

Minutes of the REGULAR Meeting of the Township Committee of the Township of Commercial, held on April 19, 2018 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
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 recorded and held in full compliance of the Open Public Meeting Act.

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

Mayor recognized an officer of the Port Norris State Police Barracks and asked for his report.

Officer Horsey said the report is for the month of March 2018, 583 service calls were responded to, 104 motor vehicles stops, 47 criminal investigations, 5 motor vehicle accidents, 4 DWI arrests, 7 burglaries, 89 property checks. He said cars broken into, items stolen from yards, credit card theft. He said the units were very busy due to the weather events, many trees closing off roads.

Officer Horsey said he would like to commend the Commercial Township Road Department, that they did an outstanding job during the recent very heavy snow storm that took down so many trees that blocked roadway. He said he wanted the committee to know the road department responded to every call which made their job easier.

Mayor thanked commander for remarks said he would pass comment to road supervisor. Mayor asked for questions from the audience and being none thanked the officer for attending the meeting and letting everyone know what is going on.

Mayor said next item are the minutes prepared by the clerk for consideration:

- March 1, 2018, Special Meeting; Bid Opening of Third Party Inspection Agency
- March 12, 2018, Special Meeting with CFO To Review 2018 Municipal Budget
- March 12, 2018, Agenda/Workshop Meeting
- March 15, 2018, Regular Township Meeting

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

Mayor Sutton said you have the Bill List for month of April 2018, as prepared by chief financial officer for consideration.

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

Mayor Sutton said our engineer was on his way here but had a call that his mother was taken ill.

Mayor Sutton said we have several correspondence. We have a letter from Debi Hollinger, member of Chamber By The Bay Organization asking committee to pay the

application fee to the state for their fireworks display. If we would donate \$400 toward the cost of a band and pay for two port-o-pots for a June 2, 2018 celebration in honor of the A.J. Meerwald's 90<sup>th</sup> birthday/anniversary that has been named New Jersey's Tall Ship a sailing schooner.

Committeeman Vizzard inquired if the township has done this in the past and if we had then he had no problem with it.

Committeeman Jamison said he didn't have a problem with it and a motion was made and seconded to pay for fireworks application in amount of \$427 and \$400 for band and provide two port-o-pots.

Mayor Sutton said we have a letter from July Gandy, President of the Mauricetown Historical Society, inviting the township committee to a Founder's Day Celebration on Saturday, June 2, 2018, 10:00 a.m., honoring all of those who worked tirelessly in getting portions of Mauricetown designated historic in the State and National Registers. They have requested a proclamation honoring those involved.

Mayor Sutton said that it was a long time coming that many people have worked on getting the designation for many years. Mayor asked clerk to prepare proclamation.

Mayor said we have a letter inviting the committee to join the John Wesley United Methodist Church members in celebrating their 90<sup>th</sup> anniversary at Sunday morning services On May 27<sup>th</sup> 2018.

Mayor Sutton said we have received a letter from Kathi Burno, Secretary to Construction Office and Land Use Board, that she is resigning effective April 30, 2018.

Mayor asked for a motion to accept her resignation and Committeeman Jamison made motion to accept and Committeeman Vizzard seconded with a unanimous roll call vote.

Mayor Sutton said we have a letter from Debi Hollinger that she is resigning from the Commercial Township Land Use Board effective immediately. Mayor said her unexpired term is to December 31, 2018. He asked for motion to accept.

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

Mayor Sutton said we have a bid of \$2,000 for Block 162, Lots 564, 565,566 known as 7022 Charles Place. Mayor turned meeting over to Solicitor Seeley.

Mr. Seeley said for the record he would read the advertisement of bid, that all adjoining property owners had been notified by certified, return receipt, and regular mail. He asked for additional bidders for Block 162, Lots 564,565,566, 60X100, 7022 Charles Place, Laurel Lake and being none asked bidder if she intended to remove the existing trailer, what would be her time frame and that she would cleanup the existing lot.

Mrs. Caruso said she would tear down the trailer as soon as possible, cleanup the lot and that the property would be added to her existing property when deed prepared by the township.

Mr. Seeley asked pleasure of the committee, they were in agreement to sell property. Mr. Seeley struck bid three times, and it was sold to Mrs. Caruso for \$2,000.

Mayor Sutton said we have second reading and public hearing on the following ordinance.

ORDINANCE 2018-588  
AN ORDINANCE OF THE TOWNSHIP OF COMMERCIAL  
ADOPTING A PERMIT FEE SCHEDULE AS A THIRD PARTY  
AGENCY FOR THE CONSTRUCTION OFFICE IN ACCORDANCE  
TO STATUTE 5:23-4.20 OF THE STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS

Committeeman Jamison made motion to open meeting to public and Committeeman Vizzard seconded motion and with no comments being made a motion was made and seconded to close the public portion and to adopt the ordinance with a unanimous roll call vote.

Mayor Sutton said we have an ordinance for introduction regarding land swap between Commercial Township and Whibco Corporation.

ORDINANCE 2018-589

AN ORDINANCE OF COMMERCIAL TOWNSHIP AUTHORIZING A  
LAND SWAP BETWEEN THE TOWNSHIP OF COMMERCIAL,  
COUNTY OF CUMBERLAND, STATE OF NEW JERSEY AND  
WHIBCO CORPORATION

BE IT ORDAINED, by the Township of commercial, County of Cumberland, and Sate of New Jersey that;

WHEREAS, an agreement which would allow for the exchange of property which would benefit the Township of Commercial, Laurel Lake Fire Company; and

WHEREAS, the township engineer presented to the Land Use Board an attached subdivision plan which depicted the dimensions of the two lots as mentioned above; and

WHEREAS, the township Land Use Board agreed that the township draft an ordinance which would allow for the subdivision plan to be confirmed.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Commercial swapped Block 63, Lot 1.01 approximately two acres of a minor subdivision,

WHEREAS, Whibco Corporation exchanged a portion of Block 63, Lot 1 for the Commercial Township property also comprising of approximately two acres as shown on the subdivision plan drawing supplied by the township engineer; and

WHEREAS, the proper zoning changes shall be made to comply with same, and

WHEREAS, the zoning changes shall be from "P" Public Zoning District to VR 2-Village Residential 2 Zoning to confirm and comply with all other regulations and mandates from the Township of Commercial and Commercial's Land Use Zoning Board.

NOW, THEREFORE, BE IT FINALLY ORDAINED, that site plan and zoning changes are approved as above mentioned.

Mayor Sutton asked for a motion to adopt the ordinance and Committeeman Vizzard made motion to adopt, Committeeman Jamison seconded the motion with a unanimous roll call vote.

Mayor Sutton said in honor of the John Wesley United Methodist Church's 90<sup>th</sup> Anniversary the following proclamation will be entered into the record. Mayor stated that the church will be having a morning and afternoon celebration on May 27<sup>th</sup>, 2018 and

everyone is invited to attend.

PROCLAMATION  
Honoring John Wesley United Methodist Church  
90<sup>th</sup> Anniversary

**WHEREAS**, In the early 1920's workers came to Port Norris, New Jersey from different parts of Eastern Shore Maryland to do seasonal work in the oyster industry. Many of those that came were Christian men and women who missed going to church and therefore they started to meet from house to house for prayer service.

**WHEREAS**, during this era there was no Methodist Episcopal Church for Negroes to worship but there was an A.M.E. Church located on Main Street in Port Norris that people attended on Sundays to worship but due to its size it could not accommodate many.

**WHEREAS**, the need to establish a place to worship was taken in hand by the following members: Misters, Stewart Chapman, Alex Douglas, Ira Jewett, Algy Coleman, James Coleman, Harry Gray, Milton Waters, Grant Miles, William Barber and P.C. Johnson, all of which became Trustees who on January 15, 1928 purchased a building that became too small so timber was salvaged from a burned saloon and theatre and became the Johns Memorial Methodist Episcopal Church.

**WHEREAS**, in 1946 due to constant flooding, higher ground was needed and in 1951 a ground breaking ceremony took place which is their present location. The first sermon was preached on September 26, 1954, they had a mortgage burning ceremony September 28, 1959 and the Reverend John E. Bishop was their pastor for 44 years and preached dedicated services to John Wesley and the Community from 1939 to 1983.

**WHEREAS**, since Reverend Bishop in 1983, the John Wesley United Methodist Church has been blessed with the finest in preaching the way of the Lord; Rev. Charles E. Jones, Rev. Adolphus Berry, Rev. Randolph Fisher, Rev. Joseph L. Scott, Rev. Douglas Goldsborough, Rev. Derrick Harris, Rev. Varlyna Wright, Rev. D. Gregory Ceres, Rev. James E. Luckey and Rev. Thomas H. James our current pastor.

**NOW, THEREFORE**, the Commercial Township Committee, Ronald Sutton Sr. Mayor, Fletcher Jamison, Deputy Mayor and Mike Vizzard, Committeeman, do hereby proclaim that May 27, 2018 as the John Wesley United Methodist Church's 90<sup>TH</sup> ANNIVERSARY DAY in Commercial Township in honor of 90 years of "FAITH, LEANING ON THE LORD."

Mayor Sutton said we have a public hearing on the 2018 Municipal Budget but we have to read the following resolution.

RESOLUTION 2018-59  
To Read Budget By Title Only

**WHEREAS**, N.J.S. 40A:4-8, as amended by L.2015 c, 95, & 14 2015, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of the hearing a complete copy of the budget has been made available for public inspection and has been made available to each person upon request; and

**WHEREAS**, these two conditions have been met;

**NOW, THEREFORE**, BE IT RESOLVED, that the budget shall be read by title only:  
COMMERCIAL TOWNSHP 2018 MUNICIPAL BUDGET

Mayor asked for a motion to open meeting to public for comments, Committeeman Jamison made motion and Committeeman Vizzard seconded.

Mayor Sutton said that there isn't any increase in the local purpose tax, that he can't speak for county or school districts. With no comments from the public mayor asked for motion to close the public portion and to adopt the resolution adopting 2018 Municipal Budget.

Committeeman Jamison made motion, Committeeman Vizzard seconded and a unanimous roll call vote was taken.

Mayor said we have resolutions that will be read by title only:

RESOLUTION 2018-60  
Approving The Appointment Of Heather Whitaker  
To the Position of Secretary To Construction Office  
And Land Use Board

WHEREAS, Kathi Burno, long time secretary to construction office and the Commercial Township Land Use Board is retiring effective April 30, 2018; and

WHEREAS, this retirement will leave a vacancy in those two municipal positions; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that Secretary, Heather Whitaker, will leave her position in the tax collector's office and assume the duties of the Construction Office and Land Use Board at a salary of \$36,000 a year commencing April 20, 2018.

RESOLUTION 2018-61  
Approving the Hiring Of Gretchen Esquilin As  
Part Time Secretarial/Receptionist As Of April 30, 2018

BE IT RESOLVED by the Township Committee of the Township of Commercial that Gretchen Esquilin of Port Norris, will be hired effective Monday, April 30, 2018 as Part Time Secretary/Receptionist to fill the vacancy created in the tax collector's office and various position where needed throughout municipal departments; and

BE IT FURTHER RESOLVED, that her hours will be from 9:00 a.m. to 4:00 p.m., Monday thru Friday, hour for lunch, total of 30 Hours per week at \$18.50 per hour with salary equaling \$28,860.

RESOLUTION 2018-62  
Endorsing Chamber By The Bay Fireworks Show  
June 2, 2018, Celebrating 90<sup>th</sup> Year A.J. Meerwald

BE IT RESOLVED by the Township Committee of the Township of Commercial that the committee endorses the Chamber By The Bay Fireworks Show on June 2, 2018 in celebration of the 90 Year Old A.J. Meerwald; and

BE IT FURTHER RESOLVED that funding for the fireworks show will come from

donations collected by the Chamber By The Bay in an amount of \$3,400.

RESOLUTION 2018-63

Awarding Contract To W.B.Mason On Supplying And Delivering  
Of Office Supplies As Participant In Cumberland County Cooperative  
Purchasing System Identifier #181-CCCCPS

BE IT RESOLVED by the Township Committee of the Township of Commercial that at request of chief financial officer that a contract be awarded to W.B. Mason for the Supplying and Delivering of Office Supplies at no delivery fee as a participant of the Cumberland County Cooperative Purchasing System Identifier #181-CCCCPS.

Resolution 2018-64

Awarding Contract To Schaefer Fireworks In The Amount  
Of \$3,400, Paid For By Chamber By The Bay

WHEREAS, Chamber By The Bay has approached the Commercial Township Committee to prepare all documentation for a June 2, 2018 Fireworks Show; and

WHEREAS, Chamber By The Bay will reimburse the Township of Commercial the Cost of the fireworks show in the amount of \$3,400.00; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that a contract is awarded to Schaefer Fireworks 370 Hartman Bridge Road, Ronks, PA 17572 in an amount of \$3,400 for fireworks display on Saturday, June 2, 2018 with rain date to be determined.

Mayor Sutton asked for motion on resolutions.

Committeeman Vizzard made motion to adopt Resolution 2018-60 thru 65 and Committeeman Jamison seconded the motion with a unanimous roll call vote.

Mayor Sutton made motion to open meeting to the public.

Mr. Ryan Broughton came forward and said that he wondered if it was the responsibility of the solicitor to contact his place of employment regarding the Hatch Act and had the township committee authorized or instructed him to do so. Also that the township clerk had contacted him regarding the Hatch Act and asked if I was aware of it. He said he wondered if these were authorized by the committee. Mr. Broughton read the amendments of 2012 of the Hatch Act to the committee and stated he was illegible to run for office. He thanked Committeeman Jamison for informing the clerk as to where he worked, for looking out for him.

Mr. Seeley stated that when he found out and he believed it was hearsay when he was in Newcombs that Mr. Broughton worked at Woodbine State School because he knew or he thought that it was federally and state funded and that there could be some ramifications to an individual who ran for office and wasn't aware of the Hatch Act. He said he was familiar with it because it has happened in Fairfield, Woodbine, Deerfield, or Upper Deerfield and in some cases individuals could lose their place of employment if they did not withdraw their candidacy. Also, looking at the legalities he didn't want something like this that could be avoided to cost Commercial Township a lot of money. Yes, he did call and he was informed that they were fully aware of the Hatch Act and you were aware of it. Mr. Seeley said the committee was only

aware of his calling after the fact. He has a responsibility to the township and he believed that he was fulfilling them.

Township Clerk stated she was not too familiar with the Hatch Act but new that a candidate running for office should be aware of it if they worked for federally funded organization.. She said at that time she did not know what her responsibilities were as election clerk to the candidates regarding the Hatch Act so she decided to call and ask him if he was familiar with it. Mr. Broughton told me that he was and that he had talked with HR at his place of employment and that he was qualified to run. I repeat I did not know what my responsibilities were but I have found out that I have absolutely no responsibilities to inform any candidate of the Hatch Act because this is between the employer and the employee.

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

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Hannah E. Nichols, Township Clerk