

Minutes of the Regular Meeting of the Township Committee of the Township of Commercial held on Thursday, June 16, 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	Road Supervisor
Heather Sparks	Deputy Mayor

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 everyone to stand and join him in the Flag Salute and Lord's Prayer.

Mayor said we have an officer of the NJ State Police present.

Officer Phiffer said we had four motor vehicle accidents during the month, 58 car stops, 80 property checks and a few burglaries, which consisted of lawnmowers, items that were left outside on the lawn. Officer Phiffer said all residents need to lock their equipment up in their sheds or garages, lock their cars, and houses up when they are there and when they aren't. He said if you have outside lights, put them on at night time. He said people just ride around to see what they can scrap that belongs to others and take it to the junkyard for some spending money.

Mayor Sutton said we have the minutes of previous meetings for consideration.

Minutes of Executive Session of March 11, 2016
Minutes of Agenda Meeting of May 16, 2016
Minutes of Regular Meeting of May 19, 2016

Committeeman Jamison made a motion to approve the minutes of previous meetings and Mayor Sutton seconded the motion with a unanimous roll call vote.

Mayor Sutton said we have a bill list for the month of June 2016 as prepared by CFO, Pam Humphries for your consideration.

Committeeman Mike Vizzard made motion to approve the bill list for June 2016 and Committeeman Jamison seconded with a unanimous roll call vote.

Solicitor Seeley stated he just wanted to remind committee members that if there comes a time when they might have a check on the bill list made out to them, that they should abstain on that one particular check and state it for the record and then there is another motion to approve all the remainder of the bills.

Mayor Sutton said we have the engineer's report and called upon Ed Dennis.

Mr. Dennis said not much has changed since Monday's report when he reported that they add resolutions to the agenda to prepare specs for municipal street lights in Haleyville and possibly we can get the bid request out at the July meeting. He said our 2016 Raymond Drive Phase III project will be put out to bid next month. He said they are working with Clint Miller on the backstops and waiting for approval from the state on the Bivalve Station Project. Mr.

Dennis said the economics are not in favor on the solar projects as yet, but he feels there is a possibility for it in the future. He said they have been coordinating with Cambria Solar on the Municipal building that are having solar panels installed. Mr. Dennis asked if there were any questions and being none asked to be excused to attend another meeting.

Mayor Sutton said we have a second reading and public hearing on the following ordinance which was adopted on first reading and the May 19th, meeting.

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A SIDE ARM TRACTOR IN AND BY THE TOWNSHIP OF COMMERCIAL, IN THE COUNTY OF CUMBERLAND, NEW JERSEY, APPROPRIATING \$120,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$114,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

Mayor Sutton asked for motion to open meeting to the public and asked Public Works Supervisor to make comment regarding the purchase of same.

Mr. Clint Miller said this is a very important piece of equipment, we will be able to decrease our pile of brush, it is used for shoulders of the road and especially corners for being able to view oncoming traffic, he stated it allows us to trim shoulder of roads and that alots runners, joggers, and walkers to be out of the road and the line of traffic.

Mayor asked for comments from the public and being none asked for motion to close the public portion and to adopt the ordinance.

Committeeman Jamison made motion to close public portion, to adopt ordinance on second reading and Committeeman Vizzard seconded same with following roll call vote.

Committeeman Vizzard	Yes
Committeeman Jamison	Yes
Mayor Sutton	Yes

Mayor Sutton said Committeeman Jamison has an announcement.

Committeeman Jamison said he was resigning his Class III Position on the Land Use Board and that Committeeman Vizzard is willing to serve.

Mayor Sutton made a motion to accept the resignation and Committeeman Vizzard seconded same. Roll call vote unanimous.

Mayor Sutton said we have several resolutions and same will be read by number and title only.

RESOLUTION 2016-73
Authorizing The Cancellation Or Refund Of Property Taxes Due
To Approval Of 100% Disabled Veteran's Application

WHEREAS, on October 20, 2015 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 Jerry D. Carter for Block 214, Lot 44 located at 1409 Osborne Drive in Port Norris, and

WHEREAS, after proper review of the application and all supporting documentation by the Tax Assessor it was determined that Mr. Carter met all requirements to receive the 100% permanently disabled veteran benefit pursuant to N.J.S.A. 54:4-3.30 et seq. and, (Supporting exemption approval attached)

THEREFORE BE IT RESOLVED that the Tax Collector is authorized to cancel and the Certified Financial Officer is authorized to refund a prorated amount from October 20, 2015 to December 31, 2015 (73 days of exemption) in the amount of \$480.20 paid by Jerry Carter, the Homestead Credit received by the State of New Jersey in the amount of \$241.05 due to Jerry Carter and the 1st and 2nd quarter of 2016 in the amount of \$1,203.70 paid by USDA, Mr. Carter's mortgage company.

COMMERCIAL TOWNSHIP
RESOLUTION 2016-74

Opposing Licensed Casinos Outside of Atlantic City, New Jersey

WHEREAS, the New Jersey State Legislature has voted in support of a constitutional amendment to permit casinos to operate in jurisdictions in Northern New Jersey, outside of Atlantic City; and

WHEREAS, this initiative will increase the tax burden on Cumberland County residents; and

WHEREAS, this initiative will negatively impact the livelihoods of Commercial Township residents whose jobs and businesses depend on the Atlantic City casino industry; and

WHEREAS, this initiative will create downward pressure on the Township of Commercial's population growth and housing values as residents are forced to seek opportunities elsewhere; and

WHEREAS, any legislator representing any portion of Commercial Township who voted to support this constitutional amendment acted against the best interest of his or her constituents; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Commercial, County of Cumberland and State of New Jersey that it is opposed to the above-described constitutional amendment in any form; and

BE IT FURTHER RESOLVED, that all governing bodies in Southern New Jersey are invited to join Commercial Township in recognizing the negative impact Northern New Jersey casinos will have on our regional economy; and

BE IT FURTHER RESOLVED, that a copy of this resolution be distributed to all governing bodies in the counties of Burlington, Camden, Salem, Cumberland Ocean Atlantic and Cape May, together with copies to all state legislatures representing all or a portion of those counties; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent via overnight mail Senator Dawn-Marie Addiego, with the hope that she will reconsider her previous vote in Support of Northern New Jersey casinos and join her Southern New Jersey colleagues in the legislature in opposing what constitutes bad policy for the entire State and particularly her own legislative district.

RESOLUTION 2016-75
Approving Competition Dirt Riders Annual Motorcycle Parade

BE IT RESOLVED by the Township Committee of the Township of Commercial that the Annual Competition Dirt Riders Motorcycle Parade is approved for August 30, 2016, commencing from the Mauricetown Fire Hall, Noble Street, Mauricetown, New Jersey; and

BE IT FURTHER RESOLVED, that the parade route will be as follows:

Noble Street, CR #744, By-pass Rd., CR #649, Haleyville Rd., CR #676, Ackley Rd., CR #718, Dividing Creek Rd., CR #555, Newport Rd., CR#629, Buckshutem Rd., CR #670, Millville-Fairton Rd., CR #698 and Cedarville Rd., CR #610

RESOLUTION 2016-76
Appointing Dale Schweitzer To Commercial Township
Environmental Commission

BE IT RESOLVED by the Township Committee of the Township of Commercial that Dale Schweitzer of Port Norris, New Jersey be appointed to the Commercial Township Environmental Commission to fill the unexpired term of Walk Birbeck to December 31, 2016.

RESOLUTION 2016-77
Appointing Committeeman Mike Vizzard As Class III
Member Of Commercial Township Land Use Board

Whereas, Deputy Mayor Fletcher Jamison has submitted his resignation as Class III Member of the Commercial Township Land Use Board; and

WHEREAS, Committeeman Mike Vizzard is willing to serve, therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that Committeeman Mike vizzard be appointed to the Land Use Board to fill the unexpired term of Mr. Jamison until December 31, 2016.

RESOLUTION 2016-78
Approving Lalli's Liquor License For 2016-2017

BE IT RESOLVED by the Township Committee of the Township of Commercial that the following liquor license be renewed for period commencing July 1, 2016 thru June 30, 2017.

Liquor Warehouse Corp (Lalli's Liquor)
1428 E. Buckshutem Road
Millville, NJ 08332
License Number: 0602-44-010-002

RESOLUTION 2016-79
Approving Mauricetown Gunning Club Liquor
License for 2016-2017

BE IT RESOLVED, by the Township Committee of the Township of Commercial that the following Liquor License be renewed for period commencing July 1, 2016, thru June 30, 2017.

Mauricetown Gunning Club Inc.
1245 Whitehead Road
Commercial Township, NJ 08349
Liquor License #0602-31-005-001

RESOLUTION 2016-80
Authorizing The Execution Of A Contract Renewing
Membership In the Atlantic County Municipal Joint
Insurance Fund

WHEREAS, Commercial Township (hereinafter the "Municipality") is a member of the Atlantic County Municipal Joint Insurance Fund (hereinafter the "Fund"); and

WHEREAS, the Municipality's membership terminates as of January 1, 2017 unless earlier renewed by a Contract between the Municipality and the Fund; and

WHEREAS, N.J.S.A. 40A:11-5 (1)(M) provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the subject matter is for the purchase of insurance coverage and consultant services, provided that the award is in accordance with the requirements for extraordinary unspecifiable services; and

WHEREAS, N.J.S.A. 40A:11-6.1(b) PROVIDES THAT THE Municipality shall make a documented effort to secure competitive quotations; however, a Contract may be awarded upon a determination, in writing, that the solicitation of competitive quotations is impracticable; and

WHEREAS, in accordance with N.J.A.C. 5:34-2.3, a designated official of the Municipality, has filed a certificate with the governing body describing in detail, as set forth below in this Resolution, why this Contract meets the provisions of the statutes and the regulations and why the solicitation of competitive quotations is impracticable; and

WHEREAS, it has been determined that the purchase of insurance coverage and insurance consultant services by the Municipality requires a unique knowledge and understanding of the municipal exposures and risks associated with the operation of a municipal entity, and many insurance professionals are not qualified to assess these risks and exposures based upon their inherent complexity; and

WHEREAS, insurance coverage for municipal entities can vary greatly in the type, limits, and exceptions to coverage, and therefore particularized expertise in determining and obtaining the appropriate coverage is required to protect the municipality; and

WHEREAS, it is the goal of the Municipality to obtain a single integrated program to provide all types of insurance coverage with a plan to limit the municipalities exposure; and

WHEREAS, the Fund has provided comprehensive insurance coverage to member municipalities since 1987; and

WHEREAS, since 1987, the Fund has continually refined all of the types of coverage that it provides to its members so that it offers comprehensive insurance coverage and limits to all members that is unique and cannot be purchased from a single entity in the commercial insurance market; and

WHEREAS, the Fund has also developed and made available to its members Safety, Risk Management and Litigation Management programs that address the specific exposures and risks associated with municipal entities; and

WHEREAS, the Fund provides the Municipality with Fund Administration, Claims Review, Claims Processing, Claims Administration, Actuarial and Legal services; and

WHEREAS, the Fund is one of the most financially sound Municipal Joint Insurance Funds in New Jersey, and the Fund operates with strong fiscal controls, member oversight, and meets all of the requirements promulgated by the New Jersey Department of Community Affairs and the Department of Banking and Insurance; and

WHEREAS, as an existing member of the Fund, the Municipality would be renewing its membership in an organization with experienced and dedicated Fund Professionals who provide specialized services to the members; and

WHEREAS, the membership of the Fund includes any neighboring municipalities that uniquely have similar exposures to the Municipality, and with whom the Municipality has existing inter-local arrangements; and

WHEREAS, all of the aforementioned factors categorize the award of this Contract as an "extraordinary, unspicifiable service" that cannot be publicated, accounted for, accurately detailed, or described in a manner that truly depicts the value of the Municipality's membership in the Fund; and

WHEREAS, for all of the aforementioned reasons, it is impracticable for the Municipality to seek competitive quotations for a Contract to provide the procurement of insurance coverage and Consultant services; and

WHEREAS, the Fund has been organized pursuant to N.J.S.A. 40A:10-36 et. Seq., and as such is an agency of the Municipalities that created it; and

WHEREAS, N.J.S.A. 40a:11-5(2) ALSO PROVIDES THAT A Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the Contract is entered into with a municipality or any board, body, officer, agency or authority thereof; and

WHEREAS, the Fund meets the definition of an agency as set forth in N.J.S.A. 40A:11-5(2); and

WHEREAS, for all of the aforementioned reasons, the Municipality desires to enter into a Contract to renew its membership with the Fund for a period of three (3) years, for insurance coverage and consultant services, as an exception to the public bidding requirements of the Local Public Contracts Law.

NOW, THEREFORE, be it resolved by the governing body of the Municipality as follows:

1. The Municipality agrees to renew its membership in the Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk of the Municipality shall be and hereby are authorized to execute the Contract to Renew Membership annexed hereto and made a part hereof and to deliver same to the Fund evidencing the Municipality's renewal of its membership.
3. In accordance with N.J.A.C. 5:34-2.3, the certificate of a designated official of the Municipality, which details why the solicitation of competitive quotations is impracticable, is attached hereto and made a part of this Resolution.
4. The Clerk of the Municipality is authorized and directed to place a notice of the adoption of this Resolion and the award of this Contract in the official newspaper of the Municipality.

This Resolution agreed to this 16th day of June, 2016 by a vote of:

Affirmative: 3 Negative: 0 Abstentions: 0

RESOLUTION 2016-81
Rescinding Resolution 2016-60 Heating and Air Conditioning
Commercial Township Senior Center

BE IT RESOLVED by the Township Committee of the Township of Commercial that Resolution 2016-60 awarding contract for new heating and air conditioning system for the Commercial Township Senior Center to Beatty & Son be rescinded due to technical error.

RESOLUTION 2016-82
Authorizing Remington/Vernick & Walberg Engineers To Prepare Specifications,
Advertisement of and Soliciting Bids for New Heating and Air Conditioning Units
For Commercial Township Senior Center.

WHEREAS, the heating and air conditioning units at the senior center are failing and requiring many hours of maintenance and expenses; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that Remington/Vernick & Walberg Engineers are authorized to prepar specifications, advertise and solicit bids for a new hearing and air condition units for the senior center in an amount of

RESOLUTION 2016-83
Authorizing Remington/Vernick and Walberg Engineers To Prepare Specifications,
Advertise and Solicit Bids For The Installation Of Municipal Street Lights, Highland
Street in Haleyville.

WHEREAS, Municipal Street Lights have been installed in Port Norris, Mauricetown, and Laurel Lake during the Past ten to fifteen years; and

WHEREAS, it has been brought to the committee's attention that the Haleyville portion of Commercial Township was left out; therefore;

BE IT RESOLVED by the Township Committee of the Township of Commercial that

Remington/Vernick and Walberg Engineers are hereby authorized to prepare specifications, advertise, and solicit bids for the installation of approximately 30 Municipal Street Lights on Highland Street, in Haleyville, from the By-pass to designated area beyond Blinker light by the committee, in an amount of \$15,000.

RESOLUTION 2016-84
Joining Bayshore Council And Appointing Warren(Barney) Hollinger
As Commercial Township's Representative

WHEREAS, the Bayshore Council is organized and operated exclusively for the purpose of advocating for the health and sustainability of NJ's Bayshore communities, from the Cape May Canal to the Delaware Memorial Bridge, amplifying the voice of Bayshore issues and community needs and facilitating a healthy balance of conservation and economic vitality; and

WHEREAS, the purposes of the Council are:

1. To Conduct education, communication, organizing, and advocacy to restore, improve, preserve and sustain the environment, natural and engineered beaches, waterways, wildlife habitat, ecosystems, and public lands which surround the communities of the Delaware Bay and it's watershed:
2. To ensure that Bayshore Communities have a vibrant sustainable economy, adequate and resilient infrastructure, telecommunications, services, community resources and funding and that they are treated equitably by county, state and federal agencies,
3. To provide technical information, support, coordination and to undertake such programs, activities and projects as are consistent with Bayshore Council purposes and values and deemed appropriate by consensus of the member communities within the council.
4. The Bayshore Council will seek common ground in Bayshore communities and facilitate partnership activities that will result in healthier communities, more resilient infrastructure and a stronger tourism and natural resource based or natural resource compatible economy for all Bayshore communities.
5. The Council will not limit its activities to efforts that benefit every Bayshore Community, so long as one or more Bayshore municipalities benefits.
6. Where possible, the council will lessen the burdens of Bayshore local governments and increase their voice in Trenton and Washington, DC and heighten appreciation and stewardship for the region nationwide.
7. The Bayshore Council commits to working collaboratively with our elected representatives, state and federal governments, Cape May, Cumberland and Salem counties, and all their constituent agencies, in the public interest on these matters for the greater good of all our communities, the environment, Bayshore residents and the Delaware Bay and it's watershed.
8. Any other activities deemed necessary by the members to further the purpose of the Council and,

WHEREAS, Commercial Township is a Bayshore Community, and

WHEREAS, Membership in the Bayshore Council is important to the Township.

THEREFORE, BE IT RESOLVED that Warren "Barney" Hollinger be appointed as Commercial Township's official representative to the Bayshore Council.

Mayor Sutton asked for motion to approve resolutions.

Committeeman Jamison made motion to approve Resolutions 2016-73 thru 2016-84.

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

Mayor Sutton asked for reports from the committee.

Committeeman Jamison said he didn't have anything, he asked Public Works Supervisor if he had anything and he did not at this time. Mr. Jamison said he is done work for the summer if anyone needs to contact him for anything. Committeeman Vizzard said he didn't have anything at present time.

Committeeman Jamison said for those that were not here on Monday, he wanted to welcome Mr. Vizzard as Township Committeeman, welcome aboard.

Committeeman Vizzard said come out and vote in the fall.

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

Mrs. Rita Hoffman said that several members of the township met last night to discuss the Holly Manor situation and that they would like to meet and discuss their issues with Mr. Seeley.

Mr. Seeley said he just met with five representatives of Lawrence Township. They have a facility in Lawrence and the clientele is basically individuals that are mentally impaired and there for life. He said this is a different scenario than the clientele of Holly Manor apparently, this is more of a transient atmosphere, they are in and out. Mr. Seeley said for Mrs. Hoffman to setup a meeting, let Hannah know and she will let me know, I'll come down here and we can have it in the conference room and we can come up with a full list of questions that are appropriate that we can take back to the owner of the facility. He said the Mayor and committee have been very vigilant, pushing me very hard to try and find some answers for you that are satisfying. So set it up with Hannah and I'll be happy to do whatever I have to do.

Mrs. Liz Hoffman asked if a member of the state police could attend the meeting.

Mr. Seeley said he didn't see a problem with that and they could invite an officer to attend. He asked that Mrs. Hoffman put it in as a written request that Mr. Seeley attend and that a member of the NJ State Police attend for her record

Resident at corner of Main and High said she is concerned about Newcomb's Market extending their hours of operation. They open at six to accommodate fishermen and stay open until 10:00 P.M. and that means people from Holly Manor could be up walking to Newcomb's for coffee all times of the evening. She stated this has not been a problem so far but could that be one of the questions regarding time people on the street.

Mr. Seeley said let everyone write down their concerns and we will take them to the owners or individual in charge.

Mayor Sutton asked for additional comments and being none asked for motion to close the public portion and to close the meeting. It was so moved by Committeemen, Jamison and Vizzard.

Hannah E. Nichols, Township Clerk