

Minutes of the Regular Meeting of the Township Committee of the Township of Commercial, held on Thursday, September 19, 2019 at 6:00 P.M., at the Township Hall 1768 Main Street, Port Norris, NJ

Those Present:

Mike Vizzard	Mayor
Ryan Broughton	Committeeman
Thomas Seeley	Solicitor
Edward Dennis	Engineer
Hannah E. Nichols	Township Clerk

Those Absent:

Fletcher Jamison	Committeeman
Heather Sparks	Deputy Clerk
Clint Miller	Road Supervisor

Mayor Vizzard called meeting to order with the announcement that the meeting had been advertised, it was being electronically recorded and held in full compliance of the Open Public Meeting Act.

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

Mayor Vizzard said we have Lt. Horsey, of the New Jersey State Police present this evening and asked him for his monthly report.

Lt. Horsey said we had a busy month with the following statistics just from Commercial Township: 243 Service calls, 232 motor vehicle stops, 46 home inspections, 4 accidents, 3 drunk driving, and 9 thefts throughout of anything that is metal, laptops, cell phones, yard decorations, anything that can be salvaged or sold. He said everyone should keep their garages, sheds, homes, cars, boats, windows and doors locked. Stop leaving items on the seats of their cars.

Lt. Horsey said he would like to tell the committee of the tremendous amount of support the state police got on the fisherman that was lost somewhere out on the water. He said the marine police had assistance from fire companies, firemen were out in their boats, US Coast Guard, fishermen, oystermen, crabbers, and private citizens all out their looking to find the individual alive but as it turned out it was a recovery. He said he had never seen anything like it and the State Police was very thankful for all of the assistance they received.

Mayor Vizzard asked the audience if they had any questions and being none thanked Lt. Horsey and said the committee's thoughts and prayers are with the family.

Mayor Vizzard said we have previous meetings minutes for consideration:

Minutes Special Personnel Meeting August 7, 2019

Minutes Agenda Meeting August 12, 2019

Minutes Regular Meeting August 15, 2019

Mayor Vizzard asked for a motion on the minutes of previous meetings.

Committeeman Broughton made motion to approve and Mayor Vizzard seconded the motion with a unanimous roll call vote of the members present.

Mayor Vizzard said we have bill list for the month of September 2019 as prepared by Pam Humphries, CFO.

Committeeman Broughton made motion to approve the Bill List and Mayor Vizzard seconded the motion with a unanimous roll call vote of the members present.

Mayor Vizzard stated we have second reading and public hearing on an ordinance governing vacant properties:

ORDINANCE 2019-597

AN ORDINANCE OF THE TOWNSHIP OF COMMERCIAL GOVERNING THE MAINTENANCE OF VACANT PROPERTY, ESTABLISHING REQUIREMENTS, LEVYING A REGISTRATION FEE ON OWNERS OF VACANT PROPERTIES

Mayor Vizzard asked for motion to open meeting to the public and Committeeman Broughton made that motion and mayor seconded and asked if there were any comments from the public and being none the mayor asked for motion to close the public portion and to adopt the ordinance.

Committeeman Broughton made motion to close public portion and to adopt the ordinance. Mayor Vizzard seconded the motion and roll call vote was unanimous of the committee members present.

Mayor Vizzard said we have resolutions and many of the resolutions on the agenda are in response to correspondence that was received and reviewed at the agenda meeting on the 16th.

RESOLUTION 2019-89

Authorizing The Award Of A Non-Fair And Open Contract For Replacement Of Computer Server And Upgrade Of Software and Peripherals

WHEREAS, the Township of Commercial has a need to acquire a new computer server and associated software as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Computers & Networks Unlimited has submitted a proposal on August 23, 2019 indicating they will provide the computer server and associated software for \$22,583.20; and

WHEREAS, Computers & Networks Unlimited has completed and submitted a Business Entity Disclosure Certification which certifies that Computers & Networks Unlimited has not made any reportable contributions to a political or candidate committee in the Township of Commercial to Warren Vizzard, Fletcher Jamison, or Ryan Broughton in the previous one year, and that the contract will prohibit Computers and Networks Unlimited from making any reportable contributions through the term of the contract; and

WHEREAS, there are sufficient funds available in the 2019 Municipal Budget to fund this project – N.J.A.C. 5:30-5.4.

NOW, THEREFORE, BE IT RESOLVED that the Committee of Commercial Township authorizes the Chief Financial Officer to enter into a contract with Computers & Networks Unlimited as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

RESOLUTION 2019-90

Resolution In Support Of The New Jersey State League Of Municipalities'
Petition Rulemaking To Amend The Uniform Construction Code

WHEREAS, the State of New Jersey has adopted a Uniform Construction Code ("CUCC") with the purpose to provide for uniform construction standards to insure healthy, safe and sanitary construction, but also less expensive construction for citizens of the State; and

WHEREAS, the Department of Community Affairs ("DCA") has been granted authority to amend or alter provisions of the UCC to insure the intent and purposes of the UCC continue to be fulfilled; and

WHEREAS, municipal construction officials act as the enforcing agency tasked with administering and enforcing all provisions of UCC for Construction within Municipal Boundaries; and

WHEREAS, permits and inspections from the foundation for the safe building environment; and

WHEREAS, the DCA made amendments to N.J.A.C. 5:23-1.4, 2.7 & 2.17A commonly referred to as the "Minor Work" and "Ordinary Maintenance" provisions of the UCC that took effect on March 5, 2018, which undermine the UCC's intent and purpose; and

WHEREAS, unless these amendments are retracted or further remedial amendments are made to the UCC, the health, safety and welfare of the citizens of the State will be jeopardized and residents could see overall construction expenses increase if work is not properly performed; and

WHEREAS, THE New Jersey League of Municipalities along with New Jersey's six Professional Code Official Associations has filed a petition for rulemaking with the DCA requesting necessary and appropriate amendments be made to ensure the intent and purpose of the UCC is reinforced and preserved.

NOW, THEREFORE, BE IT RESOLVED, that Commercial Township supports the rulemaking petition submitted by the League and the six Professional Code Official Associations and requests that the DCA work to expeditiously adopt the measures offered by the petition; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the Governor and Lieutenant Governor of New Jersey, the Commissioner of the New Jersey Department of Community Affairs, Division of Codes and Standards and the New Jersey State League of Municipalities.

RESOLUTION 2019-91

Authorizing Tax Collector To Cancel Balance Due To Electronic or Office Error

WHEREAS, on August 30, 2019 the Tax Office experienced a computer malfunction which did not allow the online service to update interest totals daily as required. Said interest was not being added into the totals reported to the online paying resident, and

WHEREAS, this error continued from August 30, 2019 to September 9, 2019; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that since these totals were improperly reported, the tax payer did not pay the proper amount and balances occurred. The Tax Collector would like to request that the following balances be cancelled due to this computer error.

BLOCK	LOT	NAME	AMT	YEAR	REASON
18	3871	R Snedden & D Taddia	\$.15	2 nd /2020	Computer Update Error
18	3873	R Snedden & D Taddia	\$2.72	3 rd /2019	Computer Update Error
22	4869	Mohammad Mamadan	\$.25	2 nd /2020	Computer Update Error
45	8185	Carl & Naomi Lovern	\$.22	2 nd /2020	Computer Update Error
59	600	Dimitro Pomanyzyn	\$.71	4 th /2019	Computer Update Error
64	7247	Billy & Lucille Williams	\$6.12	3 rd /2019	Computer Update Error
91	10054	Lisa Davey	\$3.04	3 rd /2019	Computer Update Error
155	242	Edward & Donna Wedman	\$2.51	3 rd /2019	Computer Update Error

170	4.01	Paul Jr. & Nicole Thornton	\$1.08	3 rd /2019	Computer Update Error
170	4.02	Paul Jr. & Nicole Thornton	\$.92	3 rd /2019	Computer Update Error
192	13	Louis & Mary Gerbereaux	\$9.25	3 rd /2019	Computer Update Error
193	5	Deanna Arnold	\$5.58	3 rd /2019	Computer Update Error

RESOLUTION 2019-92

Approval To Remove Erroneous Improvement Value

WHEREAS, N.J.S.A. 54:4-9-91.1 requires the Tax Collector to report any property taxes she believes are uncollectible; and

WHEREAS, the Tax Assessor reported an erroneous assessment was placed upon property known as Block 212, Lot 9, assessed to Michael Blount, in the amount of \$40,600 (\$28,400 land and \$12,200 improvement) for the tax year 2019; and

WHEREAS, the Tax Assessor has indicated that a demolition of the improvement on this parcel was properly conducted in 2018 and the improvement value of \$12,200 should have been removed from the assessment and MODIV for 2019; and

WHEREAS, the Tax Assessor reports the correct assessment for 2019 is \$28,400 (land value only); and

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

1. The Governing Body acknowledges the Tax Collector's report of uncollectibles.
2. That the Tax Collector is hereby authorized to cancel the 2019 tax in the amount of \$310.12 and the 2020 preliminary tax in the amount of \$155.07 due to the erroneous assessment.
3. That \$53.43 which represents an overpayment made by Mr. Blount for 2019 taxes be refunded or credited to future quarters.

RESOLUTION 2019-93

Authorize Electronic Tax Sale

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sale pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/Real Auction.com to conduct electronic tax sales; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the Township of Commercial wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Commercial, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit the same to the Director of the Division of Local Government Services if necessary.

RESOLUTION 2019-94
Approving Tri-County Sportsmen National Dual Sport Hammer Run
Saturday, November 2nd, Sunday, November 3rd, 2019

WHEREAS, Tri-County Sportsmen Motorcycle Club Inc., has asked for permission to have their Annual 2019 Tri-County Sportsmen National Dual Sport Hammer Run across existing roads, trails that cross Commercial Township property on Saturday, November 2nd and Sunday, November 3rd, 2019; and

WHEREAS, General Liability Insurance has been provided by American Motorcyclist Association in the amount of five million dollars and all participating motorcyclist are required to have valid registration, insurance and motorcycle license.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Commercial that Tri-County Sportsmen Motorcycle Club Inc., is approved to have their National Dual Hammer Run on November 2nd and 3rd, 2019 and copies of this resolution and insurance will be forwarded to Karen Montana, Cumberland County Road Department.

RESOLUTION 2019-95
Change Order No. 1, Port Norris Drainage Improvement Project

WHEREAS, Commercial Township Engineer, has requested that Change Order #1 be submitted for the Port Norris Drainage Improvement Project for the following:

“Order represents Use of “As-built construction quantities and a supplemental item For Milling of Pipe Trenches, causing a decrease in construction cost of \$198.30.”

THEREFORE, BE IT RESOLVED, that Township Committee approves Change Order #1 decreasing original contract amount of \$415,283.05 to \$415,084.75 representing savings of \$198.30 which is -0.05% of original contract.

RESOLUTION 2019-96
Awarding Contract South State Materials, LLC
For High Performance Cold Patch At \$129.90 Per Ton

WHEREAS, the Cumberland County Purchasing Office has solicited bids for High Quality Performance Cold Patch; and

WHEREAS, Commercial Township is a member of the Cumberland County Cooperative Purchasing System Identifier #181,CCCCPS and appreciates the savings as a member; therefore

BE IT RESOLVED, by the Township Committee that authorization is given to the Commercial Township Public Works to award a contract to South State Materials, LLC, Contract #2 for High Performance Cold Patch in the amount of \$129.90 Per Ton and patch can be obtained from South State Materials, contract runs from September 1, 2019 to August 31, 2020.

RESOLUTION 2019-97

Authorizing Remington & Vernick Engineers Perform Additional Work for the Reconstruction Whittier Dr., Iris Rd., and Magnolia Dr. NJDOT Grant, In Amount of \$13,000

WHEREAS, Commercial Township received a NJDOT Grant in the amount of \$291,164 for the Reconstruction of Whittier Drive, Iris Road, and Magnolia Drive and a contract was awarded to Arawak Paving Co. Inc., in the amount of \$209,600.00 and upon recommendation of engineer that additional reconstruction be done on Whittier Drive to correct much needed deterioration; therefore

BE IT RESOLVED, by the Commercial Township Committee that Remington & Vernick Engineers are authorized to perform the construction phase services associated with this additional work and the construction services fees will increase to \$36,000.00 from \$23,000.

BE IT FURTHER RSOLVED, that it is anticipated that the additional construction costs and township's additional fees will be reimbursed through the NJDOT Funding.

RESOLUTION 2019-98

Change Order #1, Reconstruction Of Whittier Drive In Amount OF \$27,046.

BE IT RESOLVED, by the Commercial Township Committee to accept recommendation of Township Engineer to extend limits of road reconstruction on Whittier Drive from Iris Road to Palm Road in order to reconstruct additional deteriorated areas; and

BE IT RESOLVED, that the following are costs to extend additional reconstruction on Whittier Drive:

Item No.	Description	Quantity	Unit Price	Amount
Extra				
7	Clearing Site	1 L.S.	\$2,000.00	\$ 2,000.00
9	Full Depth Reclamation	1,230 S.Y.	4.00	4,920.00
10	Hot Mix Asphalt 12.5M64, Surface Course, 3" Thick	240 Ton	76.00	18,240.00
12	Hot Mix Asphalt Driveway, 2" Thick	45 S.Y.	40.00	1,800.00
15	Turf Repair Strip	8.60 L.F.	00.10	86.00
Total Change Order:				<u>\$27,046.00</u>

Amount of Original Contract:	\$209,600.00
Increase 'Change Order #1	<u>27,046.00</u>
Adjusted Contract Total	\$236,646.00

Increase represents 12.90%
Of Original Contract

RESOLUTION 2019-99

Authorizing Release Land Use Board Escrow

WHEREAS, on September 18, 2019 the Professionals of the Commercial Township Land Use Board approved the release of the remaining escrow balance(s) for application(s) stated below. Said application(s) has met all reviews and requirements pursuant to the Land Use Law and Township Ordinances, and

WHEREAS, pursuant to procedure, the Township Committee must also approve the release of said remaining escrow balances, and

THEFORE, BE IT RESOLVED, the Township Committee of Commercial Township authorizes the Land Use Board Secretary to release the following escrow balances to the account holder or proper authority.

Block	Lot	Name on Escrow	Application Type	Escrow Balance
215	76	Ricci Bros. Sand Co.	Sand Mining	\$1,735.30

Mayor Vizzard asked for a motion on the resolutions and Committeeman Broughton made motion to approve Resolution 2019-89 thru 2019-99. Mayor Vizzard seconded the motion and a unanimous roll call vote was taken of the committee members present.

Mayor Vizzard asked Committeeman Broughton if he had any reports and being none the Mayor said regarding the situation with Dagastine's Friendly Service at the corner of Main and Market Streets, Port Norris which code enforcement officer has brought to our attention with photographs that show it is in deplorable condition, the roof has fallen in, interior has rotted, it is dangerous and should be demolished.

Mayor Vizzard said the committee agrees with the code enforcement officer but at present we do not have money in the budget to do so. I strongly recommend that money raised for vacant property registration be used for cleaning up properties that have fallen in the laps of the municipality. Mayor said Ordinance 2019-597 was adopted this evening we can and will use those registration fees to tear down and clean up Dagastine's and other properties.

Mayor Vizzard asked Solicitor Seeley to look into why the Siera Club is against wastewater management in Downe Township.

Mayor Vizzard made motion to open meeting to the public.

Committeeman Broughton seconded the motion.

A Mr. Rodriguez asked if the Animal Control Officers contract was up.

Mayor Vizzard said it is not up until December 31, 2019, but we are going to advertise for 2020 within the next month. He asked Mr. Rodriguez if he was a certified animal control officer.

Mr. Rodriguez said no, he is not.

Mr. William Johnson, Parsons Lane, Port Norris, said people that own property on Sockwell Lane are bringing in Buffalo and he is concerned with the odor that the residents might have to deal with.

Committeeman Broughton and Mayor Vizzard questioned Mr. Johnson, did he know for fact that there are buffalo, has there been any odors supporting that there are buffalo on the property. Mayor said property is zoned for it.

Mr. Johnson said he didn't know if Buffalo is there yet, no he hasn't smelled any odor but that he expects there will be when they bring them in. Mr. Johnson said he is also concerned with the house across the street on North Avenue across from Parson's, these people moved in the property is a mess and township needs to do something about it.

Committeeman Broughton said Steve, Code Enforcement Officer, is aware and violation notices have been sent but the public has to realize that there are time limits that have to be followed, notices are sent then violations notices, then, it is taken to court, he the Code Enforcement Officer must follow the regulations.

Mr. Johnson said he is tired of having water come from North Avenue into his yard. He said he has complained numerous times.

Mayor Vizzard said North Avenue is a county road, you should contact them and bring it to their attention. If no one does anything, go to the Freeholders meetings, they have meetings just like we do and tell them about it. Call the county, I believe they meet on Tuesday, call them and tell the Freeholders about it.

Mr. Johnson said he has contacted the county and they have done nothing.

Mayor said then you need to tell it to the Freeholders.

Mr. Larry Heath, Milbourne Drive, Port Norris, asked why is Red Fern Drive more important than Milbourn Drive to get paved. He believes that Milbourne should be considered, also they need more street lights on Milbourne.

Mayor Vizzard said Red Fern has needed reconstruction for a long time, there are many homes, residents and motor vehicle traffic on Red Fern, it needs to be considered and we've applied for a grant to do it. I will have engineer to check out Milbourne and the street lights. If some of the lights are not working, get the pole numbers off of the poles that are not coming on at night and call the electric company and they will come out and repair them. The electric company does accept calls from residents and will respond.

Mrs. Huduka, Lakeshore Drive, Laurel Lake, said that she wanted to bring other abandoned properties to the committee's attention where doors are off, windows open and people going in and out.

Committeeman Broughton said he is sure that Steve is aware and that notices have been sent to the owners of property, it takes time to get to court.

Mayor Vizzard said he's sure it is being taken care of and he sees improvements in Laurel Lake and many residents from Laurel Lake said they have seen it also.

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

Committeeman Broughton made motions and meeting was adjourned.

Hannah E. Nichols, Township Clerk