

Minutes of the Regular meeting of the Township Committee of the Township of Commercial held on January 21, 2021 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

Those Absent:

Hannah Nichols	Township Clerk
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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 if there were any official. Seeing none, Mayor asked if the committee reviewed the previous meeting minutes of:

- Agenda Meeting November 16, 2020
- Regular Meeting November 19, 2020
- Regular meeting December 17, 2020
- Special December 30, 2020
- Reorganization January 4, 2021

Motion was made by Committeeman Jamison and seconded by Committeeman Broughton to approve the minutes. Roll call, all in favor.

Mayor said we have consideration of the bills received for the month of January as prepared by the Chief Financial Officer.

Committeeman Broughton made a motion and was seconded by Committeeman Jamison to approve the bill list for the month of January. Roll call, All in favor.

Engineers report -Ed Dennis said there wasn't much change from the agenda meeting. The Riverfront and Red Fern Dr. projects are essentially complete other than restoration work. We will stay on top of the black mucky dirt. Two updates from Tuesday, # 1 and I sent this to Clint a sketch for three (3) signs to go on Yock Wock. I believe this will improve the situation of people running off the road. It should be a low-cost option to help out over there. Second, I got an e-mail from DOT asking questions about the grant application we submitted for down on the riverfront. They are asking for some follow-up information; I interpret that as a positive sign that they are taking a good look at our application and that application included replacement of the bridge on Miller Ave. and replacement of the Barry Ave sluice. I don't want to get ahead of ourselves but I think it's a positive sign. Hopefully, I will have good news to report over the next couple meetings.

Mayor said that's great news.

Mayor went over correspondence.

Letter from US Army Corps of Engineers. Notification and Safety Education Initiative at Department of Defense Formerly Used Defense Sites. Information will be mailed to landowners whose property may be subject to environmental or safety concerns linked to past Department of Defense activities.

Tax Collector, Leslie Kraus provided her statutorily required annual report to the Committee. Report shows that the collection rate for 2020 was 91.22%. Despite the difficult year as a result of Covid-19 pandemic, collection rate was able to maintain a similar rate as of 2019.

Letter from Michael Gruccio, Esquire on behalf of Silvi Concrete asking the Committee to assign the mining license currently issued to U.S. Silica from Dragston mine to Silvi.

Mayor said we have an introduction to an Ordinance, Ordinance 2021-603 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A.: 4-45.14)

Mayor asked for a motion to adopt on first reading and a second.

Committeeman Jamison made a motion and was seconded by Committeeman Broughton. Roll Call, All in Favor.

Mayor said Second reading and public hearing will be February 20th.

Mayor went of Resolutions

RESOLUTION 2021-25

Approving Membership in the Cumberland Development Corp.

BE IT RESOLVED, by the Township Committee of the Township of Commercial that enrollment into the Cumberland Development Corp., has been unanimously approved by the governing body for 2021 at a membership fee of \$2,850.00 to be paid quarterly at \$712.50 for a term of one year commencing January 1, 2021 to December 31, 2021.

RESOLUTION 2021-26

Approving the Appointment of Gretchen Esquilin to the Position of Secretary to Construction Office and Land Use Board

WHEREAS, Heather Whitaker, Secretary and Technical Assistant to the Construction office and the Commercial Township Land Use Board resigned from her position with her last day being January 8, 2021; and

WHEREAS, this resignation will leave a vacancy in these two municipal positions; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that Secretary, Gretchen Esquilin, will leave her position in the tax collector's office and assume the duties of the Construction office and Land Use Board at a salary of \$ 38,252.81 a year January 19, 2021.

RESOLUTION 2021-27

Authorizing Transfer of Sand Mining License from U.S. Silica Company to Silvi Concrete for Portion of Dragston Mine and Accept Replacement Bond as Performance Guarantee

WHEREAS, the Township of Commercial has previously issued via Resolution a mining extraction permit to U.S. Silica for Block 199, Lots 22 & 23; Block 214, Lots 1, 32, 33, 34 & 36; Block 215, Lots 1 & 74 , which permit is valid from January through December; and

WHEREAS, the owner of the permit at the time of approval was U.S. Silica Company; and

WHEREAS, U.S. Silica Company has sold their portion of the Dragston Mine located in Commercial Township to Silvi Concrete of Chester County, LLC, a Limited Liability Company organized pursuant to the laws of the Commonwealth of Pennsylvania and authorized to do business in New Jersey on or about October 14, 2020; and

WHEREAS, Silvi Concrete has requested of the Township of Commercial that the permit for use be transferred to Silvi for the remainder of the Original permitted period; and

WHEREAS, the Township of Commercial has inspected that property through the Township Engineer, who has provided a report to the Township that the current owner is compliant with all requirements per statute and ordinance is up to date with all permitting fees and municipal taxes; and

WHEREAS, the Township Committee of the Township of Commercial is desirous of consenting to the transfer of the permit to the new owner of the property.

NOW THEREFORE BE IT RESOLVED by the Township Committee of Commercial that the permit issued by Resolution to U.S. Silica Company hereby transferred to Silvi Concrete of Chester County, LLC and the Township Clerk may issue a new Permit to the New owner under the following conditions:

1. Receipt and review by the Township of a reclamation bond issued in favor of the Township in the amount of issued on behalf of the new owner; and
2. Filing of an approved amended application with the Cumberland Soil Conservation District to reflect current ownership; and

3. Payment of any fees, taxes or other municipal obligations due and owing to the property.

BE IT FURTHER RESOLVED that the bond originally issued by U.S. Silica may be released upon acceptance of the bond posted by the new owner.

**RESOLUTION 2021-28
Budget Line Item Transfer**

BE IT RESOLVED by the Township Committee of the Township of Commercial that the following budgetary transfers be made to avoid over-expenditure in the 2020 Municipal Budget as requested by the Chief financial Officer.

Line-Item From:	Amount
Administration O/E	2,500.00
Total	2,500

Line-Item To:	Amount
Solid Waste Disposal Fees	2,500.00
Total	2,500

**RESOLUTION 2021-29
Authorizing Employee Stipend Eligibility**

WHEREAS, an employee of Commercial Township may temporarily receive a rate of compensation which is higher than the base salary for his/her regular position for temporarily being assigned additional higher-lever responsibilities.

WHEREAS, the higher-services compensation under this policy is temporary and does not change the subject employee's base pay for his/her current regular position.

WHEREAS, Eligibility for a stipend is when an employee is temporarily assigned additional higher-level responsibilities due to a temporary need or a temporary position needed. The Township

of Commercial may temporarily pay a higher-services compensation which is more than the base salary for his/her regular position.

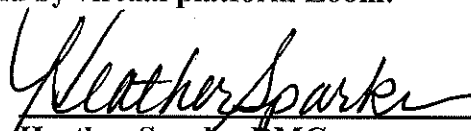
WHEREAS, eligibility for a stipend is not warranted for the coverage of normal, earned paid time off such as with vacation, personal time or for less than two (2) weeks of sick leave.

WHEREAS, Process for determining additional compensation: When it appears that higher-services compensation under this policy may be appropriate, Township Committee should review the relevant job descriptions and consult with subject employee.

BE IT RESOLVED, the employee should submit a Stipend Request Memorandum that should detail the situation, to include, position being covered, length of time expected coverage will be needed of said higher-level responsibilities.

BE IT FURTHER RESOLVED, when a request is received for an employee stipend, the Township Committee will confirm the need and authorize stipend to said employee allowing for proper function of the office in which there is a need and properly compensate employee for the additional duties.

I, Heather Sparks, Deputy Clerk of the Township of Commercial hereby certify that the foregoing resolution was duly adopted by the Township Committee at their regular meeting held on January 21, 2021 at 6:00 pm held by virtual platform Zoom.



Heather Sparks, RMC
Deputy Clerk

Committeeman Jamison made the motion to accept resolutions 2021-25 thru 2021-29 and was seconded by Committeeman Broughton. Roll Call, All in Favor.

Mayor asked for any reports from officials.

Committeeman Broughton said just for the record, I want to congratulate Gretchen on her full-time position into the housing and construction office.

Mayor Vizzard said he thinks it will be a good fit for the office and that he thinks it will work out well.

Committeeman Jamison said he didn't have anything other than to agree with what Ryan said and congratulate Gretchen.

Mayor said all he has is for Tom, did you get to review the bulletin from JIF regarding the vaccine.

Mr. Seeley said to be honest, I haven't had a chance to read through it yet.

Mayor said in talking it over, I feel it probably wouldn't be a good thing to mandate employees to get the vaccine. I think we should strongly recommend it but not require it.

Committeeman Broughton agreed.

Solicitor Seeley said that's tough especially if there is religious exemption.

Committeeman Broughton said even if you make it mandatory someone can file a religious or medical exception.

Mayor asked for a motion to open to the public.

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

Mayor asked if anyone from the public would like to speak. Hearing no one, Mayor asked for a motion to close to the public.

Committeeman Broughton made the motion to close to the public and was seconded by Committeeman Jamison.

Mayor went over additional considerations.

Commercial Township Rabies clinic is scheduled for April 17, 2021 12:00 noon to 3:00 pm. Mayor asked if it will be at the Laurel Lake fire hall again. Deputy Clerk said yes it will.

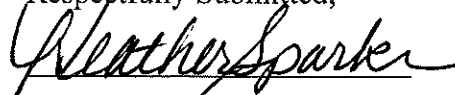
Committeeman Jamison said we have food bank Saturday. Mayor Vizzard said yes and he will be there helping with his grandson.

Animal licensing letters are going out. Deadline to register animals was extended to April 30, 2021 to allow additional time for residents to get their pets registered since we are closed to the public and the clinic is later than normally held.

The Municipal calendar is being finalized and will be going to the printer very shortly.

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

Respectfully Submitted,

A handwritten signature in cursive script that reads "Heather Sparks".

Heather Sparks, Deputy Clerk