

Minutes of the Regular Township Meeting of the Township Committee of the Township of Commercial, held on Thursday, December 20, 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 |
| Edward Dennis | Engineer |
| Hannah E. Nichols | Township Clerk |
| Heather Sparks | Deputy Clerk |
| Clint Miller | Road Supervisor |

Mayor Sutton 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 for the Flag Salute and the Lord's Prayer.

Mayor Sutton said that he would like to call upon Joe Klaudi, the Chairman of the Veterans Memorial Park Committee.

Mr. Klaudi said the Veterans Memorial Park Committee are very proud of the accomplishments that have been made with the park, that a hundred bricks have been placed in the walk, that the wall is up, the flag poles are in place and the flags are flying, that the amount of hours that have been volunteered by individuals in putting in the electrical, that Vineland Landscaping has installed the sod and did the landscaping, also Dennisville Fencing has volunteered the fencing for our park at no cost. Mr. Klaudi said we are very proud of our Veterans Memorial Park, we are proud of the persons that have purchased bricks honoring veterans that have served and the many individuals that have purchased bricks just to pay respect to all of those that did not return, those that did, to all veterans that have served. Mr. Klaudi said our secretary Heather Sparks is getting ready to submit our second order of bricks and at this time there are over a hundred that have been purchased and they should arrive in a couple of months. He said they are looking for dedication ceremony about May 18th.

Mayor Sutton thanked Mr. Klaudi and said the next item is the minutes of previous meetings for consideration.

Minutes of Regular Meeting held on November 15, 2018
Minutes of Executive Session held on November 15, 2018

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

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

Mr. Dennis said that he didn't have much to add to his agenda meeting report, Laurel Lake Drainage Phase III, is being closed out along with Raymond Drive Phase III and Berry Avenue and Lakeshore Drive. He said we have submitted NJDOT grant applications for Whittier, Magnolia & Iris, Laurel Lake Priority I and Red Fern Drive, Port Norris for Priority II. He said there has not been any awards on the 2019 DOT applications as yet.

Mayor Sutton said we have received a letter from Mauricetown Historical Society requesting some financial assistance. He said clerk contacted them to see why they needed assistance and they stated they need to upgrade their security system and their quotes have come in around \$3,000. Mayor asked committee if they would consider a donation.

Committeeman Vizzard said he would recommend \$1,500 toward the project.

Township Clerk said she informed the society of the Clean Communities program and they said when spring came around they would certainly take part of the program.

A motion was made and seconded to donate \$1,500 toward a security system for the Mauricetown Historical Society. Roll call vote unanimous.

Mayor Sutton said we had a request from the Commercial Township School District to install a fuel tank on township property off of Godfrey Lane, next to state police barracks so they could fuel their school buses. Committee made motion to approve contingent on Committeeman Vizzard's findings as to why they did not want to put it on their own property.

Committeeman Vizzard said when he asked them why they didn't want to install the tank on their own property he was told, they did not want the liability. He said neither do we and the contingent approval offer was removed.

Mayor Sutton said we received communications from the Cumberland County Prosecutor's office that our municipal court will have to have a backup prosecutor and it has to be a prosecutor, not an attorney.

Solicitor Seeley said that Niki Trunk is a prosecutor in the Salem and Cumberland County prosecutor's office and is highly recommended as a backup prosecutor. Mr. Seeley also said that Tom Corrigan never misses court so he doubts very much that she'll be here very often.

Committee asked Mr. Seeley to contact Ms. Trunk to contact the clerk's office for application and if all in order would be appointed at the reorganization meeting.

Mayor Sutton said we have received several resumes for the municipal court judge position. He said Hannah has given us copies to review and I see that Van Emden has put in an application and that is the individual that Ed Duffy asked to sit on our bench for him. He strongly recommends her and is satisfied with her performance.

Committeeman Jamison said he had discussed the issue with Court Administrator, Maryann Sheppard and he is in favor of Lauren Van Emden.

Committeeman Vizzard said he would go along with that.

Mayor Sutton said then Lauren Anne Van Emden would be appointed by resolution at the reorganization meeting.

Mayor Sutton said we have a memo from Heather Sparks as to whether or not the committee wants a 2019 municipal calendar.

Committeeman Jamison and Vizzard both agreed, many residents have asked where it is. A motion was made and seconded the approval of 2019 calendar plus mailing.

Mayor Sutton said we have an ordinance for second reading and public hearing.

ORDINANCE 2018-594
AN ORDINANCE REZONING OF BLOCK 63, LOT 1, FROM P-PUBLIC ZONE T
VILLAGE RESIDENTIAL -2 VR-2 ZONE.

Mayor Sutton said this is the Whibco property that we did a swap with to get portion of Block 63, Lot 1, right across the street from the Laurel Lake Fire Company for a parking lot and a heliport. He asked for a motion to open the meeting to the public and with no input a motion was made and second to close the public portion and to adopt the ordinance. Roll call vote was unanimous.

Mayor Sutton said we have an introduction of an ordinance.

COMMERCIAL TOWNSHIP
ORDINANCE 2019-595
AN ORDINANCE TO AMEND THE UNIFORM CONSTRUCTION CODE FEES
TO REPLACE ORDINANCE 2018-592

WHEREAS, the State Uniform Construction Code requires that the said permit fees charged under the Uniform State Construction Code as adopted by the Ordinances of Commercial Township shall be periodically adjusted to cover the Office of the Construction Official.

BE IT ORDAINED, by the Township of Commercial, County of Cumberland, and State of New Jersey, that Ordinance No. 2018-592 is hereby repealed.

The fee for a construction permit shall be the sum of the basic construction fee plus all applicable special fees, and shall be paid before the permit is issued. Each fee shall be rounded up to the nearest dollar.

A. PLAN REVIEW FEE.

The fee for plan review shall be 20% of the construction permit fee.

B. BUILDING SUBCODE FEES:

The building subcode fee shall be:

1. New Construction, including additions, with finished interior, the fee shall be \$0.036 per cubic foot of volume; provided the minimum fee shall be \$80.00.
2. New construction of accessory buildings with unfinished interior, the fee shall be \$0.030 per cubic foot of volume; provided the minimum fee shall be \$50.00. Pre-manufactured accessory buildings under 300 sqft shall be a flat fee of \$40.00. Over 300 sqft, the fee shall be calculated at \$40.00 per \$1,000.00 of cost.
3. Pre-manufactured, modular and pre-built dwellings, the fee shall be \$60.00 per \$1,000.00 estimated cost of site construction associated with the installation of the home (i.e. foundations, steps, decks, porches, heating systems, plumbing, gas, and electrical hookups), provided that the minimum fee shall be \$500.00. As per UCC5:23-4.18C, there shall be no fees for the factory built portion of the home.
4. Farm Structures: The fee for qualified farm structure shall be \$0.010 per cubic foot of volume with a maximum fee of \$1,000.00 per structure. The structure must be used exclusively for farm use and located on a qualified farm pursuant to the Farmland Assessment Act of 1964.
5. For renovations, alteration, and repairs, the fee shall be \$35.00 per \$1,000.00 in estimated costs for all residential use groups, and including Use Group U, provided the minimum fee shall be \$60.00. For all other Use groups, the fee shall be \$45.00 per \$1,000.00 in estimated costs provided the minimum fee shall be \$90.00.
6. Fees for the combination renovations and additions shall be the sum of the two fees computed separately in accordance with items #1 & 5 above.
7. For installation of swimming pools, the fee shall be \$75.00 for an above ground pool and \$125.00 for an in-ground pool. (Also see electrical fees)

C. FEES FOR CERTIFICATES AND OTHER PERMITS:

The fees for certificates and for special permits shall be:

1. Demolition/Removal: Residential and farm structures less than 5,000 square feet and less than 30 feet high - \$100.00. All Others - \$135.00
2. Removal of underground storage tanks: \$75.00 for the first tank and \$45.00 for each additional tank.
3. Sign Permits: the fee shall be \$1.00 per square foot provided the minimum fee shall be \$40.00.
4. Certificate of Occupancy: Residential: New Homes - \$75.00, Residential Additions - \$50.00, Residential Storage Buildings over 300 sqft - \$30.00, All other use groups - \$100.00
5. Continued Certificate of Occupancy: Residential - \$75.00, All other use Groups - \$150.00
6. Reinstatement of Permit: \$50.00 applicable after one year of issuance date, plus volume increase if applicable at time of reinstatement.
7. Lead Abatement: \$125.00 for permit and \$75.00 for clearance certificate.
8. Asbestos Abatement: \$75.00 for permit and \$75.00 for clearance certificate.
9. Application for a variation for all use groups - \$400.00

D. DCA TRAINING FEES:

The Fee shall be \$0.00371 per cubic feet of volume and \$1.90 per \$1,000.00 for alterations. (as per DCA effective 5/16/16)

E. PLUMBING SUBCODE FEES:

The plumbing subcode fees shall be computed as follows:

1. Appliances and fixtures connected to the plumbing system. The fee shall be \$18.00 each for the following:
 - i. Water closet, urinal, or bidet
 - ii. Bath tub
 - iii. Lavatory
 - iv. Shower
 - v. Floor Drain
 - vi. Sink
 - vii. Dishwasher
 - viii. Drinking Fountain
 - ix. Hose Bibb
 - x. Water Heater
 - xi. Washing Machine
 - xii. Stacks
 - xiii. Add Gas appliance to existing system
2. Special Devices:

The fee shall be \$60.00 each for the following:

 - i. Fuel Oil Piping
 - ii. New Gas Piping system
 - iii. Steam Boiler
 - iv. Interceptor or Separator
 - v. Backflow preventor
 - vi. Grease Trap
 - vii. Water Cooled Air Conditioner
 - viii. Central AC or Refrigeration Unit
 - ix. Active Solar System
 - x. Hot Water Boiler
 - xi. Warm Air Furnace (New Installation only, involving new piping)
 - xii. Utility Service Connections
 - xiii. Sewer Pumps
3. The minimum plumbing permit fee shall be \$60.00.

F. ELECTRICAL SUBCODE FEES:

Electrical subcode fees shall be as follows:

1. Fixtures, receptacles, switches (1-50).....\$60.00
Each additional 25.....\$25.00
2. Service Panels/Service Entrance/Sub Panels:

- 0-200 amps.....\$75.00
- 201-1,000 amps.....\$125.00
- Over 1,000 amps.....\$500.00
- 3. Electrical Devices/Generator Transformers:
 - Over 1KW – 10 KW.....\$18.00
 - Over 10KW – 45KW.....\$75.00
 - Over 45kw – 112.5KW.....\$125.00
 - Over 112.5 KW.....\$500.00
- 4. Motors:
 - Over 1HP – 10HP.....\$18.00
 - Over 10HP – 50HP.....\$75.00
 - Over 50HP – 100HP.....\$125.00
 - Over 100HP.....\$500.00
- 5. Other Devices:
 - i. Swimming pool (in-ground or storable), spa, or hot tub....\$60.00
 - ii. Water Heater.....\$18.00
 - iii. Dryer.....\$18.00
 - iv. Dishwasher.....\$18.00
 - v. Signs.....\$35.00
 - vi. Light Standards.....\$35.00
 - vii. Range, oven, surface unit, AC Unit, space heater/air handlers, baseboard heat, heat pump, pumps, motors (as per KW or HP above)
 - viii. Garbage Disposals, Smoke detectors, thermostats, fractional HP motors (as per fixtures above)
- 6. The minimum electrical permit fee shall be \$60.00.

G. FIRE SUBCODE FEES:

- 1. Detectors (1-12).....\$75.00
- Each Additional 25.....\$25.00
- 2. Sprinkler Systems
 - First 20 Heads.....\$100.00
 - 21-100.....\$150.00
 - 101-200.....\$300.00
 - 201-400.....\$400.00
 - 401-1,000.....\$500.00
- 3. Standpipe System.....\$250.00
- 4. Fire Pump.....\$250.00
- 5. Special Suppression Systems:
 - i. Range Hoods, Commercial
 - First one.....\$225.00
 - Each Additional.....\$75.00
 - ii. Large Systems (Carbon Dioxide, halon, etc.).....\$230.00
- 6. Fire Alarms:
 - First 10 Devices.....\$75.00
 - Each additional 10 Devices.....\$25.00
- 7. Exit Signs and Emergency Lighting (per Floor).....\$50.00
- 8. Installation of Storage Tanks.....\$150.00
- 9. Heat Producing Devices (Fireplace, Woodstove, Furnace)
 - New.....\$75.00
 - As part of new Construction.....\$25.00

H. WAIVER OF FEES:

As Per N.J.S.A. 52:27D-126c, Commercial Township will collect no fees in connection with the construction of residential Handicap Ramps.

I. EFFECTIVE DATE:

This ordinance shall take effect upon its final passage, adoption, and publication in the manner provided by law.

Mayor Sutton asked for a motion on Ordinance 2018-595 and Committeeman Vizzard made motion to adopt and Committeeman Jamison seconded the motion with a unanimous roll call vote. Mayor Sutton said second reading and public hearing will be held on January 17, 2018.

Mayor Sutton said we have several resolutions and they will be ready by title only;

RESOLUTION 2018-112

Authorizing Tax Collector To Refund Credits Or Cancel Any Taxes Over \$10.00 Pursuant To N.J.S.A. 40:5-17.1

WHEREAS, New Jersey State Statute §40.5-17.1 permits the governing body of a municipality to authorize a municipal employee chosen by them to process, without further action on part of the governing body, any property tax refund or the cancellation of the property tax refund or delinquency of less than \$10.00.

WHEREAS, the Tax Collector deemed the tax amounts uncollectable or credit from overpayments have occurred. The tax amounts exceed \$10.00 and will need approval by the Township Committee before cancelling or refunding, and

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Township of Commercial of the Township of Commercial, County of Cumberland, State of New Jersey, that the Tax Collector is hereby authorized to refund or cancel the below taxes that exceed \$10.00

| Block Lot | Name | Amount | Year | Reason |
|-----------|-------------------------|------------|--------------------|---|
| 12 4797 | Federal National Mort | \$929.54 | 2018 th | Paid Twice-Refund Corelogic |
| 162 515 | Dustin & Gina Hoffma | \$2,374.99 | 2018 th | Previous Credit Refund Corelogic Balance Escrow |
| 242` 1 | Bayview Loan Servicing | \$1,135.06 | 2018 th | Paid Twice-Refund Corelogic |
| 225 6QF | Donald&Marcella Bennett | \$340.78 | 2018/19 | Received payment from Mortgage Co & Owner. Refund Owner to avoid Double Payment or Escrow Error |

RESOLUTION 2018-113

Budget Insertion \$275.

WHEREAS, N.J.S.A. 40A-4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Commercial in the County of Cumberland, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$275.00 which is now available from ACMJIF Wellness Incentive Program in the amount of \$275.00

BE IT FURTHER RESOLVED, that the like sum of \$275.00 is hereby appropriated under the caption ACMJIF Wellness Incentive Program; and

BE IT FURTHER RESOLVED that the above is the result of funds from ACMJIF Wellness Incentive Program in the amount of \$275.00

RESOLUTION 2018-114
Transfers In 2018 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 2018 Municipal Budget as requested by the Chief Financial Officer.

| Line Item | Amount |
|---------------------------------|-----------------|
| From: | |
| Construction & Code Enforcement | 7,020.00 |
| OEM Materials & Supplies OE | <u>75.60</u> |
| Total | 7,095.60 |
| Line Item | Amount |
| To: | |
| Engineering Services | 5,000.00 |
| Commercial Food Bank | 20.00 |
| OEM SW | 75.60 |
| Animal Control | <u>2,000.00</u> |
| Total | 7,095.60 |

RESOLUTION 2018-115

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR GRANT FUNDING AND THE EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION UNDER THE FISCAL YEAR 2019 LOCAL FREIGHT IMPACT FUND

WHEREAS, there is a need for road improvements within the Township of Commercial; and

WHEREAS, funds for road improvements are available to the Township of Commercial under the New Jersey Department of Transportation Local Freight Impact Fund; and

WHEREAS, an application must be filed with the New Jersey Department of Transportation in order to be considered for said funding.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Commercial formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the firm of Remington & Vernick Engineers is hereby authorized to submit an electronic grant application identified as LFIF-2019-Port Norris Riverfront Roadway Imp-00047 to the New Jersey Department of Transportation on behalf of the Township of Commercial.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Commercial and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as true copy of the Resolution adopted by the Mayor and Committee of the Township of Commercial on this 20TH day of December, 2018.

The Mayor's signature and Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution/

RESOLUTION 2018-116

Authorizing Remington/Vernick Engineering to Increase Engineering Fees On The Port Norris Drainage Improvement Project from \$58,000 To \$65,900 Because Of Complete Drainage Study On Cobb Street Ditch.

WHEREAS, an additional Study had to be performed on the Cobb Street Ditch because of the additional water flow to the ditch created by the Port Norris Drainage Improvements Project which study was not incorporated in the original plans; therefore

BE IT RESOLVED by the Township Committee that the additional cost incurred for the study of \$7,900 will be approved, upon certification of funds by the chief financial officer, for Remington/Vernick Engineers increasing engineering fees from \$58,000 to \$65,900.

RESOLUTION 2018-117

Authorizing Remington/Vernick Engineers To Prepare Application Traffic Counts on High Street, Miller and Memorial Avenues For Freight Impact Funds In The Amount Of \$5,000

WHEREAS, the Commercial Township Committee has authorized Remington/Vernick Engineers to file for funding from the NJDOT Freight Impact Funds for 2019 and

WHEREAS, application will have to be filed, traffic counts will have to be done on the streets known as High Street, Miller and Memorial Avenues in Port Norris; therefore

BE IT RESOLVED, that Remington/Vernick Engineers is authorized to prepare necessary documentation for Freight Impact Funds in an amount not to exceed \$5,000 and upon certification of funds from Chief Financial Officer.

Mayor Sutton asked for committee's consideration on the foregoing resolutions.

Committeeman Jamison made motion to adopt Resolutions 2018-112 through 2018-117.

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

Mayor Sutton asked for comments from the committee.

Committeeman Jamison said he was glad the township was going to do the calendar again, that a lot of residents had asked him about it and that the church is trying to do research on the graveyard next to the Shiloh Baptist Church.

Committeeman Vizzard said in 2019 there are a lot of roads that need to be done in Laurel Lake as well as Port Norris. He said he and road supervisor did an onsite inspection of the township and he would like to see \$300,000 for roads in 2019, he said many roads in the lake need reconstruction as well as Miller, Milbourne and Red Fern North and South in Port Norris. He said on the park he wants to see a new swing set installed and that the Brown Street Project has been one that this current committee put forth great effort in getting done.

Mr. Edward Dennis, Engineer, said he hopes that the committee can come up with a long range plan to do the roads in Commercial Township. Consolidating projects allows for more roads to be done rather than one at a time, money will go further and more area can be covered. Mr. Dennis said permit applications are at the state level on the Brown Street Project.

Mayor Sutton said best way to do a large road project is to go out for bonding and pay it back over a period of time, not to deplete your surplus, it doesn't take long to wipe it out.

Mayor Sutton asked for motion and second to open meeting to the public.

Mr. Tom Templeton, Noble Street, Mauricetown, said he had three questions, why is the township suing Jud Moore, how much money has been spent, what's the cost and who initiated the instigation?

Solicitor Thomas Seeley said

Mr. Templeton said I don't want to hear from you I want to hear from those guys.

Mr. Seeley said you are asking legal questions and I am the township's legal council. He said on two occasions Jud Moore signed a memorandum of understanding that he would not hold any position in the Township of Commercial for the rest of his life and he was appointed to the Democratic organization for Commercial Township and once he did that he violated the memorandum of understanding again.

Mr. Templeton said that's to be decided.

Mr. Seeley said that's right but what would you do just let him go ahead and violate the memorandum of understanding again and do nothing about it. Four employees made complaints against Jud Moore for harassment in the work place and he agreed not to hold any position in the township and then he tried to join or run for fire commissioner and violated it again and was found guilty again and he agreed again he'd hold no position in the township and now he's on the Democratic Committee for Township of Commercial and so he's done it again and so the reason is because he agreed not to run for office or hold office. Mr. Seeley said if you were told not to drive your car and you got in it and drove it anyway and the police stopped you, what are you going to tell them

Mr. Templeton said I've been an outsider in this township for over 46 years and I watched Jud Moore interact in all different position since 1983 and I think it is sick that you guys constantly tell lies against him. None of you guys know what it is like to be an outsider around here.

Mr. Seeley said you asked me a question as to why Jud Moore is being sued. The reason is he violated

Mr. Templeton said I heard that, I just want to tell you that what you guys are doing to Jud Moore is sick.

Mr. Seeley said well if he is wrong, guess who pays the whole bill.

Mr. Templeton said I think that's the point of this whole thing.

Mr. Seeley said if Jud Moore violated the memorandum of understanding he knew very well he was not allowed to be on any committees what do you expect these guys to do, they are standing up for their employees. These employees signed complaints legitimate complaints against Jud Moore for harassment in the work place. What are these guys suppose to do if he violates the memorandum of understanding again. Mr. Seeley said what is each one of these guys supposed to do, the employees that came out and signed

complaints for harassment and he voluntarily resigned because he didn't want to get sued civilly . So if you think these complaints don't matter, I think your complaint is utterly wrong and go on, but if you think these employees matter then please sit down.

Mayor Sutton asked for additional comments.

Mr. Clint Miller, Public Works Supervisor thanked Mayor Sutton for all of the years he has served on the committee and the fact that he has always looked out for the employees during those years even his second time around. He said we are all going to miss your coming into the office every morning to see what was going on, or was he needed for anything.

Mr. Miller said he wanted to thank all of the governing body for the support that they have showed regarding the employees.

Mayor Sutton asked for additional comments and being none asked for a motion to adjourn. Request was moved.

Hannah E. Nichols, Township Clerk