

Minutes of the Regular Meeting of the Township Committee of the Township of Commercial held on Monday, December 18, 2017 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 Clerk

Mayor Sutton presided and called the meeting to order with the announcement that there was a special advertisement that the final meeting for 2017 would be held on Monday, December 18, 2017 at 6:00 P.M., He stated that the meeting was being electronically recorded and meeting was being held in full compliance of the Open Public Meeting Act.

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

Mayor Sutton said he sees our Municipal Court Judge, Mr. Edward Duffy, in the audience and the mayor asked if he wanted to address the committee.

Mr. Duffy said he wanted to express his appreciation for being appointed to the position of Commercial Township's Municipal Court Judge that he has thoroughly enjoyed the past two years, that he has a competent staff with Prosecutor Corigan, Mr. Reilly, Maryann and her deputy Ashley Criss from Maurice River Township. He said that he has setup a standard formula in fining individuals that come before him, he said he tries to be fair, first time minimum, second time higher and third time before him a much steeper fine. Mr. Duffy said there has been an increase in fines of approximately 15 percent increase over last year and a 24 percent increase in public defender fines.

Mayor Sutton, Committeeman Jamison, Committeeman Vizzard were all concerned with code enforcement complaints signed by Mr. Dean.

Committeeman Vizzard said he gets copies of all of Mr. Deans violations notices and he sees that it is the same violators over and over, they don't seem to care, they don't comply, they don't clean up the property or make the repairs. He feels that a much higher fine needs to be implemented so these people won't want to come back.

Mr. Duffy said that he feels he has increased the fines, that their percentage rate of collections has increased since 2016 and that is a good sign. He said he realizes that many of the violators are repeaters and that he has come down harder on them in 2017 and he feels the committee will see additional improvements in 2018. He said there are some violators that it is just a citation for cutting their grass, he said he does not do the 100 fine and cost on them. He said he tries to be fair and charges \$50 plus cost.

Mayor Sutton told Judge Duffy that Mr. Dean is retiring and township may hire someone to strictly do code enforcement and would it be possible to have special court sessions and what would be the cost.

Mr. Duffy said it would be possible and that in the budget there is a line item if he could not make a court session, he believes the figure is \$1200 to bring another judge in, but committee needs to check that out with cfo, but extra sessions are possible. He asked if any

additional questions and being none thanked the committee for letting him address them this evening and said he is looking forward to 2018.

Committee expressed their appreciation for his attending the meeting.

Mayor Sutton said our state police is not here this evening, they normally attend the Thursday night meeting.

Mayor Sutton said we have consideration of previous minutes.

Minutes of the agenda meeting of November 13<sup>th</sup> 2017  
Minutes of the regular meeting of November 16<sup>th</sup>, 2017

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

Mayor Sutton said the committee had been provided with a Bill List for the month of December 2017 by Pam Humphries, Chief Financial Officer for committee's consideration.

Committeeman Vizzard made motion to approve the bills.

Mayor Sutton said he approves all of the bills except Jerry & Son, he said he did an onsite inspection of the Lakeshore Drive Project and that there were piles of dirt, debris, and Jerry and Son should not get the final payment.

Engineer, Edward Dennis, said this was not the final payment, this was the payment for the paving of the road, that he had just done an inspection and prepared a check list that the contractor would have to correct before final payment.

Mayor Sutton said as long as this is for the work that he has completed so far and not the final payment that he would approve all of the bills on the Bill List. Roll call vote was unanimous.

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

Mr. Dennis said he did not have a written report for the evening but that the paving of Lakeshore Drive has been completed, that a check list has been prepared for the contractor regarding final cleanup. The Berry Avenue Project has been completed, Raymond Drive almost completed and on Laurel Lake Drainage Phase III they are waiting on South Jersey Gas for diagram of piping locations in the area. State aid notification sometime later in spring for applications of Port Norris Drainage and Laurel Lake Drainage Phase IV.

Mayor Sutton said we have a land sale and turned the meeting over to Solicitor Seeley.

Mr. Seeley stated township has received a bid of \$2,000 for Block 213, Lot 16, known as 1701 North Avenue, Port Norris. He asked if there were additional bidders and being none struck the bid three times and asked the pleasure of the committee.

A motion was made and seconded to sell Block 2013, Lot 16, known as 1701 North Avenue, Port Norris to Alvin Newcomb for \$2,000 plus \$400 conveyance fee. Roll call vote unanimous.

Mayor Sutton said we have received correspondence from Chris Franklin, Reporter for NJ Advanced Media, he wants to know committee's expectations for the township in year 2030.

Committee responded that they would have to give the matter some thought before responding.

Mayor Sutton said we have a letter from Tony Stanzione, Executive Director of the Cumberland Development Corporation asking if the township would want to become a member in 2018, the cost would be \$5,700.

Committeeman Jamison said the township did belong for several years but we dropped out when we didn't feel that any of their programs were beneficial to us.

Mayor Sutton said that Commercial and Downe are the only two municipalities that are not a member of the CDC and he feels that we should join.

Committeeman Vizzard inquired as to the purpose of the CDC.

Mayor Sutton said this is where a municipality has a project in mind for the township and they ask the CDC to investigate to see if statistics show that it would be beneficial to the tax payers and then the committee could decide if they wanted to go further.

Committeeman Vizzard said he would like to be better informed as to what the CDC could do for the township, but he was in favor of becoming a member.

Mayor Sutton made motion to join the CDC and Committeeman Vizzard seconded with unanimous roll call vote.

Mayor Sutton said we have correspondence from Architect, Larry Merighi, regarding an onsite inspection of the Robbinstown Library. His determination is that the library is basically in compliance and has stated the statutes the facility falls under. Mr. Merighi recommended that his findings be forwarded to the State Fire Marshall Office for their response to his findings. The committee commended Committeeman Vizzard for his recommendation in hiring Mr. Merighi.

Mayor Sutton asked if Mr. Miller had forwarded the letter to fire marshal.

Mr. Miller confirmed that he had, that the marshal was forwarding the letter to his superiors and that he would get back to the township.

Committeeman Vizzard asked if Mr. Miller knew when fire marshal would return he would like to be present.

Mr. Miller said he normally just shows up. He said he would contact the marshal and see if he would give a specific date and time for his return inspection.

Mayor Sutton said we have a memo from Heather Sparks, Deputy Clerk, requesting approval for the 2018 Municipal Calendar. Cost approximately \$4,420 + \$421.59 postage.

Committee was in agreement, that residents enjoy the calendars and it keeps them informed. A motion was made and seconded for Ms. Sparks to order the calendars.

Mayor Sutton said we have a letter from the Mauricetown Volunteer Fire Company requesting that the committee approve the closing of Noble Street from Bateman Street to Bacon Street for a Sportsman's Expo on Saturday, March 24<sup>th</sup>.

Mr. Seeley said they need to produce a diagram showing the closing of the roads.

Mayor asked clerk to contact Donald Hundt, Chief, Mauricetown Fire Company to provide diagram of the street closing. Mayor said we have a resolution on the agenda for this approval.

Mayor Sutton said we have two ordinances for second reading and public hearing this evening.

ORDINANCE 2017-584

AN ORDINANCE OF THE TOWNSHIP OF COMMERCIAL, COUNTY OF CUMBERLAND, NEW JERSEY, PROVIDING FOR VARIOUS REPAIRS AND UPGRADES OF THE TOWNSHIP BUILDINGS AND APPROPRIATING \$14,600 AVAILABLE IN THE CAPITAL FUND-RESERVE FOR BUILDINGS AND GROUNDS

Mayor Sutton asked for a motion and second to open meeting to public for input and being none asked for motion and second to close the public portion and to adopt the ordinance.

Committeeman Vizzard made motion, Committee Jamison seconded. Roll call vote unanimous.

ORDINANCE 2017-585

AN ORDINANCE FIXING A SCALE OF SALARIES AND WAGES OF CERTAIN OFFICIALS OF THE TOWNSHIP OF COMMERCIAL IN THE COUNTY OF CUMBERLAND, PROVIDING THE TERMS OF PAYMENT THEREOF AND REPEALING ORDINANCES INCONSISTENT HEREWITH

Mayor Sutton asked for motion and second to open the meeting to the public for input and being none asked for a motion and second to close the public portion and to adopt the ordinance.

Committeeman Jamison made motion, Committeeman Vizzard seconded. Roll call vote unanimous.

Mayor Sutton said we have several resolutions for consideration and same will be read by title only under Consent Resolution #2017-1.

RESOLUTION 2017-127

Adopting County of Cumberland Mutual Aid And Assistance Agreement

BE IT RESOLVED by the Township Committee of the Township of Commercial that the County of Cumberland Mutual Aid And Assistance Agreement has been adopted by the Township Committee of the Township of Commercial at their regular meeting held on December 18, 2017 with a unanimous vote.

RESOLUTION 2017-128

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 2017 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, removal of assessment, approved deduction 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 is 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 indicted by voucher.

Block	Lot	Owner	Year	Amount	Reason
116	9928	Charles Bassett, Jr.	2017	\$250.00	Approved Disabled Deduction
183	11	Joseph Klaudi	2017	\$250.00	Approved Veteran Deduction

RESOLUTION 2017-129

Pro-Rated Taxes On Township Owned Properties Sold At Land Sale

WHEREAS, on October 13, 2017 numerous properties were deeded to Let's Do Land, LLC from the Commercial Township; and

WHEREAS, numerous sold parcels on October 13th were not reflecting a 15C exemption classification and 2017 billing is generating on the parcels; and

WHEREAS, with the 2017 billing still generating on the parcels, an added bill would create double billing and future billing errors; and

WHEREAS, it was determined by the Tax Assessor and Tax Collector that the simplest solution would be to establish pro rated amounts from the deed date to the end of the year, December 31, 2017, then cancel the difference against those parcels. The preliminary 1<sup>st</sup> half of 2018 will remain as previously billed, and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of Commercial Township, that the township committee authorizes the below pro rated assessments established by the Tax Assessor and authorizes the Tax Collector to bill the pro rated amounts and cancel the difference as stated below.

Block	Lot	Year	No.of Months	Pro Rated Asst	Pro Rated Tax Amt.Due	Difference To Cancel
60	606	2017	2	\$800.00	\$20.13	\$105.67
60	611	2017	2	\$1,700.00	\$42.77	\$218.99

RESOLUTION 2017-130

Budget Transfers To Avoid Over-Expenditures In 2017 Municipal Budget

BE IT RESOLVED by the Township Committee of the Township of Commercial that the following budgetary transfers be made to avoid over-expenditures in the 2017 Municipal Budget as requested by the Chief Financial Officer.

Line-Item	Amount
From:	
Group Health Insurance	\$5,000.00
Worker's Comp	4,000.00
Gas & Diesel	2,600.00

Total	<u>\$11,600.00</u>
Line-Item	Amount
To:	
Legal Service OE	\$10,000.00
Housing SW FT	800.00
Construction Office SW FT	800.00
Total	<u>\$11,600.00</u>

RESOLUTION 2017-131

Authorization For The New Jersey Department Of Community Affairs(DCA) To Assume Jurisdiction For The Enforcement Of The State Uniform Construction Code In Commercial Township, County of Cumberland

WHEREAS, The Township of Commercial in the County of Cumberland is requesting the Department of Community Affairs (DCA) to allow the Township of Commercial to transfer Jurisdiction for Municipal Uniform Code Enforcement to the Regional Code Enforcement offices and to provide for the administration and enforcement of the State Uniform Construction Code in the Township of Commercial.

WHEREAS, Services provided include receiving and providing guidance on Construction, Electrical, Plumbing and Fire Permit applications, review of construction plans, issuance of Construction, Electrical, Plumbing and Fire Permits, performing required inspections and issuing certificates and orders as required.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Commercial of the County of Cumberland that the local municipal Uniform Construction Code Enforcement upon acceptance by DCA, will be transferred over to DCA and the Regional Code Enforcement Agency.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to all parties involved in the administration of this action.

Certified as a true copy of the Resolution adopted by the Township of Commercial in the County of Cumberland on the 18<sup>th</sup> day of December 2018.

RESOLUTION 2017-132

Approving Commercial Township Masterplan Re-examination

WHEREAS, the Commercial Township Planning Board has reviewed and approved the Revised Commercial Township Master Plan at their October 25, 2017 meeting; and

WHEREAS, the Commercial Township Planning Board verifies that all necessary changes have been incorporated into the revised plan;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Commercial that the Commercial Township Master Plan Re-examination be adopted on

December 18, 2017.

RESOLUTION 2017-133

Approving Salary Increase For Chief Financial Officer To \$26,000

BE IT RESOLVED by the Township Committee of the Township of Commercial that the salary of the chief financial officer be increased to \$26,000 commencing in January 2018.

BE IT FURTHER RESOLVED that this salary falls within the 2017 Salary Scale Ordinance for Year 2018.

RESOLUTION 2017-134

Approving Membership In The Cumberland Development Corp.

BE IT RESOLVED by the Township Committee of the Township of Commercial that enrollment into the Cumberland Development Corp., has been unanimously approved by the the governing body for 2018 at a membership fee of \$5,700, to be paid quarterly at \$1,275.

RESOLUTION 2017-135

Approving Portion Of Road Closing On Noble Street, Mauricetown  
Between Bateman and Bacon Streets For Sportsman Expo

BE IT RESOLVED by the Township Committee of the Township of Commercial that the request of the Mauricetown Volunteer Fire Company to close a portion of Noble Street in Mauricetown from Bateman Street to Bacon Street has been approved for a Sportsman Expo on Saturday, March 24<sup>th</sup>, 2018 from 7:00 A.M. to 6:00 p.m.

Mayor Sutton asked for motion and second on the previous resolutions and Committeeman Vizzard made motion to adopt Resolutions 2017-127 thru 2017-135 and Committeeman Jamison seconded the motion with a unanimous roll call vote.

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

Mr. Barney Hollinger, Riverfront Consultant said he wanted to thank the committee for the improvements to Berry Avenue. He said he has attended 8 to 10 meeting regarding the river and what improvements need to be put in place to safeguard it. He presented a letter from Senator Booker, Senator Menendez and Congressman LoBiondo where they had written a letter to the US Army Corp to have the dredging of the Mouth of the Maurice River on their schedule for 2018. He also presented a booklet from the New Jersey Delaware Bayshore Council's Annual Report To the Governor and Legislature. He said the Delaware Bayshore region has been recognized as a region of special significance in NJ and the state urges the council to keep them informed in the Bayshore's cultural, ecological, economic, historical and recreational resources and to make policy recommendations. Mr. Hollinger said a meeting will be held in Dennis Township on December 31<sup>st</sup>.

Mayor and committee thanked Mr. Hollinger for the amount of time he has spent attending meetings in their behalf and are thankful for the knowledge Mr. Hollinger has regarding the Delaware Bay and our Maurice River.

Mayor Sutton asked if any further comments from the public and being none asked if committee had any reports.

Mayor Sutton said the Commercial Township Reorganization Meeting will be held on Saturday, January 13, 2017 at 11:00 A.M. He said if we have nothing further can I have a motion and second to adjourn.

It was so moved.

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Hannah E. Nichols, Township Clerk