

Minutes of the Regular Meeting of the Township Committee of the Township of Commercial, held on May 19, 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	Deputy Mayor
Thomas Seeley	Solicitor
Hannah E. Nichols	Township Clerk

Those absent:

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, it was being electronically recorded and being held in full compliance of the Open Public Meeting Act.

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

Mayor called on Station Commander for report of April 2016.

Lt. Horsey said during the month of April 2016, the following specifics were conducted by the officers of the Commercial Township Police Barracks. The officers investigated 43 motor vehicle accidents, conducted 101 motor vehicle stops, conducted 123 property checks all in Commercial Township. He said we did have three thefts and burglaries reported, one was an outside air conditioning unit, a mini bile that was not locked up, and the third one was a trailer that was not locked up and somebody just hooked up to it and took off. Lt. Horsey said that's all he has, he strongly recommended that people keep their houses, cars, garages and anything of any value locked up.

Mayor Sutton thanked the Lieutenant and asked if anyone had any questions.

Mrs. Liz Hoffman inquired about a recent incident where someone died at the Holly Manor House.

The Station Commander said they were waiting for toxicology test to come back but they did not think that a murder was committed.

Mrs. Rita Hoffman asked if there were any sex offenders living at Holly Manor.

The Lieutenant said he didn't have that information with him.

Solicitor Seeley said maybe he could help since he handles a similar home in Lawrence Township and there has been over 80 rescue halls for this home in one year. He said he went to the owners of the facility and found out that the clientele were all individuals with massive head trauma injuries, basically from automobile accidents in their life time. He said many of the residents of Lawrence were relieved to have this information and felt better about having the facility in their township after being informed. He said he could do the same thing for Commercial Township. He said residents just can assume why these individuals have to live in this type of facility.

Mrs. Rita Hoffman said the owner is LaFrieda and he has phone number for him.

Mr. Seeley gave Mrs. Hoffman his email address and told her to send him the information on the owner and he would try to set up some type of meeting to see what disabilities the tenants have that are living in Holly Manor.

Mrs. Rita Hoffman said LaFrieda also owns the Adams House. She said she has had discussions with Mr. LaFrieda regarding his clients, that they come from Ancora, he is given a folder on the individuals, he has 30 days to make decision if he wants to house them.

Mr. Seeley said he feels that a meeting between the residents and the owners of the facilities should be held and that it can eliminate a lot of hostile feelings toward the individuals that live there.

Mrs. Hoffman said regarding sex offenders.

Lieutenant said all sex offenders have to register with the State Police when coming into Commercial Township, they have to register. I just do not have that information with me this evening.

Mrs. Hoffman said there are a lot of rescue calls to these facilities and she wonders if the people that work there or supervise or medicate the residents are qualified to do so.

Mr. Seeley said Governor McGreevey got involved and made it a law that when someone falls in one of these homes, that 911 is called, if they do not there is a fine of \$5,000. He said this came about when a young woman fell, hit her head and didn't want to go to get checked out and she died. Now it is mandatory that they call 911.

Mayor Sutton said as a township we checked into Holly Manor before and the township has no jurisdiction as to who lives there, we have contacted the state and were told these are like any other resident in your town, they can come and go as they please, go to the store, take a bus, go shopping. They are not confined.

Mr. Seeley said he feels if the township knew why the residents of Holly Manor were there, for what reasons were they placed in such a facility, they would feel better about them if they were there because of head trauma, mentally challenged, crippled, than they would if they had been tried and convicted as a sex offender. Mr. Seeley said he would contact the owner and see if he would be willing to meet.

Mayor Sutton said thanked everyone for their input and said that Mr. Seeley would contact the owner of Holly Manor to invite him to a meeting. He also thanked the Port Norris State Police Station Commander for his enlightenment regarding what took place at Holly Manor few weeks back.

Station Commander said I want to state again we don't believe there was foul play, I just wanted to say that again. He said we have our speculations but again we have to wait for the report from medical examiner.

Mayor Sutton said we have the minutes of previous meetings for consideration from the month of April 2016.

Minutes of Agenda Meeting April 18, 2016
Minutes of Executive Session April 18, 2016
Minutes of Regular Meeting April 21, 2016

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

Mayor said CFO has provided you with a bill list for the month of May 2016.

Committeeman Jamison made motion to approve the bill list and Mayor Sutton seconded the motion with a unanimous roll call vote.

Mayor said we don't have our engineer this evening. He's on a family vacation and will see us next month.

Mayor said we have the introduction of a bond ordinance for a side-arm tractor for the road department in the amount of \$120,000. He said this equipment is very necessary.

BOND ORDINANCE
COMMERCIAL TOWNSHIP
ORDINANCE 2016-577

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.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
COMMERCIAL, IN THE COUNTY OF CUMBERLAND, NEW JERSEY (not less than
two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Commercial, in the County of Cumberland, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$120,000, including the sum of \$6,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$114,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of a side-arm tractor, including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised

capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$114,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$12,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of

obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Sutton asked for a motion to adopt the ordinance on first reading.

Committeeman Jamison made motion and Mayor Sutton seconded with a unanimous roll call vote of the members present. He said second reading and public hearing will be held at the regular meeting on June 16, 2016.

Mayor Sutton said we had a request from a Mrs. Hayman to do a proclamation honoring or father, Sam Owens, who recently passed away.

PROCLAMATION
To Honor Sam Owens

WHEREAS, there comes a time when an individual makes an impression on the people that he has met over the years; and

WHEREAS, Port Norris had such an individual who passed away recently that is leaving an empty void to some and his name is Sam Owens.

WHEREAS, Sam and his lovely wife Esther resided at 1629 North Avenue, Port Norris for over 50 years, and had an extended family of children, grandchildren and great grandchildren that they loved and cherished them and were very proud of their children's accomplishments;

WHEREAS, Sam is remembered as someone who helped those in need. He and his wife Esther would provide food and shelter to anyone who needed it and encouraged and inspired people to pursue their dreams and Sam would be the first one to lend a hand in their pursuit;

WHEREAS, Sam was a hard worker, he drove truck most of his life, traveling the country over and he enjoyed playing the lottery and did so in most of the states that he traveled;

WHEREAS, Sam was not a flashy man in his attire, he liked his flannel shirts and jeans but in the morning many can remember seeing him, as they drove by, outside getting his paper in his house coat, slippers with his famous hairstyle flowing in the wind and Sam was an avid reader, he read the paper from front page to last; therefore

BE IT PROCLAIMED, by the Township Committee of the Township of Commercial that it gives the committee a great honor and privilege to adopt this Proclamation in honor of Sam Owens for his contribution to the residents and the community of Port Norris during his lifetime on this 19th day of May 2016.

Mayor Sutton said he would make a motion to adopt the proclamation and Committeeman Jamison seconded the motion with a unanimous roll call vote of the members present.

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

RESOLUTION 2016-64

Authorizing The Transfer Of Overpayment To Other Tax Years Or
Refund Of Overpayment To Owner, Payer Or Their Representative

WHEREAS, it was discovered after downloading the 2016 MOD IV and/or during the preparation of the tax bills that there were several overpayments existing on numerous line items. The overpayments were created due to reductions in the tax assessments, the recent Homestead Credit Benefit, combining of lots, change in lot number or pursuant to a successful appeal filed with the County Board of Taxation lowering said assessments, and

WHEREAS, pursuant to statute, said overpayments will need to be refunded to the owner, person who made payment or their representative. With said overpayments exceeding \$10.00, approval from the Commercial Township Committee is required before action is to be taken, and

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

Block Lot	Owner	Year	Amount	Reason
212 7	Randolph & Alice Marshall	2013 Homestead Benefit Credit	200.60	Exempt Starting 07/2014
184 19	Harold & Barbara Snell	2013 Homestead Benefit Credit	293.93	Exempt Starting 09/2015

RESOLUTION 2016-65

Authorizing A Green Team Advisory Committee

WHEREAS, the Township Committee of the Township of Commercial strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Committee of the Township of Commercial wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on "Green" issues, the Township Committee wishes to reconfirm a Green Team Advisory Committee (GTA); and

WHEREAS, the Township Committee of the Township of Commercial wants to begin the process of focusing on "Green" issues by continuing audits of municipality facilities and operations.

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do their share to lessen the environmental impact of its operations.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Commercial that we do hereby reconfirm a Green Team Advisory Committee consisting of members who shall be residents or employees of Commercial Township.

OBJECTIVES:

1. Collaborate with township employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the GTA.
2. Encourage participation of all employees to solicit ideas on green initiatives.
3. Research and analyze green initiatives which make practical environmental and financial sense.
4. Develop strategies for sustainable green initiatives in municipal operations.

NOW, THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Commercial that the following persons are hereby appointed to the GTA for the remainder of 2016 and are eligible to serve until replaced through an updated resolution or ordinance:

Patricia Smith

Julie Gandy

Jim D'Ambrosio

Amy Wright

Roll Call Vote:

Ronald L. Sutton, Mayor	Yes
Fletcher Jamison, Deputy Mayor	Yes
Third Seat Vacant	

RESOLUTION 2016-66

**Authorizing the Closing of James Moore Road
Sunday, June 5th and Sunday September 11th, 2016**

BE IT RESOLVED by the Township Committee of the Township of Commercial that approval is given for the closing of James Moore Road known as County Road 614 from the intersection of Port Norris-Mauricetown Road known as County Road 649 down to the intersection of Dragston Road and Toms Bridge Road for Northeast Off-road Championship Series for Sunday, June 5th and Sunday, September 11, 2016.

BE IT FURTHER RESOLVED that certificate of insurance provided for June 5th and September 11th, 2016 and same and resolution will be forwarded to County of Cumberland for consideration.

RESOLUTION 2016-67

Authorizing Engineer To Provide Proposal For Municipal Street Lights In Haleyville

BE IT RESOLVED by the Township Committee of the Township of Commercial that a proposal is requested of Remington/Vernick and Walberg Engineers for the purchase of approximately 30 municipal street light; and

BE IT FURTHER RESOLVED that a proposal is requested of engineers for the specification of design, advertisement and solicitation of bids for the installation of the lights on Highland Street, Haleyville from the By-Pass Road to the Blinker Light at what is known as North Avenue going South and known as Steep Run Road going North.

Mayor Sutton said this would finish the decorative lights throughout the towns, Haleyville was not included in the Mauricetown Proposal when their lights were installed.

RESOLUTION 2016-68

Appointing Barney Hollinger As Commercial
Township's Riverfront Consultant

WHEREAS, the Commercial Township Committees, past and present, have many concerns with our riverbanks, the erosion, the un-controllable flooding, the amount of debris; and

WHEREAS, there are numerous meeting being held by municipalities that have the same problems, same concerns but no financial means to solve the issue of the riverbanks, therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that Commercial Township needs representation to attend these meetings regarding flooding, erosion, riverbanks, berms, maintenance and financial support which are basically held during the course of the day; therefore

BE IT FURTHER RESOLVED that the Commercial Township Committee appoints Barney Hollinger of Port Norris as Commercial Township's Riverfront Consultant effective this 19th May 2016.

RESOLUTION 2016-69

Approving Bond Anticipation Notes as following

Oppenheimer & Company-Note in the amount of \$751,908.00 at 2.1230% Net Interest Cost
Newfield National Bank-Note in the amount of \$114,000.00 at 0.80% Interest Cost

WHEREAS the Commercial Township Bond Anticipation Note was due April 29, 2016; 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 \$751,908.00 with a net interest rate of 2.1230.0% and a due date of April 28, 2017 be awarded to Oppenheimer & Company.

Additionally, as a separate issue, the Bond Anticipation Note in the amount of \$114,000.00 with interest rate of 0.95% and a due date of April 28, 2017 be awarded to Newfield National Bank.

RESOLUTION 2016-70

Chapter 159 Resolution-Budget Insertion

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Commercial hereby requests the Director of Local Government Services to approve the insertion of the following items of revenue in the budget year 2016 in the sum of \$19,995.85 which item is now available as revenue from:

FY 2016 2016 Clean Communities Fund

BE IT FURTHER RESOLVED that like sum of \$19,995.85 be and the same is hereby appropriated under the captions of:

FY 2016 2016 Clean Communities Fund

BE IT FURTHER RESOLVED that the above is a result of monies totaling \$19,995.85 from the 2016 Clean Communities Fund.

Date: **May 19, 2016**

Mayor Sutton asked for a motion regarding the foregoing resolutions and Committeeman Jamison made motion to adopt Resolutions 2016-64 thru 2016-70 and Mayor Sutton seconded the motion with a unanimous roll call vote of the members present.

Clerk said she would like to introduce one more resolution regarding the donation of Block 48, Lots 6137, 38, 39, 40, 41, 100X100, 6300 Magnolia and 6306 Magnolia Drive, Laurel Lake, owner Frederick Bilda is deceased and Administrator of the Estate, Julia A. McCabe has been the required land donation fee of \$600.00 to help offset attorney's fees.

RESOLUTION 2016-71

Land Donation Block 48, Lots 6137,6138,6139,6140,6141

BE IT RESOLVED by the Township Committee of the Township of Commercial that solicitor is authorized to do title search and prepare necessary documents to accept Block 48, Lots 6137,6138,6139,6140,6141,100X100, 6300 and 6306 Magnolia Drive, Laurel Lake, owner Frederick Bilda, deceased,

BE IT FURTHER RESOLVED, that Administrator of the Estate, Julia A. McCabe has paid the \$600.00 donation fee in accordance to Ordinance 2015-571 to offset the cost of attorney's fees.

Committeeman Jamison made a motion to adopt Resolutions 2016-64 thru 2016-71.

Mayor Sutton seconded the motion and unanimous roll call vote in favor of members present was taken.

Mayor Sutton said he would like to wish Committeeman Fletcher Jamison a Happy Birthday which will be on Friday.

Mayor Sutton asked for motion to open meeting to the public and Committeeman Jamison so moved and Mayor seconded.

Mrs. Liz Hoffman inquired when would solicitor get back to the residents.

Mr. Seeley said as soon as he has the information he will get back to them, he said he would get involved right away.

Committeeman Jamison said the residents need to write down their questions, give pertinent information to Mr. Seeley so that he can check it, such as someone said one of the employees has his children living on the property. Is this legal, he needs to know if there actually are kids living there and is it acceptable.

Mr. Seeley said he would try to have some information by the next meeting night.

Mayor Sutton said if he is prepared and has the information you want we can even have a special meeting, we can do that.

A resident did not identify herself but asked about the school busses and that her school taxes would be going up about \$12.00 for the year.

Mayor Sutton said the school taxes are only going up two cents, basically they have decreased because they were able to reduce the taxes this year approximately \$136,000 because year before last they forgot to put the deferred taxes into their budget so to make that up it had to be entered in last years budget, this year that can be removed.

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

Committeeman Jamison made motion to close public portion and to adjourn the meeting. Mayor Sutton seconded, meeting adjourned.

Hannah E. Nichols, Township Clerk