

Minutes of the Regular Meeting of the Township Committee of the Township of Commercial held on November 15, 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	Public Works Supervisor

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 said we do not have the state police this evening so we'll move on to the agenda.

Mayor Sutton asked for committee's consideration on the previous minutes and the Bill List for the month of November.

Minutes Agenda Meeting October 15, 2018
Minutes Regular Meeting October 18, 2018
Executive Session Minutes October 18, 2018

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

Consideration of Bill List For The Month of November 2018

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

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

Mr. Dennis for 2019 the NJDOT will have program Local Freight Impact Fund, he said funding available for projects that provide access to a port warehouse or other freight node with 10% large truck volume, riverfront roadways to be evaluated for eligibility; applications due January 11, 2019. Mr. Dennis said NJDOT applications were filed October 5th, 2018 for Whittier Drive, Iris Road, Magnolia Drive as priority 1., and Red Fern Road was submitted as priority 2, no update at present. He said on the Port Norris Drainage Project Phase I, we received \$425,000. He said Remington/Vernick Engineering were approved to proceed March 15, 2018, drainage study is complete and bid advertisement pending NJDOT approval. He stated the Laurel Lake Drainage Improvement Phase III is in process of closeout and the same for the Reconstruction of Raymond Drive. Mr. Dennis said he was contacting Verizon to see if their funding shortage had been rectified and could the tower move forward and the High Street drainage pipe replacement funding was approved in October, waiting on NJDEP approval of survey plans. He said he has applied for reimbursement on the Bivalve Station Project from FEMA. Mr. Dennis said township accepted RFP's on cellular tower and Cambria Solar was only bidder at 7% which was 1% less than last time. He said he suggested that township award contract to Cambria contingent on solicitor reviewing contract which he will forward to Mr. Seeley.

Committeeman Vizzard said he was in favor of awarding contract to Cambria contingent on solicitor's approval. He said add Resolution 2018-111 to the agenda.

Mayor Sutton asked for a motion and Committeeman Vizzard made motion and Committeeman Jamison seconded.

Mayor Sutton said that township went out to bid for trash and recycling for years 2019, 2020, 2021 and the following quotes were received:

Waste Management:

Trash for three years: \$686,724.00 Recycling: \$349,764.00 Total: \$1,036,588.00

Earthtect Contracting Inc.

Trash for three years: \$528,840.00 Recycling: \$264,420.00 Total: \$ 793,260.00

The committee reviewed bids and determined that they would award a contract to Earthtect Contracting Inc. for three years in the amount of \$793,260.00 and asked that resolution be added to the agenda. Certification of funding received from CFO.

Mayor Sutton said we have received a contract from South Jersey Regional Animal Shelter in the amount of \$20,072.00 for the twelve month of 2019. This is the same monthly amount of 2018. Committee approved contract and said to add resolution of approval to the agenda.

Mayor Sutton said the Best Practice Inventory Report was prepared by Chief Financial Officer and Clerk and same has been submitted to DCA. Pam Humphries, CFO, said our rate of 85% compliance will see that there is no impact on our municipal aid of 2019.

Mayor asked for motion to approve the report and Committeeman Vizzard made motion and Committeeman Jamison second with a unanimous roll call vote.

Mayor Sutton said we have two applications from the Laurel Lake Volunteer Fire and Rescue Company Inc. for 2019 Bingo and Raffle Licenses. Mayor said this is something Laurel Lake has provided to their residents for years. A resolution is on the agenda approving applications.

Mayor Sutton said we have a letter from Arthur and Sundae Caldwell, 7335 Samuel Drive, Laurel Lake requesting a monthly payment plan in order to pay delinquent taxes. Tax Collector states she is in favor of the payment plan and they would have to pay \$166.25 per month over a 36 month period.

Committee felt if Mr. & Mrs. Caldwell can afford the \$166.25 per month, then they would approve the payment plan and asked that resolution of approval be placed on the agenda and solicitor send amortization payment schedule and contract to Caldwell.

Mayor said we have a letter from the Cumberland County Purchasing Office, they have solicited bids for traffic signals and sign materials. Mayor said road supervisor would like to take part in this process and award a contract to Garden State Highway for the sign materials and traffic signals, he feels it will save township money. Mayor said to put resolution on the agenda.

Mayor Sutton said we have an introduction of an ordinance to re-zone Block 63, Lot 1, from P-Public Zone to Village Residential-2 VR-2.

COMMERCIAL TOWNSHIP
ORDINANCE 2018-594

AN ORDINANCE OF THE TOWNSHIP OF COMMERCIAL, COUNTY OF CUMBERLAND AND STATE OF NEW JERSEY TO AMEND ORDINANCE 2007-487 DEVELOPMENT, REGULATION ORDINANCE TO RE-ZONE BLOCK 63, LOT 1, FROM P-PUBLIC ZONE TO VILLAGE RESIDENTIAL 2 VR-2

WHEREAS, The Township Committee of the Township of Commercial, upon recommendation of the Commercial Township Land Use Board to re-zone Block 63, Lot 1 from P-Public Zone to Zone Village Residential 2, VR-2 for the following reasons:

1. The area surrounding Block 63, Lot 1 is the VR-2 Zone, therefore, the request to rezone is consistent with the surrounding zoning.
2. The lot in question was zoned P-Public use by mistake at the time of the preparation of the Master Plan.
3. The re-zoning request is to correct the zoning of Lot 1.
4. The request to re-zone is not spot zoning as the area surrounding Lot 1 is zoned VR-2.
5. No member of the public appeared to speak in favor or against.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Commercial that the rezoning of Block 63, Lot 1 from P-Public to Village Residential 2, VR-2 is approved.

Mayor Sutton asked consideration from the committee on the adoption of the ordinance on first reading.

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

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

RESOLUTION 2018-101

Authorizing The Cancellation or Refund Of Property Taxes Due To Approval Of 100% Disabled Veteran's Application of Kenneth Smith, Block 220, Lot 6

WHEREAS, on April 19, 2018 a Claim for Property Tax Exemption on Dwelling House of Disabled Veteran or Surviving Spouse, Civil Union Partner/Surviving Domestic Partner of Disabled Veteran or Serviceperson was filed, along with all supporting documentation on behalf of Kenneth Smith for block 220, Lot 6 located at 1808 Main Street, Port Norris; and

WHEREAS, after proper review of the application and all supporting documentation by the Tax Assessor it was determined that Mr. Smith met all requirements to receive the 100% permanently disabled veteran benefit pursuant to N.J.S.A. 54:4-3.30 et seq. (Supporting exemption approval attached) and approved the same October 30, 2018. Said exemption approval was effective as of the deed date of April 19, 2018; and

THEREFORE BE IT RESOLVED that the Certified Financial Officer is authorized to refund \$1,043.72 to Mr. Smith which represents the exempt portion of 2018 paid by Mr. Smith. The Tax Collector is authorized to cancel the prorate portion of 2018 in the amount of \$2,026.12 along with the 1st and 2nd quarters of 2019 in the amount of \$1,895.81.

RESOLUTION 2018-102
Appointing Sub Code Officials For The Construction Officer

BE IT RESOLVED by the Township Committee of the Township of Commercial that the following individuals are being appointed to the following positions pursuant to N.J.S.A. 52:27D-126(a) retroactive to November 1, 2018:

Thomas P. Mahoney	Building Subcode/Inspector Fire Subcode/Inspector Plumbing Inspector Acting Construction Official	\$50/hr, 8 hrs per wk
Thompson G. Maier	Electrical Subcode/Inspector	\$6,000 per yr/ salary
William White	Plumbing Subcode/Inspector	\$4,000 per yr/ salary

RESOLUTION 2018-103
30 Day Part-Time Temporary Construction Code Official

WHEREAS, a need exists in the Commercial Township Construction Office for the position of Part-Time Construction Code Official; and

WHEREAS, THE Commercial Township Committee appoints Thomas Mahoney to the position of Part-Time Temporary Construction Code Official; and

WHEREAS, Thomas Mahoney will work a maximum of 8 hours per week;

WHEREAS, the Chief Financial Officer has certified that funds are available to make this part-time position.

NOW, THEREFORE, BE IT RESOLVED, by the Commercial Township Committee of Commercial Township, County of Cumberland, State of New Jersey that Thomas Mahoney is hereby appointed to the position of Part-Time Temporary Construction Code Official at a rate of \$50.00 per hour for the period of 30 days effective November 15, 2018. If the need for a Part-Time Construction Code Official should go beyond 30 days, the Township will request permission for an extension from the New Jersey Department of Community Affairs, Office of Regulatory Affairs.

BE IT FURTHER RESOLVED, Thomas Mahoney recognizes that the Township can terminate this position without any further action from the Township Committee.

RESOLUTION 2018-104
Budget Line-Item Transfers

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:	
Solid Waste Disposal	10,000.00
Finance SW	5,000.00
Electric	4,000.00

Construction SW	<u>1,000.00</u>
Total	\$20,000.00

Line-Item	Amount
To:	
Legal Services	7,000.00
Street Lights	4,000.00
Unemployment	400.00
Defined Contribution	600.00
Animal Control	2,000.00
Data Processing	2,000.00
Housing OE	1,000.00
Recycling Tax	2,000.00
Housing SW	<u>1,000.00</u>
Total	\$20,000.00

RESOLUTION 2018-105

Approving Bingo & Raffle Applications for Laurel Lake Fire and Rescue Company, Inc.

BE IT RESOLVED by the Township Committee of the Township of Commercial that the applications for Bingo and Raffle Games for 2019 for the Laurel Lake Fire and Rescue Company, Inc. is hereby approved.

BE IT FURTHER RESOLVED that the Township Committee appreciates the Laurel Lake Fire and Rescue Company for their efforts in providing entertainment for the residents of the community and also earning funding for fire equipment and clothing in keeping their members safe.

RESOLUTION 2018-106

Awarding Contract To Garden State Highway Inc.
For Traffic Signals And Sign Materials

BE IT RESOLVED by the Township Committee of the Township of Commercial that a contract be awarded to Garden State Highway Inc., 301 Riverside Drive, Millville, NJ 08332 for Traffic Signal Equipment and Sign Materials through the Cumberland County Cooperative Purchasing System #181-CCCCPS.

BE IT FURTHER RESOLVED that contract will commence November 1, 2018 thru October 31, 2019 with option of one year extension.

RESOLUTION 2018-107

Approving Partial Payment Tax Arrearage Plan To
Author And Sundae Caldwell Block 150, Lot 187

BE IT RESOLVED by the Township Committee of the Township of Commercial that a tax arrearage partial payment plan has been approved by the committee for Author and Sundae Caldwell owners of Block 150, Lot 187, 7335 Samuel Drive, Laurel Lake, NJ

BE IT FURTHER RESOLVED that committee approves payment schedule as prepared by the tax collector in the amount of \$166,25 per month for period of thirty-six (36) months with terms that if payment plan is defaulted township will automatically start foreclosure proceedings.

RESOLUTION 2018-108
Awarding Three Year Trash & Recycling Contract
To Earthtect Contracting Inc. \$793,260.00

WHEREAS, Commercial Township advertised for bids in August 2018 for Trash and Recycling for Commercial Township and bids were accepted on Tuesday, October 23, 2018. Two bids were received and Earthtect Contracting, Inc. was the lowest bidder; therefore

BE IT RESOLVED, that a contract is awarded to Earthtect Contracting, Inc. 21101 Dennisville-Petersburg Road, Woodbine, NJ 08270 for years of 2019, 2020, 2021 at rate of \$264,420.00 yearly or total three year contract amount of \$793,260.00. Certification of Funds are attached.

RESOLUTION 2018-109
Awarding Contract To South Jersey Regional Animal Shelter
For 2019 In The Amount of \$20,072.

BE IT RESOLVED by the Township Committee of the Township of Commercial that a contract is awarded to South Jersey Regional Animal Shelter for sheltering services of animals that have been received by the Commercial Township Animal Control Officer during the year of 2019 in the amount of \$20,072.00 for twelve month period.

RESOLUTION 2018-110
Authorizing An Executive Session By The Township Committee
To Discuss Personnel, Possible Litigation and Contractual Services

BE IT RESOLVED by the Township Committee that an executive session be held immediately following the regular township meeting to discuss personnel, appointments and contractual services.

Mayor Sutton asked the committee for their consideration of the foregoing resolutions.

Committeeman Vizzard made motion to adopt the resolutions and Committeeman Jamison second the motion with a unanimous roll call vote being taken.

Mayor asked for reports from the committee.

Committeeman Jamison said he had talked with lady at the League of Municipalities from Verizon about our tower and she said that she would make sure that we were on the top of the list for our tower. She said she had been out of work because of surgery and she would check it out that since she was not there it had gotten pulled.

Mr. Seeley said that the county is going to put up 911 tower and that they contacted Lawrence and other municipalities to see if they would want to be included in a Interlocal Agreement, he asked would Commercial want to be included. He said Ted Baker had called him.

Committeeman Vizzard said Ted Baker called him also and confirmed tower company going to buy Garrison property and then they will sell it to the county, It will be a 911 tower but we can still put up a cell tower. Committeeman Vizzard said he let them know he's not real happy because it is a large piece of property and once turned over we won't be getting taxes on it anymore, the tower company has first option.

Mr. Seeley said the county would include space for municipal road departments and he sked what does the committee want to respond?

Committeeman Vizzard said nothing, say nothing, I'm still hopeful we can put our own tower.

Mr. Dennis said guy who did presentation to township, he claimed that Verizon had shortage of funding, nothing to do with Port Norris Express. I told him that were afraid it was going to bump our site and he claimed that's not the case. Fletcher talked with rep from Verizon and they say that's not it, that the project was pulled.

Committeeman Jamison said he would call the representative tomorrow.

Committeeman Vizzard stated that we have terminated Third Party Construction contract and will have our own officials. I think it is best way to go. We've hired out own sub-code officials.

Mayor Sutton said the committee had invited Leahe Parmenter, Director of Family Success Center to the meeting and it was in regards to Center on Spring Garden Road, Laurel Lake. Mayor said that the committee had been informed that the center had been notified by the Cumberland County Department of Health that a new septic system might be needed do to some of the programs being held at the center. He said the township had not been notified and we should have been. He said originally the township has invested \$180,000 in the center and we can't afford a new septic at present.

Mrs. Parmenter said she feels that's a misconception by the county. I believe they think we are preparing food on site, which is not the case. The boys and girls club contracts with Cold Cuts, they prepare the food and place it in a "hot box" and any left over is taken back by Cold Cuts along with plates, silverware, anything connected with the food. Twenty-five kids are not going to effect the water and septic. We do partner with the school and kids are bussed to the center. I will inquire if kids could be served at the school before they come to the center.

Mr. Clint Miller, Public Works Supervisor said it is not the food it's the number of bodies in the center. He said he has to have the water tested quarterly and higher number of people put us in a higher bracket.

Solicitor Seeley asked Mrs. Parmenter who she deals with at the county.

Mrs. Parmenter said Mark Wiley.

Solicitor Seeley said Mark is great I can talk with him. Please send me all of the information that you have and I will talk with them. He said what county basis their assumptions on is bathroom visits in the two hours the kids are there.

Mrs. Parmenter said it is twenty-five children, two hours a day.

Mayor Sutton said we have insurance on the facility, does Inspira have insurance on the facilities that you use.

Mrs. Parmenter said we have a half million dollar coverage on the senior center, community building and Laurel Lake Center.

Committeeman Vizzard said if number becomes the issue the boys and girls will have to be removed to another building, Charles Sheppard Building would be an alternative.

Mrs. Parmenter said that wouldn't be an option, maybe the senior center.

Committeeman Vizzard asked if Inspira would help with Septic.

Mayor Sutton said we will lease building to Inspira for ten years and they pay all the maintenance.

Mrs. Parmenter said she didn't know, she could ask.

Committeeman Vizzard said the Charles Sheppard Building has a septic to handle it.

Mr. Seeley said County Health Department feels everyone of these kids are using the bathroom.

Committeeman Vizzard said he doesn't know any other way to solve the problem.

Mrs. Parmenter said its' 25 children, two hours per day, half day in summer 9 -12.

Mr. Seeley said for Mrs. Parmenter to send him all the information she has stated and he will definitely talk to Mark Wiley and County Officials.

Mayor Sutton asked for a motion to open the meeting to the public. A motion was made and seconded.

Mrs. Kathy Hudoka, Lakeshore Drive said there are at least five properties that have been abandoned in the lake area that should be torn down, she has given address to the construction office.

Committeeman Vizzard said he knows that our Code Enforcement Officer, Steve, has violation notices in progress.

Resident with Mrs. Hudoka, said it is terrible, that these vacant properties have trash, junk old cars, there is a boat in the street at one of the properties. We pay our taxes and with these abandoned properties we can't even sell our properties, our assessed value goes down because of the trash next to us.

Committeeman Vizzard said it takes time, notice go out, people then brought into court. He said they need to sign complaints get all people who is upset with the issue to sign complaint. Take it before the Judge, tell it to the Judge.

Solicitor Seeley, said you bring this matter before Judge Duffy and he will be sympathetic to your problem, bring pictures. Get all your information together, know who the owners are, bring your pictures and I'm sure the Judge will gladly hear your case. Come in with your information, talk to Maryann, Court Clerk and she will help you.

Mr. Barney Hollinger said he has learned that two or three million dollars has been awarded to the Basket Flats Project. He believes grant is for a plan to figure out how to secure the situation and stop the flooding.

Committeeman Vizzard said he was made aware of the award but that he wasn't actually sure what it was for.

Mayor Sutton asked for additional comments from the public and with no response asked for motion to go into executive session.

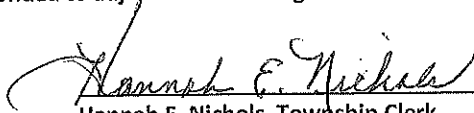
Mayor Sutton asked for motion to reconvene the meeting and asked Mr. Seeley for his summation.

Mr. Seeley said the committee discussed their professionals, such Engineers, Auditors, Judge, Prosecutor, Public Defender, Solicitors and if committee had any changes they wanted to make. Committee agreed to stay with current appointees for year 2019. Mr. Seeley said the following was approved:

Truck Driver moved to Heavy Equipment Operator \$51,281.44, effective November 15, 2018
Mechanic/Heaving Equipment Operator to Mechanic, Maintenance, Heavy Equipment Operator \$56,806.52 Effective January 1, 2019
Secretary Tax Office to Secretary Construction/Housing/Zoning/Rentals \$2,000 Increase effective January 1, 2019
Activities Coordinator \$1,000 increase, effective January 1, 2019
Deputy Clerk allowed to collect overtime for additional hours and meetings effective November 15, 2018.

Mayor asked for motion and Committeeman Jamison made motion to approve compensation for additional duties commencing January 1, 2019. Committeeman Vizzard Seconded motion. Roll call vote unanimous.

A motion was made and seconded to adjourn the meeting. So moved.


Hannah E. Nichols, Township Clerk