

Minutes of the Regular Meeting of the Township Committee of the Township of Commercial, held on Thursday, October 19, 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	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 compliance of the Open Public Meeting Act.

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

Mayor said first on our agenda is New Jersey State Police Lt. Bowers who stated that the new Station Commander was going to be Lt. Lamin and he is in Puerto Rico but will be returning on Monday. He said for the month of September 2017 the officers responded to the following for Commercial Township; 272 Calls, 106 motor vehicle stops, 36 criminal investigations, 5 motor vehicle accidents; 3 drunk driving arrests; 10 burglaries, money, jewelry, copper. Lt. Bowers said when people come to your home the owner needs to be very cautious in leaving the room, turning their back, because people will take whatever they can when owner is not looking. He said individuals need to keep house, garage, sheds, cars, trucks, locked, put anything you want to keep that's in your yard away.

Mayor asked for questions or comments and being none thanked Lt. Bowers.

Mayor Sutton said we have Christopher Lanterman, Coach of the Port Norris School Athletic Program. He had sent a letter to the committee requesting a donation to help purchase uniforms, fuel for their busses, other intangible objects they might need.

Mayor Sutton said the township committee has always tried to help but when we ask the school board for something there's always a problem. He asked Coach Lanterman just how much do uniforms cost.

Mr. Lanterman said approximately \$25.00 apiece for 16 players. He said as far as transportation they have their own busses, it's the fuel for the bus.

Committeeman Jamison said he is definitely for the various sports that are offered for the kids. Committeeman Jamison said there was a group of adults that got together and recruited kids to create a basketball team and they wanted to use the gym at the school. The school said they could use the gym but they had to pay the janitor for locking up. Committeeman Jamison said the committee was not happy about that because the janitor was there during the evening to clean the school. He said he didn't have a problem with giving the coach a donation though, anything to help the kids.

Mr. Judson Moore informed Coach Lanterman that his four teams could go after Clean Communities funding by cleaning up a road, if each team performed a cleanup they would each receive \$500 for a total of \$2,000.

Mayor Sutton asked Mr. John Kildea to come forward that the committee understood that he was requesting to install a camper/trailer on the grounds of 211 Mist Road while he made improvements to the property. Mr. Kildea said that was correct, he had been informed by the previous owners of 211 Mist Road that when they were bringing the property up to code that individuals stole all of the tools, equipment, building supplies, tore out copper wiring and he finally gave up because he could not be with the property 24/7. Mr. Kildea said he would like to put a camper on the property so people will know that he is around, make his presence known while he is making the improvements. He said he has a son in Pennsylvania that will be helping him when he can.

Mayor asked if Mr. Kildea was planning on living at 211 Mist Road or was this going to be a rental. He also asked if Mr. Kildea had bought a photo of the trailer as asked.

Mr. Kildea said he was planning to live on the property, and he presented a photo of the camper.

Mayor asked Mr. Kildea if he could do the work in two months.

Committeemen Vizzard and Committeeman Jamison suggested that Mr. Kildea be given 90 days to get his building permits, make the improvements and then have it inspected for occupancy. A motion was made and seconded with unanimous roll call vote.

Mayor Sutton said we have minutes of previous meetings:

Minutes of Agenda Meeting, September 18, 2017

Minutes of Regular Meeting, September 21, 2017

A motion was made by Committeeman Jamison and second by Committeeman Vizzard with a unanimous roll call vote.

Mayor said we have bill list as prepared by Chief Financial Officer, Pam Humphries for the month of October 2017.

A motion was made by Committeeman Vizzard and second by Committeeman Jamison with unanimous roll call vote.

Mayor Sutton called upon Engineer and Mr. Dennis said he didn't have a lot to add but that a pre-construction meeting will be held on the Berry Avenue and Lakeshore Drive Project and that they would be starting within the next couple of weeks.

Mayor said committee received a letter from the NJ Historic Preservation Office inviting the committee and residents to attend a slide show meeting at the Mauricetown Fire Hall on October 25, 2017. Mayor said that is our Land Use Board Meeting night so Committeeman Vizzard will attend the Mauricetown Historic District Meeting and I will attend the Land Use Board meeting.

Mayor said we have a letter from South Jersey Regional Animal Shelter and Cumberland County SPCA that the SPCA will be terminating animal sheltering/impound services as of December 31, 2017. Mayor said with all the regulations regarding sheltering services he is not surprised because of the costs that are involved. Mayor stated that as of December 31, 2017, RS Animal Shelter will be closing.

Mayor said we have correspondence from Joe Derella, Director of Cumberland County Freeholders Office that the freeholders will be requesting information from municipalities and will schedule meeting with all concerned once compiled.

Township Committee approved \$500 donation toward a memorial sign for Trooper Williams of the Commercial Township Barracks, who lost his life on Route 55 on December 6, 2017.

Mayor said we have received a letter from David Dean, Construction, Housing/Zoning, Building Inspector and Subcode Official that he will be resigning effective February 28, 2018.

Committeeman Jamison made motion to accept resignation and Committeeman Vizzard second with a unanimous roll call vote.

Mayor Sutton said we have the following ordinances for second reading>

Ordinance 2017-582

AN ORDINANCE AMENDING LANGUAGE OF ORDINANCE 2017-581  
SECTION 1. TO READ "VARIOUS REPAIRS TO BUILDINGS AND GROUNDS"  
APPROPRIATING \$15,400 AVAILABLE IN THE CAPITAL FUND RESERVE FOR  
BUILDINGS AND GROUNDS

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

Committeeman Jamison made motion and Committeeman Vizzard second the motion with a unanimous roll call vote.

Ordinance 2017-583

BOND ORDINANCE PROVIDING FOR FUNDING OF AN EMERGENCY APPROPRIATION  
FOR ROAD AND DRAINAGE REPAIRS IN THE AMOUNT OF \$300,000 AND AUTHORIZING  
THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART  
OF THE COST THEREOF

Mayor asked for a motion to open meeting to the public for input.

Mr. Frank Donahue asked what the elevation was going to be on Berry Avenue.

Mr. Edward Dennis stated with the height of the bridge.

Mr. Judson Moore stated that if they hadn't spent \$200,000 for lights in Haleyville they would have only had to do a bond ordinance for \$100,000.

Mayor asked for additional comments and being none asked for motion.

Committeeman Jamison made motion and Committeeman Vizzard second with a unanimous roll call vote.

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

Resolution 2017-112

Encouraging New Jersey Homeowners To Plant Native Plants That Support  
Bee Populations And Create Habitat For All Pollinators

WHEREAS, Pollinator species, such as birds, bees, bats and butterflies, are essential partners of farmers in producing much of the food supply throughout the United States and here in the Garden State; and

WHEREAS, The success of many of New Jersey's most popular and economically important crops, such as blueberries, apples, cranberries, cucumbers, squash and pumpkins, is dependent upon pollinators; and

WHEREAS, The maintenance of healthy, biodiverse ecosystems depends upon the significant environmental benefits provided by pollinator species; and

WHEREAS, Pollination plays a vital role in the health of State and national forests and grasslands, which provide forage, fish and wildlife, timber, water, mineral resources, and recreational and economic development opportunities for communities; and

WHEREAS, Many New Jersey homeowners and residents enjoy the State's forest and grasslands, fishing and camping, and feeding their families with the State's most popular and important crops as well as gardening; and

WHEREAS, These outdoor activities go hand in hand with planting native plants to support bee populations and create habitat for all of the State's pollinators; and

WHEREAS, The Department of Environmental Protection, the Department of Agriculture and nurseries and landscapers throughout the State have expertise concerning native plants that are beneficial for these purposes; and

WHEREAS, The benefits that native pollinator species provide to New Jersey, whether agricultural environmental recreational, or economic, have been documented through extensive research at Rutgers, The State University and other institutions of higher learning; and

WHEREAS, It is altogether fitting and proper for the State of New Jersey to demonstrate its support for pollinators by encouraging homeowners in the State to plant pollinator friendly native plants and the Department of Environmental Protection, the Department of Agriculture and nurseries and landscapers to lend their assistance in these efforts, now, therefore,

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

1. This committee respectfully encourage homeowners throughout the State to plant native plants that support bee populations and provide habitat for all kinds of pollinators.
2. This committee respectfully requests the Department of Environmental Protection and the Department of Agriculture to work together with nurseries and landscapers in the State to develop lists to native plants that would be supportive of these efforts and to post these lists on the department websites, and encourages nurseries landscapers, and other resources of plants to post these lists on their websites.
3. Copies of this resolution as filed with the Secretary of State shall be transmitted by the Clerk of the Township to the Commissioners of Environmental Protection, the Secretary of Agriculture, the New Jersey Nursery and Landscapers Association and the governing body of every municipality in Cumberland County.

RESOLUTION 2017-113

Expressing Opposition To Legislative Proposals Regarding The  
Open Public Meetings Act and Open Public Records Act

WHEREAS, THE New Jersey Senate budget and appropriations committee took action on Senate Bills No. 1045 and 1046, which amends the Open Public Meetings Act and the Open Public Records Act respectfully, on June 29, 2017; and

WHEREAS, the committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and especially, municipal clerks from abusive, harassing and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, THE LEGISLATION WOULD EXPAND THE Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittee and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issue public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerk's, who the Legislative has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, SOME MUNICIPALITIES ARE MORE EQUIPPED THAN OTHERS TO MEET THE BURDENS THAT WOULD BE IMPOSED BY Senate Bill No. 1045 and 1046, however, without assistance of any kind from the states or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Commercial, that the Legislature is strongly urged to reject Senate Bill No. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerk's with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED, that a certified copy of the resolution be filed with the Legislative sponsors of Senate Bill No. 1045 and 1046 and Assembly, Bill No. 2697 and 2699, the speaker of the General Assembly, the President of the Senate, the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

BE IT FURTHER RESOLVED, that this resolution was adopted by the Commercial Township Committee at their regular meeting held on October 19, 2017.

#### RESOLUTION 2017-114

Authorizing Application To Cumberland County Empowerment Zone  
For A Loan To Construct Veterans Memorial Park

WHEREAS, honoring the veterans that have served our country during the past Wars and those that served in non-combat; and

WHEREAS, the Commercial Township Governing Body feels acknowledgement of these individuals should be recognized; therefore

BE IT RESOVLED by the Township Committee that an application be filed with the Cumberland County Empowerment Zone for a low interest loan to build a veterans memorial park in an amount of \$80,000 to \$100,000 at four (4%) percent interest paid over ten year period; and

BE IT FURTHER RESOLVED, that if loan is approved by the Cumberland County Empowerment Zone that it will be accepted by the committee to build such an overdue recognition of those that have served.

Resolution 2017-115

Authorizing Pro-Rated Discharge Of Taxes Of \$592.11 For Block 241, Lot 11 Due To Demolition of Dwelling Prior To May 20, 2017 Landsale Property Sold As Vacant

WHEREAS, on January 13, 2017 the Township was granted a Final Judgment for In Rem Foreclosure on Certificate #15-00277 after which the Township of Commercial was deemed owner of Block 241, Lot 11 located at 2402 Market Street in Port Norris. As owners, the Township of Commercial demolished the structure on Block 241, Lot 11 due to hazardous and deteriorating condition of the said structure. This demolition occurred prior to the May 20, 2017 Land Sale; and

WHEREAS, on May 20, 2017 a Land Sale was held by the Township of Commercial at which Block 241, Lot 11 was sold to Walter and Heather Whitaker. Said parcel was sold as vacant property; and

WHEREAS, the 2017 tax duplicate reflected an improvement value of \$48,100 and a land value \$28,700 for a total assessment of \$76,800; and

WHEREAS, the Commercial Township Committee authorizes the removal of the improvement value of \$48,100 for the year of 2017; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Commercial, that the committee authorizes the below pro rated assessment (from deed date to December 31, 2017) based off land value only to be 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.Months	ProRated Asst	ProRated Tax Amt Due	Difference To Cancel
241	11	2017	6	\$14,350	\$353.30	\$592.11

Resolution 2017-116

Change Order For Raymond Drive Phase III Project In The Amount of \$23,765.

BE IT RESOLVED by the Township Committee of the Township of Commercial that Change order #1 for Raymond Drive Phase III Reconstruction and Drainage Improvements is approved for the following:

Description	Quantity	Unit Price	Amount
S1 12"HDPE in Stone Trench	+200LF	\$115.00	\$23,000.00
S2 Connect To Existing Inlet	+1Unit	\$765.00	\$ 765.00
Total Change Order			\$23,765.00

Amount of Original Contract \$124,400.00 Extra \$23,765.00 Total \$148,165.00

Resolution 2017-117

Authorizing Remington/Vernick Engineers To Do Required Inspections  
Resulting Of Change Order For Raymond Drive Phase III In Amount of \$6,000

WHEREAS, A Change Order #1 for Raymond Drive Phase III Project for additional installation of drainage has been approved by the Commercial Township Committee; and

WHEREAS, several inspections will be required during the installation of same;

THEREFORE, BE IT RESOLVED by the Township Committee an additional fee of \$6,000 is hereby approved for the firm of Remington/Vernick Engineers for required inspections of additional drainage on Raymond Drive Phase III Project.

Mayor asked for motion on the resolutions and Committeeman Vizzard said he approves all resolutions except 2017-114, borrowing money to build the veterans park. Mr. Vizzard said he would like to raise the money for the park rather than borrow.

Committeeman Jamison said he also approved all resolutions except 2017-114.

Mayor asked for roll call vote: Committeeman Jamison Resolution 2017-112, 113,115, 116,117.

Committeeman Vizzard said all resolutions except 2017-114.

Mayor Sutton said all unanimous on all resolutions.

Clerk stated that chief financial officer is recommending that we lease a new copier that will do much more but it will cost us \$62.00 a month less than the current lease.

Mayor Sutton said he is not in favor of leasing equipment and asked what a new machine would cost out right.

Clerk said the cost would be \$22,015.00.

Solicitor Seeley said leasing is the way to go on copiers because they improve electronically all of the time.

Mayor said our copier is not broke and he didn't feel that we should get a new one.

Committeeman Vizzard and Committeeman Jamison said we would be saving \$62.00 a month and they felt new lease was good idea.

Mayor asked for motion and a motion was made and seconded to authorize chief financial officer to go forward an order new copier.

Mayor asked for motion to open meeting to public.

Mr. Judson Moore asked if there would be minutes of the Veterans Committee meetings and was the meetings advertised.

Deputy Clerk Heather Sparks said yes there are minutes and the meetings have been advertised.

Mr. Moore said he had wanted to borrow from the Empowerment Zone for trash bins when he was in office. How much did the mayor want to borrow.

Mayor Sutton said \$100,000.

Mr. Moore questioned the committee regarding the new rules and regulations on using our convenience center and having to get a special tag. He asked are the new rules from the municipality, the county or state. He said he believes that it is being taken to extreme, overkill, he said if someone takes down a shed they should be let in. He said just because someone has their name or business on their truck should not keep them from using the landfill. He said our road department guys are good guys.

Mr. Seeley stated that Lawrence was being sued for allowing someone in that shouldn't have been \$5,000. He also stated that public works guys don't need to make decisions on allowing people into the landfill that don't qualify.

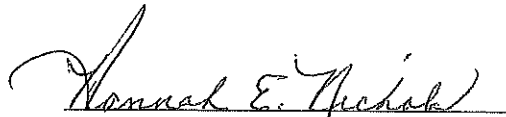
Mr. Moore asked what is the township going to do without the SPCA. He asked if we could take animals to Cape May County or across county lines.

Mayor said Cape May County, Ocean County cannot take on additional animals from other counties, not because they wouldn't want to help but because they don't have the room either.

Mr. Moore said and you are going to close the upstairs of the library.

Mr. Clint Miller said we don't have a choice right now, the fire marshal's requirements are extreme, also we have a squirrel problem to solve also.

Mayor asked for additional comments and being none asked for motion to adjourn and it was moved.

  
Hannah E. Nichols, Township Clerk