

Minutes of the AGENDA meeting of the Township Committee of the Township of Commercial held on November 16, 2020, 2020 at 6:00 P.M., via virtual platform zoom.

Those Present:

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

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

Mayor asked official Barney Hollinger for his riverfront report.

Mr. Hollinger reported he attended two video conferences, on 10/19 and 10/20 put on by CHARM. It goes over the state plan, FEMA, state OEM and some people from ARMY Corp. Mr. Hollinger said this may be for Ed Dennis. FEMA said to get a hold of them. There is two guys there that may be able to help with the sluice gate. Jack Heide and John Miller.

Mr. Hollinger said there was a Chris Testa from OEM on and suggested there may be help through a "Shore Protection Fund" but there is limits on that.

Ed Dennis took note of the information and was going to follow up on it,

Mr. Hollinger said the meetings were regarding the Plan Endorsement process, but they talked about other problems in the township. Those were the things I brought up.

Mayor Vizzard thanked Mr. Hollinger.

Mayor Vizzard said we have William Horner on the line. He is a manufacture of mobile homes. He is interested in purchasing municipal lots from the township.

Mr. Horner wanted to introduce his self. We took on the eight subdivisions that are the Brierwood Estates. That has sat dormant for several years. We just started putting modular out there. They are selling relatively quick. I just want to continue in that way throughout the township. That's what we are doing as far as affordable housing.

Mayor said we reviewed your letter at a special meeting we had last week. There are a couple things and I feel I'm speaking on behalf of the whole committee. The first thing would be your offer to purchase the lots and understand we can't just accept an offer. We have to go out to the public so that they know we have this offer from you and have an opportunity to counteroffer. Second of all, we feel that the amount that you are offering is way, way under value, we wouldn't accept that offer. We have land sales

with the minimum listed and It wouldn't be fair to others who may have wanted to bid on those properties and let them go to you at such a cheap price.

Mr. Horner said it was something that was discussed, and I just wanted to get an offer out there. We have purchased other property by individual sales so it's not as if we aren't looking for land. Mr. Horner expressed he has a proven record and thinks they can discuss a number that's good for everyone and get some new homes in there.

Mayor said we aren't against that I just want you to know that whatever the offer is, we need to offer it to the public. They would have the right to bid on it as well.

Mr. Horner acknowledged that he understood. Mr. Horner said he would like to purchase land to put houses on them and it doesn't have to be Laurel Lake it can be anywhere in Commercial Township. We do townhouses and all sorts of things.

Mr. Horner prepared a presentation Mr. Horner proceeded to go over the presentation describing the type of projects his company has worked on and expressed ideas for housing development.

Mayor Vizzard thank Mr. Horner for his presentation and time.

Mr. Horner thanked the committee and said that he would drop the presentation off at the township hall so that the committee can review it.

Linda Gentile of Shore Animal Control was in attendance. The Mayor asked for her report.

Mrs. Gentile presented her dog census report. Mrs. Gentile said this census ended up happening at the worst possible time but we still visited 519 residences.

Mrs. Gentile asked the committee if they received a copy of her report from the clerk. The committee acknowledge they had.

Mayor Vizzard said he was looking at it and he sees 190 warnings were issued.

Mrs. Gentile said yes, and 115 summonses were issued. We are still in the middle of those court proceedings because as you know the court system has been backed up. We have 38 who have not complied. The license total is 482 to date which is way up from 330 but you know the most important thing is keeping the public safe by being able to identify a dog in case of a bite and we assured their rabies are up to date. We will continue to patrol even though the census is over. Mrs. Gentile asked if there were any questions.

Mayor asked about the 38 who had not complied.

Mrs. Gentile explained these are people asked for an extension and the court agreed to it so they haven't been heard. Because of Covid, the courts have been very lenient. The court lifted what used to be automatic warrant for failure to show. We will continue to work to get those 38 people.

Mrs. Gentile said we also sent you an ordinance on the cat issue and hopes the committee will consider it. We looked at the ordinance you currently have and we are trying to find a way to make people comply with the spay, neuter and vaccination so they don't multiply which seems to be a problem in the township the last 10 years from what we have gathered in our patrols and trapping. We hope you will consider this ordinance for next year because it could be very beneficial. We have used that ordinance in

many other towns. It really is beneficial when dealing with people who don't want to incorporate. Typically, its people who feed. We call it feed and breed.

Mayor Vizzard said we will consider it. I want to read over again our ordinance and see how it reads so we will consider it.

Mayor Vizzard said with the cats, I have received several calls from Mauricetown, and I have talked to you about that. What other avenues do we have to try and capture these cats and stop the problems for these homeowners. How do other townships handle it because I'm sure we aren't the only township with these problems?

Mrs. Gentile responded that most other towns, the people comply. With this ordinance we can issue a summons and get these people to comply and stop them from multiplying. The feeding has to stop while we are trapping. With this ordinance, it would help, and it can't be fixed overnight, it could be a yearlong process.

The deputy clerk asked Mrs. Gentile, when trapping the cats and taking them to get spayed, neutered and their shots, who pays for it? Is it the expense of the property owner?

Mrs. Gentile said it is the responsibility of the person feeding the cats. There are programs. There is a new clinic that opened in Millville called People for Animals. For \$40 they can spay, and nurture and I understand there are people that will help with transporting for a small fee. We do have resources for people without the funds to help them, so we just need them to incorporate. There is a licensing component to your ordinance for cats but that's for licensing of indoor cats but when it comes to stray cats, you can't say they are owned. If you are feeding but you aren't spaying, neutering, and vaccinating they are just multiplying. This ordinance pertains to outdoor cats only.

Mayor Vizzard thanked Mrs. Gentile and asked if there were any questions for Mrs. Gentile. With none, Mayor asked for the Engineers report.

Ed Dennis reported the project down on the water was coming along nicely. We were able to coordinate with the gas company so they were able to come in and get done what they needed to do, There will not be any disturbance once we get the road paved. We have prepared the engineering plans for Ogden Avenue, the additional road we got approval from the DOT. You should be receiving a letter, DOT approved the environmental exclusion which was another step we had to go through on the Ogden Avenue piece.

Mr. Dennis said we did excavate the pilings on Miller where the pilings were popping up through the road there for years. We have a preliminary plan on how to address that.

Mr. Dennis briefly gave an overview of that plan. Mr. Dennis felt their plan would prevent those pilings to come up through the road again.

Mr. Dennis said on Red Fern there really isn't much to update. That road will be paved once the have done the final paving on the riverfront. There was a problem on the base paving. There were areas of the road that washed out. The contractor needs to address that.

Mr. Dennis said a few emails have bounced around and this comes from Barneys report last meeting. We worked with the County Engineer to put a grant application in from the same funding source to replace the wooden bridge on Miller and to replace the sluice gate on Berry Avenue to DOT for that

funding and I think the total is something like 1.8 million but we submitted it and if approved that would be phase III of the riverside project.

Mr. Dennis said we were not able to submit anything on the Berry Road bridge because we did a truck traffic survey and there wasn't enough truck traffic. For whatever reason they aren't running trucks on Berry right now, but we can revisit it again next year and redo the counts. A phase IV could be to finish Berry and replace that bridge.

Mr. Dennis said we are still waiting to hear on the DOT grant for 20/21 but we should be hearing something any day.

Barney Hollinger had a couple questions for Mr. Dennis.

Mr. Hollinger asked, the inlets you put in at Ogden and Miller, are they going to get raised up?

Mr. Dennis replied I don't know that they are going to get raised up. What they are meant to do Barney is to give a place for the water to go once the tide subsides, so the water isn't trapped behind the road.

Mr. Hollinger said they are under water right now.

Mr. Dennis asked if its high tide.

Mr. Hollinger said no its just from the rain. The water is not flowing from the pipe into the meadow.

Mr. Dennis said the inlet on meadow side was set low, but we can take a look at it.

Mr. Hollinger asked that they also look at the one over by the Marine barracks.

Mr. Hollinger asked if with these grants if it will cover replacing any of the other sluice gates.

Mr. Dennis said No, it will only be the Berry Avenue sluice gate.

Mr. Hollinger explained he felt the other sluice gates were in bad shape and that if these grants go through that going forward, we can get these other sluice gates fixed.

Mr. Dennis said sluice gates aren't typically covered on a grant from DOT, so we'll see.

Mr. Hollinger referenced an e-mail from Mr. Dennis and asked if funding would be available for permitting to raise the roads.

Mr. Dennis said to raise the roads higher than we already are?

Mr. Hollinger yes, especially Berry.

Mr. Dennis said Berry is about two feet lower than the rest of the roads. The DOT will pay for some soft cost, but the question is will we get approval. The challenge is if you are expanding the road out into the marsh, and you impact wetland, you have to go into mediation. Mr. Dennis explained further the process of mediation.

Mayor thanked Mr. Dennis for bringing up some of these issues because he had noticed the ponding that was happening on Red Fern.

Mayor asked if there were any other questions, with none Mayor moved on to correspondence.

1. Letter from Cumberland County Purchasing Office, they solicited bids for rock salt and road supervisor would like to award a contract to Mid-Atlantic Salt, LLC at \$49.90 per ton. As a member of Cumberland County Cooperative Purchasing System # 181-CCCCPS.

2. Letter from Executive Director, Brian Keenan, of Bayshore Center at Bivalve, They would like to have a plenary consumption liquor license to serve beer and wine to the individuals that sail, come to the museum, Oyster Cracker Café, Friday night affairs with oysters on deck.

Township Clerk said that she spoke to the state in regard to them. Clerk inquired if there was another special license that could be issued to them because they operate on a part time basis therefore, the township could maintain the Plenary license for a possibly a restaurant. Clerk indicated she was still waiting to hear back from the state.

Mayor agreed that if there was another license, they would be eligible for we could still maintain the Plenary.

Committeeman Jamison suggested they table this until the clerk hears back from the state.

Mayor said to put on for the regular meeting and hope to have an answer otherwise we will table it.

3. Letter from The Weaver Group LLC, they are a company that buys up leases that have a cellular Tower on the property.

Mayor asked if the committee had any interest in entertaining this issue.

Committeeman Jamison said the last time we tried to entertain something like this, it wasn't good for us. Committeeman Jamison asked Solicitor Seeley for his input.

Solicitor explained it's a matter of do we want to sell or continue to lease. It raises questions about the possible change in technology, satellites and that maybe the value will go down. In his experience with this type of thing, municipalities tend to stick to the long-term lease.

Mayor re-read the letter and said it doesn't really make an offer it's a hypothetical.

Solicitor suggested the committee could request a firm offer.

The committee agreed to add to the regular meeting to see what they have to say.

4. Letter from County of Cumberland Department of Law, asking for feedback from the committee on allowing residential vehicles into our convenience centers that have an agriculture tag. Once thoughts received and it is in the affirmative, they will ask that a resolution be adopted.

Solicitor said he could speak on this. Solicitor explained that the issues people with farmer tags are having is it may be their only transportation. They aren't being allowed into the dumps therefore have no way to transport their household trash into the dump.

Barney Hollinger spoke that he knows about this through a county board he sits on. Mr. Hollinger truck is tagged farmer and state law says a truck tagged farmer can be used for personal use.

Solicitor agreed and suggested that this has stemmed from Lawrence township. The Health department was going to fine Lawrence.

Mr. Hollinger said its big in the County Board of Ag meetings and that Health Department has been out there and has turned trucks away for having farm tags.

Further discussion ensued with various scenarios the pose a problem when not allowing farmer tags or commercial into the convenience centers.

Mayor said he understands the commercial tags but doesn't see the harm in letting in the farmer tags.

Committeeman Jamison said he hasn't heard any complaints for farmers tags just the commercial tags.

Mayor said so we need to respond to the county that we support allowing farmer tags.

5. Letter from JIF, requesting that the committee reappoint our Risk Management Consultant Bob Conner, Mints Insurance and adopt resolution at the regular meeting. Committee agreed.

6. JIF has requested that the committee adopt "The Protection and Safe Treatment of Minors" Policy. Committee agreed.

Approve a five-year sand mining license to US Silica. Committee agreed.

7. Letter from Michael Gruccio that the Land Use Board recommends the committee approve a five-year sand mining license to US Silica. Committee agreed.

8. Letter from Mr. John Ball requesting township install a guide rail at the corner of High and Yock Wock. His trailer and property has been hit and on October 10th, someone just missed the utility box on road right-of-way.

Clerk reminded the committee this gentleman came before the committee on this before and that the committee suggested he put some boulders by the road.

9. Letter of resignation from Jose Esquilin, Jr. from land use board.

10. A letter from Heather Whitaker requesting committee appoint alternate I Heike Wheatly to fill position of Jose Esquilin to expire on December 31, 2020, and appointing alternate II Matt Wheatly to Alternate 1 with expiration date as of December 31, 2021. Committee agreed.

Mayor said we have a list of resolution that will be considered for the regular meeting.

Resolution	Salt Rock
Resolution	Risk Management Consultant
Resolution	Adopt Policy, The Protection and Treatment of Minors
Resolution	Application to DOT funding for road and bridge improvements
Resolution	Authorizing Tax Collector to Place Billing Back onto Property
Resolution	Authorizing Tax Collector to Transfer Overpayment to Other Tax Years or Refund to Owner Or Payer Representative

Resolution Five Year Sand Mining License to US Silica

Clerk said we need to add a resolution for the Land Use Board.

Mayor asked to open to public, Committeeman Jamison made a motion to open to public, Committeeman Broughton seconded.

Seeing no one from the public would like to speak, A motion was made and seconded to close to the public.

Mayor asked if there was anything else, seeing none a motion was made and seconded to adjourn the meeting.

Respectfully Submitted,


Heather Sparks, RMC
Deputy Clerk.