

Minutes of the Regular Meeting of the Township Committee of the Township of Commercial, held on August 18, 2016 at the Township Hall, 1768 Main Street, Port Norris, N.J.

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 being held in full compliance of the Open Public Meeting Act.

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

Mayor Sutton said the New Jersey State Police will not be here this evening there a bad accident on 55. He said Leahe Togne has asked to be on the agenda but she has not arrived as yet so we'll move on.

Mayor said we have minutes of previous meetings for consideration.

Minutes of Agenda Meeting July 18, 2016  
Minutes of Regular Meeting July 21, 2016

Committeeman Jamison made motion to approve minutes, Committeeman Vizzard second with a unanimous roll call vote.

Mayor Sutton said we have the Bill List for consideration for the month of August 2016 as prepared by CFO, Pamela Humphries.

Committeeman Jamison made motion to approve bill list and Committeeman Vizzard second with a unanimous roll call vote.

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

Mr. Dennis said he didn't have much to add since our meeting on Monday night, he said he would look into the Alternative Grant Program to see if we can come up with a project. He said we discussed the Haleyville Lights and your getting feedback from the auditor. Raymond Drive is still under Executive Order #210. Governor did an amendment but the only projects which benefited were one's that were declared absolutely accentual to be completed.

Clerk asked Mr. Dennis if the state would extend the completion date of the grant.

Mr. Dennis said excellent question, he didn't know. He said this order has created so many questions and a mess for many contractors. He said our grant is still in place but eventually we will run out of time if the governor doesn't do something. He said he has heard from Cambria they sent him a layout for the solar panels at the ballfields. He said he will put out an advertisement for the landfill project.

Mayor Sutton said we have a landsale. We received a bid of \$500 and statement of assurance that all dead trees that could fall on adjoining owners garage, pool, fence, house be removed, for Block 66, Lots 7571, 7572, 7573, 7574, 7575, 100X100. Bidder John Reeves.

Property was listed as "not needed for public use" and placed in the Landsale List of September 23, 2015, property was not sold at that time.

Committee discussed if bidder should be required to combine property to his current block and lot.

Committeeman Jamison said this property is substantial and is a buildable lot.

Committeeman Vizzard said he did not see purpose to make bidder combine lot and made a motion to accept bid of \$500 and statement of removing hazardous trees within very short period of time. Committeeman Jamison seconded the motion and a unanimous roll call vote taken.

Mayor Sutton said we have second reading and public hearing on the Ordinance 2016-578.

BOND ORDINANCE PROVIDING FOR THE INSTALLATION OF STREET LIGHTING IN HALEYVILLE BY THE TOWNSHIP OF COMMERCIAL, IN THE COUNTY OF CUMBERLAND, NEW JERSEY. APPROPRIATING \$130,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$123,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

Committeeman Jamison made a motion to open the meeting to the public and Committeeman Vizzard second.

Mayor Sutton asked for comments from the public and stated several years ago the committee approved the installation of street lights in Port Norris and we received a grant to do this. Couple years after that the committee approved street lights for Mauricetown and the tax payers paid for those lights. Then a few years back township received a grant and street lights were installed on Battle Lane, Laurel Lake, from Buckshutem Road to past the Laurel Lake Fire Company Facility, also sidewalk was installed on the southside of Battle. People of Haleyville have asked where are our lights and we feel that they are owed. He asked if any comments and being none asked for motion to close the public portion and to adopt the ordinance.

Committeeman Jamison said for many, many years he has asked for a street light for Cherry Street in Port Norris and one for Ackley Road off of Buckshutem and he feels that the residents on these two streets should get their street lights just like the people in Haleyville.

Mayor Sutton asked if they could finalize the Bond Ordinance and then discuss the other two street lights.

Committeeman Jamison said he is for the lights for Haleyville but he wants a commitment on a light for Cherry Street and Ackley Road, first.

Committeeman Vizzard said he didn't have a problem with those two lights, he was not aware of Committeeman's Jamison long battle.

Mayor Sutton said he is willing to look into what the cost of those two lights would be and if CFO can certify funds he would be in favor of their installation.

Committeeman Jamison asked for a roll call vote on the price quotes for Cherry Street and Ackley Road and their installation. Roll call vote: Committeeman Jamison, yes, Committeeman Vizzard, yes, Mayor Sutton, yes.

Committeeman Jamison made a motion to adopt Ordinance 2016-578, Bond Ordinance in the amount of \$130,000 for installation of municipal street lights for Haleyville. Committeeman Vizzard seconded the motion with a unanimous roll call vote.

Clerk stated final adoption advertisement of ordinance would be in August 25<sup>th</sup> issue of the South Jersey Times and that money could be spent on the 21<sup>st</sup> day after the final publication and that date will be September 15, 2016.

Mayor Sutton said we have introduction of a Capital Ordinance.

CAPITAL ORDINANCE PROVIDING FOR A GENERAL IMPROVEMENT PROJECT FOR HALEYVILLE STREET LIGHTS, BY, IN AND FOR COMMERCIAL TOWNSHIP IN THE COUNTY OF CUMBERLAND, STATE OF NEW JERSEY AND APPROPRIATING \$58,550.00 FROM THE CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF.

Mayor said this ordinance has been introduced to providing funding for the municipal street lights in Haleyville. He asked for a motion to adopt on first reading.

Committeeman Vizzard made motion to adopt, Committeeman Jamison second the motion and a unanimous roll call vote was taken.

Mayor Sutton said we have several resolutions and they will be read by title only, but printed in their entirety in the minutes.

RESOLUTION 2016-94

Awarding Contract To Farm Rite Inc. In The Amount of  
\$112,650.00 For One New 4 Wheel Tractor and Boom Mower

WHEREAS, the Township Committee of Commercial Township prepared specifications, advertised and solicited bids for One New 4 Wheel Tractor and Boom Mower; and

WHEREAS, two bids were received and the lowest bidder was Farm Rite, Inc., of 717 White Horse Pike Hammonton, NJ 08037 in the amount of \$112,650, therefore

BE IT RESOLVED by the Township Committee that a contract be awarded to Farm Rite, Inc., in the amount of \$112,650.00 for one New 4 Wheel Tractor and Boom Mower, with certification of fund from Bond Ordinance 2016-577 in the amount of \$120,000

RESOLUTION 2016-95

Awarding South State Materials, LLC For Supplying and Delivering VOC-Compliant High Performance Cold Patch As A Member Of Cumberland County Cooperative Pricing System

WHEREAS, The Cumberland County Cooperative Contract Pricing system #181-CCCCPS went out to bid for VOC-Compliant High Performance Cold Patch; and

WHEREAS, Commercial Township is a member of the Co-op and reaps the benefits of the county pricing in the purchasing of VOC-Compliant High Performance Cold Patch; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that a contract is awarded to South State Materials, LLC for VOC-Compliant High Performance Cold Patch effective September 1, 2016 through August 31, 2017.

RESOLUTION 2016-96  
List of Uncollectibles Taxes

I, Leslie A. Kraus, submit to you a list of taxes, which in my opinion are uncollectible. The reason as to why the taxes are uncollectible is listed below. I request that the same be cancelled and that I am relieved of the collection thereof as required by P.L. 115 (C. 54:4-91. 91, 91.2)

Block	Lot	Assessed Owner	Years	Amount	Reason
214	44	Jerry & Muriel Carter	2016/1 <sup>st</sup> half 2017	\$3,557.45	100% Exempt Veteran
152	86	Robert Watson	2016/1 <sup>st</sup> half 2017	182.25	Duplicate Billing
101	8681	Lisa Orenberg	2016/1 <sup>st</sup> half 2017	470.21	Duplicate Billing

RESOLUTION 2016-97  
Authorizing The Refund Of Taxes Due To Incorrect Ownership  
Established For Block 253, Lot 2

WHEREAS, during 2015 and 2016 the assessed ownership for Block 253, Lot 2, 1699 Main Street, Port Norris was erroneously changed from Luke's Rentals, LLC to John and Rita Hoffman. Said tax bills for this parcel reflected the Tax Duplicate pursuant to statute and were sent to John and Rita Hoffman as required. Mr. and Mrs. Hoffman paid the quarters that were billed to them. In August of 2016, the tax assessor was notified of the error and after a deed search, the assessed ownership was properly changed back to Luke's Rentals, LLC and,

WHEREAS, in order to correct this billing error, all payments made by Mr. and Mrs. Hoffman on Block 253, Lot 2 will need to be refunded. Said refund will create a balance due on the parcel which will be properly billed to Luke's Rentals, LLC; and

THEREFORE, BE IT RESOLVED, that Leslie Kraus, Tax Collector for Commercial Township Authorized to submit a voucher for refund of the quarters as listed below. It is further requested that the Certified Financial Officer be authorized to refund as indicated by voucher.

Block	Lot	Refund to	Amount
253	2	John & Rita Hoffman	\$93.18

RESOLUTION 2016-98  
Authorizing The Cancellation Or Refund Of Property Taxes Due To  
Approval Of 100% Disable Veteran's Application

WHEREAS, on January 27, 2016 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 James D. Garrison, Jr. for Block 256, Lot 25.01 located at 2526 High Street, Port Norris, and

WHEREAS, after proper review of the application and all supporting documentation by the Tax Assessor it was determined that Mr. Garrison met all requirements to receive the 100% permanently disabled veteran benefit pursuant to N.J.S.A. a54:4-3.30 et seq. (Supporting exemption approval attached) Said exemption approval was effective as of February 14, 2016(360 of 365 days). Mr. Garrison is responsible for 25 drays of 2016 totaling \$344.23; and

THEREFORE BE IT RESOLVED that the Tax Collector is authorized to cancel \$4,688.65 which represents the exempt balance of 2016. The Tax Collector is also authorized to cancel the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2017 in the amount of \$2,516.44.

RESOLUTION 2016-99  
Authorizing The Cancellation Or Refund Of Property  
Taxes Due To Approval Of 100% Disabled Veteran's  
Application

WHEREAS, on June 26, 2016 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 Bonnie Cope for Block 158, Lot 384 located at 7427 John Street, Laurel Lake, and

WHEREAS, after proper review of the application and all supporting documentation by the Tax Assessor it was determined that Mrs. Cope met all requirements to receive the 100% Permanently disabled veteran benefit as a widow pursuant to N.J.S.A. 54:4-3.30 et seq. (Supporting exemption approval attached) Said exemption was retroactive to January 1, 2016; and

THEREFORE BE IT RESOLVED that the Tax Collector is authorized to cancel and the Certified Financial Officer is authorized to refund the amount of \$2,199.10 representing the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2016 paid plus the Homestead Benefit sent to the Township by the Division of Taxation. The Tax Collector is also authorized to cancel the 3<sup>rd</sup> and 4<sup>th</sup> quarter of 2016 in the amount of \$2,163.04 and the 1<sup>st</sup> and 2<sup>nd</sup> of 2017 in the amount of \$2,181.07

**RESOLUTION 2016-100**  
**Local Units Civil Rights**

**A RESOLUTION TO AFFIRM THE TOWNSHIP OF COMMERCIAL'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

WHEREAS, it is the policy of the Township of Commercial to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of Commercial has determined that certain procedures need to be established to accomplish this policy

**NOW, THEREFORE BE IT ADOPTED** by the Commercial Township Committee that:

**Section 1:** No official, employee, appointee or volunteer of the Township by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township's business or using the facilities or property of the Township.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Township Committee shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Township Committee shall establish written procedures that require all officials, employees, appointees and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Clerk shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Clerk shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

RESOLUTION 2016-101  
To Amend The 2016 Capital Budget

WHEREAS, the Township of Commercial of the County of Cumberland desires to amend the 2016 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reasons:

NOW, THEREFORE, BE IT RESOLVED, by the Township of Commercial of the County of Cumberland that the following changes be made to the Capital Budget of the year 20016:

AMENDMENT TO  
CAPITAL BUDGET OF THE  
TOWNSHIP OF COMMERCIAL  
COUNTY OF CUMBERLAND, NEW JERSEY  
Project Schedule For 2016  
Method Of Financing

PROJECT	ESTIMATED COST	CAPITAL IMP. FUND	FUND BALANCE	AUTHORIZED
Additional Financing Haleyville Street Lighting Project	\$58,550.00	\$58,550.00	\$96,887.24	\$58,550.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of the Division of Local government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget adopted by the governing body.

Mayor Sutton asked for a motion to adopt the resolutions and Committeeman Jamison made a motion to adopt resolutions 2016-94 throu 2016-101.

Committeeman Vizzard seconded the motion and a unanimous roll call vote taken.

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

Committeeman Jamison made motion to close public portion and to adjourn the meeting and Committeeman Vizzard second. It was so moved.

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Hannah E. Nichols, Township Clerk