

Minutes of the Regular meeting of the Township Committee of the Township of Commercial held on April 16, 2020 at 6:00 P.M., via teleconference at the Township Hall, 1768 Main Street, Port Norris, NJ

Those Present:

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

Mayor Vizzard presided and called the meeting to order with the announcement that the teleconference had been advertised and has been on the website for anyone who wants to participate.

The Mayor stated that the purpose of conducting a teleconference meeting is to allow the committee to let you, our residents, know that we are trying to conduct township business and still meet Gov. Murphy's Executive orders regarding this terrible Coronavirus epidemic. We appreciate all of our residents that have used our drop box for taxes, building permits, dog licenses, marriage licenses and done so with no complaints. We appreciate your many phone calls, that it's great to talk to someone in the office, but for our employees to keep safe and healthy. The committee hopes that all residents are being diligent during these trying times by following the recommendations of the health providers.

Mayor Vizzard asked that attendees join him in the flag salute and the Lord's Prayer.

Due to the Corona virus the meeting agenda in March was cancelled. Has the committee had a chance to review the minutes of the regular township meeting held on March 19, 2020.

Mr. Broughton made a motion to adopt the meeting minutes of March 19<sup>th</sup> and was seconded by Mr. Jamison. Roll call, all in favor

Mayor said we have consideration of the bill list for April 2020. Do I have a motion to approve the bill list and a second?

Mr. Jamison made the motion and Mr. Broughton seconded. Roll call vote. All in favor.

Mayor Vizzard asked Engineer, Ed Dennis to give the engineers report.

Mr. Dennis said he e-mailed his report and he will go down it. He stated he did not attend the March meeting, but said you probably discussed that we received our second round of funding for the riverfront project. We received an additional \$600,000 from DOT for work on High St, Miller and Memorial Ave. That brings us to 2.1 million dollars in grant funding which is the most funding I have seen on a single project since I have been here. It's fantastic for the township and the businesses down on the river. We do have the preliminary plans for that project. I will send them out via e-mail for everyone to see. It is a big job and is currently at 31 plan sheets and there will be more plan sheets once we wrap the design up. It is a lot to go through and I don't expect you to go over every sheet but what I will do is provide you with a list of questions and comments that I want you to consider. I believe there is an item on the agenda tonight that will allow us to finish up the design work then we will get your feedback for these items to wrap up the job. At some point we should have another public information session before we go out to bid. Obviously with everything going on that presents a bit of a challenge because people can't look at the plans and it will be more difficult to explain what we are talking about but I think before we go out to bid, we should at least have one more public input session to explain what we are proposing to do.

We did get authorization to start our Red Fern Drive which is our 2020 state aid job. The survey is already complete on that and we are working on the base plans. That project is falling right behind our river front project. Both projects will probably go out to bid right around the same time for an early summer bid.

The Whittier Dr. Iris and Magnolia, we are still working with the contractor to come back and do his remedial work. Everyone is just a little discombobulated with everything going on but the contractor is still working and in case anyone is wondering, we are allowed to continue with construction, municipalities are exempt from the executive order which stops construction.

The last two items on the list are in closeout phase and no real update to the bottom of the report. That's all I have unless anyone has questions.

Mayor Vizzard said I do have one questions and its really more out of curiosity. I remember when we first started this project, the problem a lot of the residents had were the amount of guardrail. How did you make out with that, are we going to have to have a lot of guardrail?

Mr. Dennis said we have good news. The total project is almost two miles long and out of that two mile stretch of road, we are only putting in 500 feet of guiderail so very minimal amount of guiderail.

Mayor Vizzard said that is good news!

Mayor asked Solicitor Seeley for his report. Mr. Seeley had no report.

Mayor said next we have the 2020 budget resolution.

#### RESOLUTION 2020-52

##### Resolution Authorizing The 2020 Municipal Budget Be Read Title Only

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

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, that the budget shall be read by title only.

“2020 COMMERCIAL TOWNSHIP MUNICIPAL BUDGET”

Do I have a motion and a second to open meeting to the public for hearing on the 2020 municipal budget?

Mr. Jamison made motion to open to the public and was seconded by Mr. Broughton.

Mayor Vizzard asked if there was anyone from the public with questions on the 2020 municipal budget. Mayor said he did want to mention that there is no tax increase for municipal purposes this year.

Mayor asked for a motion and a second to close public hearing. Mr. Jamison made that motion and was seconded by Mr. Broughton.

Mayor said we have a resolution to amend the municipal budget.

#### RESOLUTION 2020-53

##### Resolution Amending 2020 Municipal Budget

WHEREAS, the local municipal budget for the year 2020 was approved on the 19<sup>th</sup> day of March 2020; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Commercial, County of Cumberland, that the following amendments to the approved budget of 2020 be made:

##### GENERAL REVENUES

	From	To	
1. Surplus Anticipated	580,000.00	540,342.00	(39,658.00)
Total Surplus Anticipated	580,000.00	540,342.00	(39,658.00)
3. Miscellaneous Revenues-Section B: State Aid Without Offsetting Appropriations			
Garden State Preservation Trust	73,093.00	112,751.00	39,658.00

Total Section B: State Aid Without Offsetting Appropriations	534,306.00	573,964.00	39,658.00
Summary of Revenues			
1. Surplus Anticipated (Sheet 4, #1)	580,000.00	540,342.00	(39,658.00)
3. Miscellaneous Revenues:			0.00
Total Section B: State Aid Without Offsetting Appropriation	534,306.00	573,964.00	39,658.00
Total Miscellaneous Revenues	\$1,953,113.98	\$1,992,771.98	\$39,658.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Township Committee on the 16<sup>th</sup> day of April 2020.

CFO Mrs. Humphries said we are doing the amendment, part of that was we received \$112,000 from the Garden State trust fund this year, we usually only receive \$73,000 and we did have to make an adjustment to the reserve for uncollected taxes. So that is in the adjustment but even with that amendment we are making to the budget, there is no tax increase. Mrs. Humphries asked Auditor to confirm that.

Ms. McAllister said I certainly can, that is correct. The tax rate remains the same as last year, .566, .57 with the rounding.

Mayor asked the other committee members if they had any questions. Mr. Jamison said he had none.

Mr. Broughton said he had a question. There is no tax increase and obviously that is good but moving forward, say with budgets to come could you project or see a need at some point down the road to eventually, have to, increase any taxes?

CFO Mrs. Humphries said she can speak to that a little. It is difficult to really answer that question. I do think Ryan you know we are making a change to our municipal court this year and I don't know how that will effect next year's budget but it is my feeling there should be a savings there and if there is a savings, there shouldn't be a tax increase. It's a little difficult to say at this point. Carol, what is your feeling on that?

Carol McAllister said we really didn't do any kind of projection looking forward for the next couple years but in looking at 2019, the amount of surplus that was budgeted was regenerated in the current year budget so when we budget a certain amount for expenditures and when you don't spend that entire amount, what's left in the following year goes into, goes back in the budget. You can't always do that because expenditures do go up, you have salary increases and items like that that will always go up. But for now, this year, next year, the budget is pretty sound.

Mr. Broughton said that was my next question, is this a solid budget?

Mayor Vizzard thanked Pam and Carol.

Mayor asked for a motion and a second to adopt resolutions 2020-52 and 2020-53. Mr. Broughton made the motion and was seconded by Mr. Jamison. Roll call vote, all in favor.

Mayor Vizzard stated that there will be a public hearing on the amendment resolution on May 21<sup>st</sup> and adoption of 2020 amended municipal budget will also be on May 21<sup>st</sup>.

Mayor said we have correspondence. We have a letter from Constance Daniels, regarding their 5<sup>th</sup> annual Laurel Lake Triathlon Bike and run courses, held on Commercial Township and Millville roads. Event is Saturday, July 25<sup>th</sup>, 2020. Certificate of Liability insurance has been provided. This requires a resolution of approval and is on the agenda tonight.

We have a letter from Remington & Vernick with proposal for the Riverfront Roadway Improvements Phase II project. Funds in the amount of \$600,000 from 2020 Local Freight Impact was awarded to Commercial Township. Their fee is \$30,000 in municipal funds. The CFO approved adopting resolution for \$30,000 as long as resolution states "Contingent on the 2020 Municipal Budget being adopted on May 21<sup>st</sup>". CFO has given Certification of funds, pending adoption of budget because money is in budget. This resolution is on the agenda.

Ed Dennis said he has a quick comment on that. I think it is noteworthy. It has changed in compared to last years. The NJDOT 2019 grant has changed their rules and now they allow a portion of the grant money to pay for design which wasn't the case for many years so the Township of Commercial is going to get \$2 million dollars' worth of construction done and you're only going to come out of pocket, \$30,000. That is very notable. It would not have been possible in past years.

Mayor said we have a letter from NJ Department of Transportation, they are taking applications for 2021 State Aid Programs. All applications must be submitted by July 1<sup>st</sup>. So Ed, I guess that something we need to talk about.

Mr. Dennis said yes, that's something we should discuss in the next coming weeks so we can have a resolution on the next agenda and then we can get started on the grant application. Mayor said ok, good.

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

#### ORDINANCE 2020-598

AN ORDINANCE OF THE TOWNSHIP OF COMMERCIAL, COUNTY OF CUMBERLAND NEW JERSEY, PROVIDING FOR USE OF FUNDS FOR PURCHASE OF TWO SOLAR SPEED SIGNS AVAILABLE IN THE CAPITAL FUND RESERVE FOR ROAD IMPROVEMENTS.

Mayor asked for a motion and second to open to public for public comment, Mr. Jamison made the motion and was seconded by Mr. Broughton. With no public comment, Mayor asked for a motion and second to close public portion and to adopt. Mr. Jamison made that motion and was seconded by Mr. Broughton. Roll call vote, All in favor.

#### ORDINANCE 2020-599

AN ORDINANCE TO AMEND THE UNIFORM CONSTRUCTION CODE FEES AND REPEAL ORDINANCE 2019-595 UPON PASSAGE

Mayor asked for a motion and a second to open to public for comment. That motion was made by Mr. Broughton and seconded by Mr. Jamison. With no public comment, Mayor asked for a motion and second to close to public comment and adopt. That motion was made by Mr. Broughton and seconded by Mr. Jamison. Roll call vote, All in favor.

Mayor said we have an Ordinance for introduction.

#### ORDINANCE 2020-600

AN ORDINANCE ESTABLISHING THE CUMBERLAND SALEM REGIONAL MUNICIPAL COURT

WHEREAS, the Township Committee has determined it to be in the best interest of the Residents of Commercial Township to maintain the option to have a Joint Municipal Court as provided in N.J.S.A. 2B:12-1; and

WHEREAS, the Township of Commercial Code deals with the provisions for a Township Municipal Court; and

WHEREAS, the Township Committee has determined to eliminate the currently existing Commercial Township Municipal Court but in doing so does desire to preserve the legal structure for a single Municipal Court for Commercial Township should the operation of a Joint Municipal Court not prove at some point in the future to be in the best interest of the residents of Commercial Township;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Commercial, County of Cumberland and State of New Jersey that the Commercial Township Code be hereby amended to provide as follows:

Municipal Court of Township of Commercial shall be established as a Joint Municipal Court unless at some future point the Township Committee by a majority vote determines to operate an individual Township Municipal Court pursuant to the provisions of Township Municipal Ordinance. Effective July 1, 2020, Commercial Township shall participate in the Joint Court known as the Cumberland Salem Regional Municipal Court unless the Township Committee determines at some future point by Resolution that such participation shall no longer be in the best interest of Commercial Township. During such time as Commercial Township is a member of Cumberland Salem Regional Municipal Court, its participation shall be controlled by an Agreement establishing and setting forth the

conditions and obligations pertaining to the operations of the Cumberland Salem Regional Municipal Court, in the event Commercial Township shall withdraw from participation in the Cumberland Salem Regional Municipal Court, then the Municipal Court of Commercial Township shall be operated pursuant to the Code of Commercial Township as the same may be amended from time to time.

Section One. Repealed. All former Ordinances of the Township of Commercial which are in conflict with the provisions contained in this Ordinance are hereby repealed upon the adoption of the Ordinance.

Section Two. Severability. If any part or parts of this Ordinance are held to be invalid for any reason decision shall not affect the validity of the remaining portions of this Ordinance.,

Section Three. This Ordinance shall take effect after final approval and publication as required by law.

Mayor asked for a motion and second to adopt on introduction. That motion was made by Mr. Jamison and seconded by Mr. Broughton. Roll call, All in Favor.

Mayor stated that Second reading and public hearing will be held on May 21<sup>st</sup>.

Mayor said we have Resolutions

RESOLUTION 2020-54

Resolution Authorizing Participation in the CS Regional Municipal Court.

WHEREAS, the Township Committee wishes to participate in a joint municipal court with such other municipalities as may be permitted to join as provided in N.J.S.A. 2B:12-1, et seq.; and

WHEREAS, the Township Committee anticipates that a final agreement shall be ready for signature prior to July 1, 2020; and

WHEREAS, Commercial Township will introduce an ordinance for the creation of, and participation in, a joint municipal court to be designated as the CS Regional Municipal Court; and

WHEREAS, the Township Committee has reviewed the proposed agreement for the operation of a joint municipal court and are prepared to enter a memorandum of understanding for the operation of said court, which memorandum of understanding will include but not be limited to the following:

- Percentage responsibilities for shared expenses;
- Salaries and wages;
- Hours of operations;
- Court schedule;
- Administrative fee apportionment;
- Billing;
- Budget; and
- Vacation policy

NOW, THEREFORE, BE IT RESOLVED, by the Commercial Township Committee as follows:

1. The Mayor and Clerk are authorized to execute, on behalf of Commercial Township, the agreement for the operation of a joint municipal court to include such municipal entities as may choose to join and cooperate in said agreement; and
2. The Mayor and Clerk for Commercial are authorized to execute the 2020 Memorandum of Understanding for the CS Regional Municipal Court.

RESOLUTION 2020-55

Approving 5<sup>th</sup> Annual Laurel Lake Triathlon Sprint Saturday, July 25, 2020

BE IT RESOLVED that the Commercial Township Committee approves the 5<sup>th</sup> Annual Laurel Lake Triathlon Sprint, Bike and Run Courses for July 25, 2020 on Commercial Township and the City of Millville Roads.

BE IT FURTHER RESOLVED, that a Certificate of Liability Insurance has been provided.

BE IT FURTHER RESOLVED, that sprint is held in honor of William Laubengeyer and sponsored by DQ Events, 316 Crestwood Avenue, Haddonfield, NJ

BE IT FURTHER RESOLVED that this resolution and application will be forwarded to the Cumberland County Road Department for final approval.

RESOLUTION 2020-56

Authorizing Remington & Vernick Engineers To Provide Engineering Design and Construction Phase for Port Norris Riverfront Roadway Improvement Phase II in Amount of \$30,000

BE IT RESOLVED by the Township Committee of the Township of Commercial to authorize Remington & Vernick Engineers to Provide Engineering Design and Construction Phase for the Port Norris Riverfront Roadway Improvements Phase II in the amount of \$30,000 for the following:

Bid Documents & Coordination	\$17,000.00
Contract Administration	\$13,000.00
Total- Township Funds	<u>\$30,000.00</u>

BE IT FURTHER RESOLVED that the Certification of these funds by CFO, states approval is contingent on the adoption of the 2020 Amended Municipal Budget on May 21, 2020.

Account & Titles	
2019 NJDOT Port Norris Riverfront Impact Grant Match	\$22,000.00 (not to exceed)
Present Balance in appropriation:	
G-02041-858-000 NJDOT Port Norris Freight Impact Match	\$30,000.00
Amount Certified: Total Not to exceed:	\$22,000.00

2020 NJDOT Port Norris Riverfront Impact Match-G-02-41-860-000	
Total Amount of Engineering:	\$ 8,000.00 (not to exceed)
Present Balance in appropriation:	
G-02-41-859-000 NJDOT Port Norris Freight Impact Match	\$10,000.00
Amount Certified: Total not to exceed	\$ 8,000.00

Mr. Jamison made the motion to adopt resolutions 2020 -54 thru 2020-56 and was seconded by Mr. Broughton. Roll Call Vote, All in favor.

Reports of Officials.

Mr. Jamison said the only thing he has is, last Saturday, the food bank was open. It was a great success, a lot of work but a great success for the Township. Mr. Jamison wanted to encourage people who want to help or for residents to come and get the food that is available to them.

Mr. Broughton said he had report from Steve that everything is running smooth in the office. Steve met with Lou today and all permits were signed and returned to the office.

Mr. Jamison said he would also like to commend Russell and his wife for their work at the food bank. They are doing a great job up there.

Mayor Vizzard said I second that. I also want to note that there is a second dump day this month coming up Saturday April 25<sup>th</sup>.

Mayor asked for a motion and a second to open the meeting to the public. Mr. Broughton made that motion and was seconded by Mr. Jamison. With no public questions or comments, the mayor asked for a motion and second to close the meeting to the public. Mr. Broughton made the motion to close to public and was seconded by Mr. Jamison.

Mayor Vizzard said the only thing he wants to add for addition consideration is as of 4 o'clock today, Cumberland County has 259 confirmed cases Yesterday at 4 o'clock there was 214 so in one day there was an addition 45 confirmed cases.

Mr. Jamison asked how many deaths we have in the county. Mayor said he believes 3 out of those 259 cases.

Mayor said what he wants to point out is in one day there was 45 new cases added. But I do want to say Commercial Township only has 4 so I want to thank everyone in the public for following the CDC guidelines. I am proud that we only have 4 out of 259 cases and hope that we can keep it that way. Everyone needs to continue to follow CDC requirements and be patient with each other. I just want everyone to stay healthy.

Mr. Jamison wanted to add he will be praying for all that has this and will continue to pray they get well.

With nothing further, a motion was made and seconded to adjourn the meeting.

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Hannah E. Nichols, Township Clerk