conduit next week and then there will be a shutdown period because they don't have the light poles yet. Raymond Drive, Phase III is going to be spring construction and I've been trying to get in touch with the state on our Bivalve Station Project. He said he didn't know if township did anything with the data utility poles.

Mr. Seeley said he had worked on their contract before he knew the committee was not going to do anything and he also was told there was another company, Verizon that had submitted a resolution for the same thing.

Mayor Sutton said we're not going to do anything with that at this time.

Mr. Dennis said the final is the low spot on the road of Miller Avenue that is just after the bridge and a lot of water is coming in. He said he would do a workup and possibly it is something that can be done in the new year.

Mr. John Ball who lives on Yock Wock Road questioned the committee on what they could do to safe guard his property. That it had been driven into by a car in July which took out his skirting, shrubs etc., and again here recently someone came on his property.

Solicitor Seeley said the township tried to put in a guardrail after the first incident and because of the underground wiring the guardrail could not be done. But it is against the law for the township to come on your property and perform anything. He said I suggest that you get a large boulder and set it on the end of your property to stop any cars from hitting your trailer. He said the township has posted Yock Wock with speed signs and because people speed on that road when the curve comes up, it's too late. This is something that you will have to do yourself.

Mayor Sutton said the township advertised for RFP's this year for our professionals, animal control officer, animal shelter and cleaning. We would like to review these proposals So that we can award in January. 2017. He asked for motion to go into executive session. The following were received:

RESOLUTION 2016-122
Executive Session To Review RFP's

BE IT RESOLVED by the Township Committee of the Township of Commercial that Committee go into executive session to review RFP's of Professional Appointments for 2017 and Contractural Services Proposals.

A motion was made and seconded to adopt with a unanimous roll call vote.

Of Professionals and Contractural Services
Animal Control Officer:

1. Countywide Animal Services	\$14,400
2. Animal Control of South Jersey	\$12,000
3. Shore Animal Control	\$13,200
4. Tri-County Animal Services	\$14,400

Animal Shelter Services

1. Cumberland County SPCA	Fee Schedule
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Cleaning Services of three municipal facilities:
Municipal Building/Senior Center/Library

- | | |
|---------------------------------------|-------------|
| 1. Best Building Maintenance 3 year | \$32,072.00 |
| 2. All Clean Building Services 3 year | \$38,870.00 |
| 3. CNS Cleaning 3 years | \$51,300.00 |
| 4. Day Care Cleaning Services 3 years | \$38,700.00 |

Bond Council:

1. McMannimon, Scotland & Baumann
 2. Feishman, Daniels Law Offices
 3. Parker McCay
- (Committee stayed with McMannimon)

Professionals: No additional applicants filed. All current professionals filed RFP's They are:

Solicitor:	Thomas Seeley
Township Planner:	Edward Dennis
LUB Solicitor:	Frank DiDominco
LUB Engineer:	Stephen Nardelli, Fralinger's
Auditor:	Bowman & Company
Prosecutor:	Thomas Corrigan
Public Defender:	William Reilly

A motion was made and seconded to reconvene and Solicitor Seeley said the committee reviewed the proposals for professionals, that there weren't any other proposals from individuals. The only RFP's were from our current professionals and that contracts would be renewed in January to the professionals staff. He said on animal control that they would be going with County Wide in the amount of \$14,400, on Animal Shelter, contract awarded to SPCA, and Cleaning would be the lowest bidder Best Building Maintenance .

Mayor Sutton said under resolution to perform business at an agenda meeting the clerk would like to request they approve, Bingo & Raffle Application for Laurel Lake Volunteer Fire and Rescue Inc., that approval be given to Unimin for five year sand mining license for Phase 2 & 4A. Approving bill from Atlantic City Electric at request of CFO to be paid before end of year and award contract to Major Petroleum Industries through Cumberland 'County Coop Purchasing for Diesel and Gasoline for road department.

RESOLUTION 2016-122
Executive Sessions Review RFP's
And Contractual Services Proposals

BE IT RESOLVED by the Township Committee of the Township of Commercial that An executive session be held during the agenda meeting to review RFP's of Professionals and Contractual Services Proposals.

RESOLUTION 2016-123

Approving Bingo and Raffle Licenses For Laurel Lake Volunteer
Fire and Rescue, Inc., for 2017

BE IT RESOLVED by the Township Committ4ee of the Township of Commercial that the application of the Laurel Lake Volunteer Fire and Rescue Inc., Organization to conduct Bingo Games and Raffles during year 2017 is approved to allow its members to purchase additional fire and rescue equipment from the proceeds while providing the local residents with entertainment.

BE IT FURTHER RESOLVED that all applications shall be forwarded to the State of New Jersey Legalized Games of Chance Control Commission for final approval prior to license being issued

RESOLUTION 2016-124

Approving Five Year Sand Mining License To Unimin Corporation
For Phase 2 & 4A, Known as Block 172, Lot 1, Block 173, Lot 2,

Block 174, Lot 1-6, Block 269, Lot 1.01 and 1.02

BE IT RESOLVED by the Township Committee of the Township of Commercial that a five year sand mining permitting license is granted to Unimin Corporation, 258 Elm Street, New Canaan, CT 06840, upon recommendation of the Commercial Township Land Use Board for Phase 2 & 4A, known as Block 172, Lot 1, Block 173, Lot 2, Block 174, Lot 1-6, Block 269, Lot 1.01 and 1.02; and

BE IT FURTHER RESOLVED by the Township Committee that Unimin's five year renewal covers their resource extraction permit, conditional use, expansion of the permanent area by approximately ten acres and major site plan both preliminary and final are all approved; and

BE IT FURTHER RESOLVED that the five year sandmining permitting license is granted to Unimin Corporation upon all requirements and stipulations as stated by the Commercial Township Land Use Board's Resolution 2016-12 be adhered to for the duration of the license which will expire effective September 5, 2021.

RESOLUTION 2016-125

Authorizing Payment Atlantic City Electric Bill
In The Amount of \$3,299.77

BE IT RESOLVED by the Township Committee of the Township of Commercial that the bill of Atlantic City Electric Company in the amount of \$3,299.77 is hereby approved for the new service location of the Haleyville Lights Project and Chief Financial Officer is authorized to prepare check for same.

RESOLUTION 2016-126

Authorizing a Contract With Major Petroleum Industries
As a Member Of the Cumberland County Cooperative
Contract Pricing System Identifier #64-CCCCPS

WHEREAS, Commercial Township is a member of the Cumberland County Cooperative Pricing System #64-CCCCPS; and

WHEREAS, the Cumberland County Cooperative Pricing System went out to bid for a new contract in the delivering of gasoline and diesel fuel for the members of #64-CCCCPS; and

WHEREAS, a contract was awarded for supplying and delivering Gasoline and Diesel Fuel for participating members of the Cumberland County Cooperative Contract Pricing System to Major Petroleum Industries; therefore

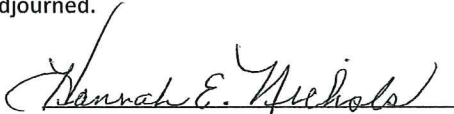
BE IT RESOLVED by the Township Committee of the Township of Commercial that they approve a contract with Major Petroleum Industries for the supplying and delivering of gasoline and diesel fuel for our public works department at the rate of \$.1035(gasoline) \$.1365 (diesel fuel) for a two year period commencing December 1, 2016 and terminating November 30, 2018.

Mayor Sutton asked for motions on the foregoing resolutions and Committeeman Vizzard made motion to approve and Committeeman Jamison seconded same with a unanimous roll call vote.

Mayor Sutton said we have the following items for consideration at our regular December 15, 2016 meeting.

1. Land Sale: Bid \$800 for Block 26, Lots 54306,4307,4308,4309, 80X100
This has been advertised & adjoining owners notified.
2. Appointments for professional services and contractual services
3. Introduction of Amendment To Salary Scale Ordinance
4. Resolution-Budget Transfers

Mayor Sutton asked for any reports and being none asked for motion to open meeting to the public. Mayor asked for comments and being none asked for motion and second to adjourn the meeting. It was moved, meeting adjourned.


Hannah E. Nichols, Township Clerk

Minutes of Executive Session of Township Committee of the Township of Commercial,
held on December 12, 2016 at the Township Hall, 1768 Main Street, Port Norris, NJ

Those present:

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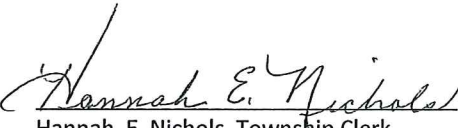
This meeting was originally scheduled for executive session but with no public present committee met in the meeting room and discussed the RFP's that had been submitted by professionals for various municipal positions. Also township had advertised for animal control officer, animal shelter services and cleaning services for municipal facilities.

Mayor Sutton said we had no additional application for being part of the municipal staff for professional services. All of our current professionals submitted RFP's for their same position. It was decided that all of the professional staff would be reappointed and it would be announced at the December 15th, regular meeting so officials can be notified.

Mayor Sutton said we have four applications for cleaning services of the municipal building, senior center and library. He said we have reviewed the applications and we are going with the lowest bidder Best Building Maintenance. He said we have received four proposals for animal control officer, he said we have reviewed them all and have decided to go with County Wide Animal Control at \$14,400, this is not the lowest bidder but he is someone that we are familiar with. Mayor Sutton said we had one proposal for animal shelter services and that is with the SPCA and we will appoint them.

Mayor Sutton said all of the appointments will be officially done at the Reorganization Meeting on Wednesday, January 4, 2017.

Mayor asked for additional comments and being none made motion that meeting be adjourned.


Hannah E. Nichols, Township Clerk