

Minutes of the Regular meeting of the Township Committee of the Township of Commercial, held on Thursday, June 20, 2019 at 6:00 P.M., at the Township Hall, 1768 Main Street, Port Norris, NJ 08349

Those present:

Mike Vizzard	Mayor
Fletcher Jamison	Deputy Mayor
Ryan Broughton	Committeeman
Thomas Seeley	Solicitor
Hannah E. Nichols	Township Clerk
Edward Dennis	Engineer
Heather Sparks	Deputy Clerk
Clint Miller	Public Works Supervisor

Mayor Vizzard presided and 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 Vizzard asked public to stand and join the committee in the Flag Salute and Lord's Prayer.

Mayor Vizzard said the New Jersey State Police are not present this evening and a Ms. Patricia Tatum of U.S. Census Bureau did not make. He said he would call upon Mr. Paul Miola, Executive Municipal JIF Strategist, of the Atlantic County Municipal Joint Insurance Fund is here this evening with a presentation regarding our renewal with the JIF.

Mr. Miola brought a brochure showing the advantages of being a member with the JIF with their affordable coverage, superior programs and financial stability. Since the inception of the JIF the state of New Jersey has saved over \$1.3 billion in taxpayers dollars. The JIF has been in business for 32 years and \$37,047,998 has been returned to the municipalities that participate in the JIF program. He said Commercial Township has had dividends of \$95,729.00 since their enrollment and in 2018 a dividend was returned of \$8,329 with approximately the same allowance for 2019. He said Commercial Township's loss ratio for 2018 was 11.60%. He said the township has a great safety record and attends seminars and videos that teach new safety techniques. He informed the committee that JIF is able to keep costs down by lower overhead, medical cost control, litigation management, consistently member specific with safety and wellness programs, claims management and risk management consulting. There is a Helpline that can be contacted by employees and administration. He complimented the wellness program of which Commercial Township has participated in many of the programs with weight loss, stop smoking, eating better and participation in activities. He said there are some programs forth coming such as the Tulip program Tenant Users Liability Insurance Policy so if someone gets hurt it covers those that are attending the event, and the tax payers are not liable. Certificate of insurance guidelines, Land Use Board training, Legislation on sexual abuse and molestation, chain in the statute of limitations. He said these are some of the new programs and he appreciates the renewal of Commercial Township's membership in the Atlantic County Municipal Insurance Fund (JIF). He thanked the committee for allowing him to do this presentation.

Mayor said we have Marisue Kendall, DHA of Vineland, Closing Coordinator, representing Mr. Tom Cao of California who purchased a tax lien on Block 78, Lots 1545, 180X80, known as 145 Point Breeze Drive and he held lien for two years and foreclosed in November 2018. Ms. Kendall said Mr. Cao found that there was \$14,500 in Vacant Property Registration Fees on the property and since he didn't foreclose until November he should not have to pay those Violation fees and he was requesting that the committee waive all of the fees.

Solicitor Seeley asked Ms. Kendall why her client didn't do a full title search on the property, it has a house on it and I would think he would have done a title search.

Ms. Kendall said he claims that a title search was done.

Solicitor said then someone dropped the ball because we have individuals that contact the township clerk's office and ask for any liens the township might have on a property they are interested in, so, he needs to file against the title company.

Mayor Vizzard said the township committee has discussed this matter since it was brought up last month. He said we are in an agreement that we will waive fifty percent of what is owed, we will not waive the entire \$14,500.

Ms. Kendall said I do not have the right to speak for Mr. Cao, I will take all of this information back to him and once he advises me I will let you know of his decision. She thanked the committee for their time.

Mayor Vizzard said we have minutes of previous meetings and the bill list for the month of June for consideration.

Minutes of Agenda Meeting, May 13, 2019

Minutes of Regular Meeting, May 16, 2019

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

Mayor said consideration of Bill List for June 2019 as prepared by Pam Humphries.

Committeeman Jamison made motion to approve Bill List for June 2019 and Committeeman Broughton seconded with a unanimous roll call vote.

Mayor Vizzard called upon Ed Dennis, Township Engineer, for his report for month.

Mr. Dennis said that he has no updates regarding the township's application for Local Freight Impact Funding. He said the state is taking applications for 2020 State Aid Road Program and Road Supervisor and he are recommending that Keron Drive in Laurel Lake be submitted. Mr. Dennis said these State Aid applications have to be filed by July 19, 2019. Mr. Dennis said township was awarded NJDOT grant in the amount of \$291,164 for Whittier Drive, Iris Road and Magnolia Drive in Laurel Lake. The design is complete and bid documents have been forwarded to NJDOT for approval. He said township received a grant in the amount of \$425,000 for Port Norris Drainage Phase I and that work is in progress by Landberg Construction LLC. Mr. Dennis said Laurel Lake Drainage Phase III, awarded to Mathis Construction is completed and in the process of being closed out. He said tax map and GIS Maintenance is being done at the request of the tax assessor. On the Verizon Wireless Cell Tower Lease Mr. Dennis said this project is not on Verizon's list for 2019 and finally permitting is in progress for drainage pipe replacement on Block 256, Lot 27, High Street, Port Norris.

Mayor Vizzard said committee received notification from NJ Environmental Protection that Cumberland County will receive \$191,126.38 Clean Communities Funding and Commercial Township's share will be \$18,008.22.

Mayor said a letter was received from the Maurice River Governing Body that they feel shared services or merger of Commercial and Maurice River Courts would not be beneficial at this time.

Mr. Dylan Tribbett, Gym Teacher/Basketball Coach at Port Norris School approached the committee in regards to having a summer youth basketball program. He said he has 10 to 15 youth that are interested in playing. He said he approached the school board and they were not interested.

Clerk stated that township has insurance coverage for summer basketball program for Mr. Kevin Young and since he is no longer participating in our summer program Mr. Tribbett could do his program with coverage from Commercial Township Recreation.

A motion was made by Committeeman Jamison to approve summer basketball program and Committeeman Broughton seconded the motion, roll call vote unanimous.

Mayor Vizzard received a letter of thanks from the New Jersey Historic Trust for his letter of support for the Bayshore Center at Bivalve who has applied for grant funding for Bivalve Oyster Packing House and Docks from NJ Historic Preservation Funding.

Letter from Heather Whitaker, Secretary to Construction Office stating that Tom Mahoney, current, Fire Subcode Inspector/Building Inspector and Building Subcode Inspector is retiring effective June 30th, and his salary was \$10,400 per year. Since time is of the essence the Construction Official Louis Palena has approached Dennis Sharpe to be part time Licensed Fire Subcode Inspector and Building Inspector at cost of \$6,000 per year and that he has the license for Building Subcode Inspector and will take on the extra duties at \$4,160 per year, with savings of \$240.

Committeeman Broughton asked if these positions should be advertised.

Clerk said Mr. Mahoney was in my office today and said his goodbyes as of Thursday, June 20th, today. We tried advertising for these positions before and because they were part time not many individuals were interested. There are limited number of inspector's out there and many have several municipalities that they are working for and that is why Mr. Palena reached out to Department of Community Affairs as to who might be interested in a part time position, who has the required licenses and Mr. Sharpe was available.

Committee made motion to approve and Mayor said resolutions are on the agenda.

Mayor said we have two land sales and we'll turn the meeting over to Mr. Seeley.

Mr. Seeley said there are some announcements that have to be stated regarding land sales and they are that bid has to be accepted, that bid must be advertised twice within two weeks of the sale and that all adjoining owns must be notified 30 days prior to sale by certified mail and regular mail. There is a 20% per cent down payment and balance must be paid in 30 days, if not paid down payment is forfeited. There is a conveyance fee of \$400 for preparation of deed, mailing of same and filing of deed with Cumberland County Clerk's Office.

Mr. Seeley stated that township had received a bid of \$200 for Block 50, Lot 6240,6241, 40X100, vacant property. Mr. Seeley asked bidder if she was an adjoining owner and she stated she was. Mr. Seeley asked for additional bids and being none struck bid three times and said Ms. Tracy Riggins was the bidder and told her the vote would be taken after the next land sale.

Mr. Seeley said township has received a bid of \$400 for Block 213, Lot 20, 344X158 with 78 feet road frontage. He asked if there were any additional bidders and being none struck bid three times. He said at the May 18th meeting the committee had the bidder come to the meeting so that committee was aware of what bidder was going to do with the property. Mr. Seeley said at that time you said you were going to demolish the small dwelling and combine the lots with the property the trailer sits on. Mr. Seeley said

committee will give you 90 days to demolish house because they are concerned because you have purchased other municipal properties and the last one you promised to bring up to code for your son to live in it, that hasn't happened.

Mr. Seeley asked the committee if they were going to approve the two land sales of Block 50, Lots 6240, 6241, and Block 213, Lot 20.

Committeeman Jamison made motion to approve sales and stated that house has to be demolished within 90 days, property to be combined with adjoining property with trailer. Committeeman Broughton seconded the motion with a unanimous roll call vote.

Mayor Vizzard said land sales are good at getting properties back on the tax rolls. He said we have several resolutions on the agenda this evening and same will be read by title only.

RESOLUTION 2019-62
Clean Communities Budget Insertion \$18,008.22

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Commercial hereby requests the Director of Local Government Services to approve the insertion of the following items of revenue in the budget year 2019 in the sum of \$18,008.22 which item is now available as revenue from:

FY 2019 2019 Clean Communities Fund

BE IT FURTHER RESOLVED that like sum of \$18,008.22 be and the same is hereby appropriated under the caption of:

FY 2019 2019 Clean Communities Fund

BE IT FURTHER RESOLVED that the above is the result of monies totaling \$18,008.22 from the 2019 Clean Communities Fund.

BE IT FURTHER RESOLVED, that the Township's Chief Financial Officer will submit this Chapter 159 electronically to the Division of Local Government Services website.

RESOLUTION 2019-63
Approving Competition Dirt Riders Annual Motorcycle Parade

BE IT RESOLVED by the Township Committee of the Township of Commercial that the Annual Competition Dirt Riders Motorcycle Parade is approved for August 25, 2019 commencing from the Mauricetown Fire Hall, Noble Street, Mauricetown, New Jersey; and

BE IT FURTHER RESOLVED, that the parade route will be as follows:

Noble St., CR #744, By-pass Rd., Cr #649, Haleyville Rd., CR #676, Ackley Rd., Cr#718, Dividing Creek RD., CR#555, Newport Rd., CR #629, Buckshutem Rd., CR #670, Millville-Fairton Rd., CR #698 and Cedarville Rd., CR #610.

RESOLUTION 2019-64
Hiring Of David L. Green Public Works

WHEREAS, a vacancy existed in the Public Works Department when one of the employees quit; and

WHEREAS, this being the busiest time of the year the township advertised, interviewed and recommendations were made; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that David Leon Green, 7201 Keron Drive, Laurel Lake be hired as a Laborer "C" in the Public Works Department at \$17.36 per hour at 40 hours per week and in accordance to the Union Contract effective June 17, 2019.

RESOLUTION 2019-65
Increasing Wages Of Kevin Brown, Public Works

WHEREAS, a shortage of manpower existed on the Commercial Township Public Works Department due to extended surgery and one employee leaving; and

WHEREAS, others took on the responsibilities of the lost manpower and stepped up to the plate and performed additional duties; therefore;

BE IT RESOLVED by the Township Committee of the Township of Commercial that Kevin Brown, Public Works Employee be compensated and his hourly rate be increased to the top of the scale, of Laborer "C" to \$18.40 per hour in accordance to the Union Contract effective Monday, June 10th, 2019.

RESOLUTION 2019-66
Resolution Authorizing The Execution Of Contract Renewing Membership In the Atlantic County Municipal Joint Insurance Fund

WHEREAS, The Township of Commercial hereinafter the "Municipality" is a member of the Atlantic County Municipal Joint Insurance Fund "hereinafter the "Fund"; and

WHEREAS, The municipality's membership terminates as of January 1, 2020 unless earlier renewed by a Contract between the municipality and the Fund; and

WHEREAS, N.J.S.A. 40A:11-5 (1)(m) provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bid and bidding therefor, if the subject matter is for the purchase of insurance coverage and consultant services, provided that the award is in accordance with the requirements for extraordinary unspecifiable services; and

WHEREAS, N.J.S.A. 40A:-11-6.1(b) provides that the municipality shall make a documented effort to secure competitive quotations; however, a Contract may be awarded upon a determination, in writing, that the solicitation of Competitive quotations is impracticable; and

WHEREAS, in accordance with N.J.A.C. 5:34-2.3, a designated official of the municipality has filed a certification with the governing body describing in detail, as set forth below in this Resolution, why this contract meets the provisions of the statutes and the regulations and why the solicitation of competitive quotations is impracticable; and

WHEREAS, it has been determined that the purchase of insurance coverage and insurance consultant services by the municipality requires a unique knowledge and understanding of the municipal exposures and risks associated with the operation of a municipality, and many insurance professionals are not qualified to assess these risks and exposures based upon their inherent complexity; and

WHEREAS, insurance coverage for municipal entities can vary greatly in the type, limits, and exceptions to coverage and therefore particularized expertise in determining and obtaining the appropriate coverage is required to protect the municipality; and

WHEREAS, it is the goal of the municipality to obtain a single integrated program to provide all types of insurance coverage with a plan to limit the municipality exposure; and

WHEREAS, the fund has provided comprehensive insurance coverage to member municipalities since 1987; and

WHEREAS, the fund has also developed and made available to its members Safety, Risk Management and Litigation Management programs that address the specific exposures and risks associated with municipal entities; and

WHEREAS, the fund provides the municipality with Fund Administration, Claims Review, Claims Processing, Claims Administration, Actuarial and Legal Services; and

WHEREAS, the fund is one of the most financially sound Municipal Joint Insurance Funds in New Jersey and the fund operates with strong fiscal controls, member oversight and meets all of the requirements promulgated by the New Jersey Department of Community Affairs and the Department of Banking and Insurance; and

WHEREAS, as an existing member of the fund, the municipality would be renewing its membership in an organization with experienced and dedicated fund Professionals who provide specialized services to the members; and

WHEREAS, the membership of the fund includes many neighboring municipalities that have uniquely similar exposures to the municipality and with whom the municipality has existing inter-local arrangements; and

WHEREAS, all of the aforementioned factors categorize the award of this Contract as an "extraordinary, unspecifiable service" that cannot be duplicated, accounted for, accurately detailed, or described in a manner that truly depicts the value of the Municipality's membership in the fund; and

WHEREAS, for all of the aforementioned reasons, it is impracticable for the municipality to seek competitive quotations for a Contract to provide the procurement of insurance coverage and consultant services; and

WHEREAS, the fund has been organized pursuant to N.J.S.A. 40A:10-36 et seq., and as such is an agency of the municipalities that created it; and

WHEREAS, N.J.S.A. 40A:11-5(2) also provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the Contract is entered into with a municipality or any board, body, officer, agency or authority thereof; and

WHEREAS, the fund meets the definition of an agency as set forth in N.J.S.A. 40A:115(2); and

WHEREAS, for all of the aforementioned reasons, the municipality desires to enter into a Contract to renew its membership with the fund for a period of three (3) years, for insurance coverage and consultant services, as an exception to the public bidding requirements of the Local Public Contracts Law.

NOW THEREFORE, be it resolved by the governing body of the municipality as follows:

1. The Municipality agrees to renew its membership in the fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the fund.,
2. The Mayor and Clerk of the municipality shall be and hereby are authorized to execute the "Contract to Renew Membership" annexed hereto and made a part

hereof and to deliver same to the fund evidencing the municipality's renewal of its membership.

3. In accordance with N.J.A.C. 5:34-2.3, the certificate of a designated official of the municipality, which details why the solicitation of competitive quotations is impracticable, is attached hereto and made a part of this Resolution.
4. The Clerk of the municipality is authorized and directed to place a notice of the adoption of this Resolution and the award of this Contract in the official newspaper of the municipality.

RESOLUTION 2019-67

**Authorizing Commercial Fishery Loan To David Adams
In The Amount Of \$15,000 As Recommended By The
Commercial Township Fishery Loan Board**

BE IT RESOLVED by the Township Committee of the Township of Commercial that upon recommendation of the Commercial Fishery Loan Board that an application of David T. Adams, 7078 Parson Lane, Port Norris, NJ 08349 for a Floating Oyster Cages Business has been approved by the Commercial Fishery Loan Board and the Commercial Township Committee in an amount of \$15,000 at four (4%) rate of interest; and

BE IT FURTHER RESOLVED that period of loan is for five (5) years (60 months) with monthly installment of \$260.00 per month.

BE IT FURTHER RESOLVED that Bill Of Sale will be held as collateral until loan is paid in full.

RESOLUTION 2019-68

**Hiring Of Dennis Sharpe As Part Time Fire Sub Code
And Building Inspector At \$6,000 Per Year**

WHEREAS, a vacancy was created with the retirement of Thomas Mahoney in the position of fire sub code inspector, building inspector and building sub code official; and

WHEREAS, to find someone with all of those credentials are rare and difficult to find particularly for part time; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that Dennis C. Sharpe, 15 Patriot Walk, Egg Harbor Township, NJ 08234 is hired as a part time Fire Sub code Inspector, License #101442 and Building Inspector, License #004020 commencing July 1, 2019 at the salary of \$6,000 per year for the Commercial Township Construction Office.

RESOLUTION 2019-69

**Hiring Of Louis Palena As Part Time Building Sub Code
Inspector At \$4,160 Per Year**

WHEREAS, with the retirement of Thomas Mahoney the position of Building Sub Code Inspector became a vacancy; and

WHEREAS, Louis Palena, Construction Code Official holds a license in the field of Building Sub Code Inspector, therefore

BE IT RESOLVED that Louis Palena is hereby hired to fill the position of Part Time Building Sub Code Inspector at the salary of \$4,160.00 per year commencing June 17, 2019.

RESOLUTION 2019-70
Approving Lalli's Liquor License For 2019-2020

BE IT RESOLVED by the Township Committee of the Township of Commercial that the following liquor license be renewed for period commencing July 1, 2019 thru June 30, 2020.

Liquor Warehouse Corp
1428 E. Buckshutem Road
Commercial Township, NJ 08332
License Number: 0602-44-010-002

RESOLUTION 2019-71
Approving Mauricetown Gunning Club Liquor License 2019-2020

BE IT RESOLVED by the Township Committee of the Township of Commercial that the following liquor license be renewed for period commencing July 1, 2019 thru June 30, 2020.

Mauricetown Gunning Club Inc.
1245 Whitehead Road
Commercial Township, NJ 08349
Liquor License # 0602-31-005-001

Mayor Vizzard asked for committee's consideration of resolutions.

Committeeman Jamison made motion to adopt resolutions 2019-62 thru 2019-71 and Committeeman Broughton seconded the motion with unanimous roll call vote.

Mayor Vizzard asked for reports of the committee.

Committeeman Broughton said the construction office, code enforcement has issued another 24 violations notices for month of May.

Committeeman Jamison said he had done an onsite inspection of the Port Norris Drainage Project taking place on Brown Street. He said he feels the contractor is doing a good job. Mr. Jamison said they have had to address some issues with gas lines, trees and bushes on the road-right-away. He said road is breaking up.

Mayor Vizzard said the solar panels for the township hall has been installed. The Mayor said the committee attended the 8th Grade Graduation on June 19th. It was a very nice affairs and township sponsored two awards to students involved in school projects.

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


Mrs. Cynthia Coverdale, 543 Gooseberry Road, Laurel Lake told the committee that the road department has not mowed the grass on the shoulders of the roads, they have not been touched and that brush is growing out into the roadway. She also said on many of the corners of the intersections that drivers have to drive out into lanes of traffic in order to go across the road because of bushes that need to be cut back.

Mr. Clint Miller told Mrs. Coverdale that he is aware of the situations particularly with the corners but because he had one employee out for several weeks and one that had quit with only a day's notice and this left him with only two employees and they were behind on brush pickup because of all the rain.

Mrs. Coverdale said she wasn't aware but she thought it should be brought to the committee's attention because it is really dangerous driving in the lake. Mrs. Coverdale asked the committee if there wasn't something that could be done with Dollar General and all the trash that accumulates in the parking lot. They never seem to clean it up.

Mayor Vizzard said he is sure that Dollar General has been notified by the code enforcement officer, but the committee will see to it that he contacts them again.

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


Hannah E. Nichols, Township Clerk