

**Minutes of the Regular meeting of the Township Committee of the Township of Commercial held on Thursday, April 15, 2021 at 6:00 P.M., at the Township Hall, 1768 Main Street, Port Norris, N.J.**

**Those present:**

<b>Mike Vizzard</b>	<b>Mayor</b>
<b>Fletcher Jamison</b>	<b>Committeeman</b>
<b>Ryan Broughton</b>	<b>Committeeman</b>
<b>Thomas Seeley</b>	<b>Solicitor</b>
<b>Edward Dennis</b>	<b>Engineer</b>
<b>Nick Cosmo</b>	<b>Engineer</b>
<b>Hannah E. Nichols</b>	<b>Township Clerk</b>
<b>Heather Sparks</b>	<b>Deputy Clerk</b>
<b>Barney Hollinger</b>	<b>Riverfront Consultant</b>

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

Mayor Vizzard asked everyone to stand for the Flag Salute and Lord's Prayer.

Mayor said for officials, Barney Hollinger is here.

Mr. Hollinger said he attended the Bayshore Council meeting today on the State Plan. Megan Wren from state was present but not for long she had to go to work. He said Maurice River Township has had some meeting on the State Plan and wondered where Commercial Township was at on the plan.

Mayor Vizzard said I don't know where I'm at or where we're at, I'm lost on all that, I have asked for help on all that, and right now I don't know where to go.

Mr. Hollinger said Ed can't you help with that, we'll lose a lot if were not in the State Plan.

Mr. Dennis said Megan was supposed to send me some information, I'll follow up with her tomorrow.

Mr. Hollinger said I'll follow up with her because if we lose the State Plan we can lose a lot with DEP. He asked Mr. Dennis if he was familiar with the PAC/or E I forgot.

Mr. Dennis said are you talking about the Elevation Project, four or five feet higher elevation?

Mr. Hollinger said Maurice River Township had discussion at the county with Michael Pisarski and they feel these rules are going to be published in June and going to be very detrimental to all riverfront communities. Maurice River wants to have a meeting with all municipalities on the Atlantic side. The state wonders why no body but Maurice River is talking to them. Mr. Hollinger said the rules will affect all municipalities on the Atlantic Ocean Coastline side.

Mayor Vizzard asked are these rules detrimental to Commercial Township, because we don't have houses on the riverfront.

Mr. Hollinger said I heard it is really detrimental to Stone Harbor, Avalon, Maurice River, Port Norris, any municipality on the waterfront. They, Maurice River want to set up meeting with all municipalities and the state. He held up a flyer and asked if the mayor had seen it, Land Use Protection Act.

Mayor Vizzard said he had not, but if Maurice wants to have a meeting, we'll attend and be part of it.

Mr. Hollinger said it is supposed to be detrimental to all municipalities in Cumberland County.

Mayor Vizzard said we'd have to be a part of it, we can't allow something that's detrimental to affect what we have in place on the riverfront now.

Mr. Hollinger said I guess, right now, they are into river current rules that are in Atlantic Ocean County. I'm not involved in it as much as Maurice River Township who knows quite a bit about its being detrimental to all municipalities on the eastern side of the Atlantic Ocean.

Mayor Vizzard said it isn't going to affect Commercial Township, we have no houses on the river.

Mr. Hollinger said it will affect Commercial Township, talking about re-wrap for Stone Harbor, Avalon, Port Norris

Mr. Dennis said all requirements are based on proper elevation.

Mr. Hollinger said I will get in touch with Maurice River Township and tell them that we are interested. I do have a copy of the Land Use Protection Act and I'll drop it off to the township, Maurice River has a power point presentation and they printed it off for me.

Mayor Vizzard said I definitely want to be involved.

Mayor Vizzard said we have the minutes of previous meetings for consideration:

Minutes Agenda Meeting of March 15, 2021

Minutes Regular Meeting of March 18, 2021

Mayor asked for motion.

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

Mayor Vizzard said we have consideration of Bill List for the month of April 2021 as prepared by Chief Financial Officer, Pamila Humphries. Mayor asked for motion.

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

Mayor Vizzard asked for engineer's report.

Mr. Dennis said he did go out to riverfront on Monday, they had started yesterday, they were there today and will continue tomorrow and I'll stop down and see exactly what has gone on with the project. They want you guys approval.

Mayor Vizzard asked Mr. Dennis to explain how they are going to fix the cracks.

Mr. Dennis said right now the asphalt is a fine aggregate material and the asphalt is still pliable, it's a little different in color but if you do it right it will be durable and you put the asphalt back together and you will be able to see a difference in color and see where the repairs have been made.

Mayor Vizzard said good because I'd like to take pictures of it. He asked about Ogden Road where trucks have been going around the bend it's sinking.

Mr. Dennis said the crew is finishing up a job somewhere else in Somers Point but I saw it by the bridge that day.

Mayor Vizzard asked did they agree the road has sunk?

Mr. Dennis said they didn't question that at all.

Mayor asked Mr. Dennis if he has an e-mail where the DOT has approved a bill.

Mr. Dennis asked is it for grants, I'll take a look at it.

Mayor said we have memo from CFO regarding adoption of Municipal Budget. The public hearing on the municipal budget scheduled for this evening, has been rescheduled for Thursday, April 29<sup>th</sup> at 6:00 p.m., in the Township Hall, due to the advertisement not being statutorily advertised.

Mayor said on our Bond Anticipation Note which is coming due our Chief Financial Officer, Pamela Humphries, has requested proposals for the purchase of our Bond Anticipation Note in the amount of \$924,250 and Notes were purchased by Cape May County Municipal Utility Authority at interest rate of 0.345. Pam said she will have resolution for the May meeting.

Mayor Vizzard said Bayshore Center at Bivalve Inc., 2800 High Street, Port Norris has filed an application for a club License, drawing of premises are forth coming and certified check in amount of \$200 payable to Division Alcoholic Beverages and check in the amount of \$150 payable to township. Mayor said resolution will be on the agenda of the regular meeting.

Mayor said committee has received a bid of \$1,000 for Block 259, Lot 6 known as 2721 High Street, Bivalve from Robert Bateman. There are adjoining owners and a land sale will be held on May 20<sup>th</sup> adjoining owners will be notified and advertisement in local newspaper. will take place.

Mayor asked for a motion and second to accept \$1,000 as the minimum starting bid for the property.

Committeeman Jamison made motion to accept and Committeeman Broughton seconded. Roll call vote unanimous.

Mayor Vizzard said now with that being said, we still want Tom to send him a letter stating the amount of back taxes he would have to pay.

Solicitor said we don't have that amount at this time.

Mrs. Sparks said the total outstanding back taxes are \$11,526.34, foreclosure July 13, 2015, and the house is included in the amount of back taxes

Mayor said will our stating the back taxes would be the minimum bid, will that have a bearing on someone else who might want to bid on it.

Solicitor said not really you want the back taxes, you can put the price of the back taxes on it.

Mayor Vizzard said committee has received a letter from Modular Standards LL, 3119 Chammings Ct. Vineland, NJ. Representative from the company states that they are planning on building ten new homes in Commercial Township and would like to know if we have an abatement program we could offer to the new Homeowners. He states that if we do, they would be willing to build 25-50 homes a year in the area.

Mayor Vizzard said the township does not have an abatement program for new homeowners.

Mayor Vizzard stated that the committee has been approached by Kristin Schell, Commercial Township School, Administrator/Principle and she would like to fully fund a proposal to reimagine the tennis court facility as a combined tennis/basketball facility to be utilized by students during school hours and after hours open to the community and outside groups.

Mayor Vizzard said that Ms. Schell, has been informed that the tennis court is a Green Acres Project and that the committee knows that the courts have not gotten used in the past few years.

Committeeman Jamison said he thinks it would be a good idea but that Green Acres would need to be notified.

Mayor Vizzard said the committee would send a letter to Green Acres in support of Ms. Schell's proposal, and see if the state will accept her proposal.

Mayor said committee has received a memorandum form JIF that an online webinar for Elected Officials Seminar will be available and for each committeeman that takes the seminar by May 1st, township will receive \$250 each off our insurance assessment.

Mayor Vizzard said we have several resolutions for consideration.

#### **RESOLUTION 2021-47**

**Authorizing The Transfer Of Overpayment To Other Tax Years  
Or Refund Of Overpayment To Owner, Payer Or Their Representative**

**WHEREAS, it was discovered after downloading the 2021 MOD IV, receiving a County Board of Taxation appeal judgment and/or during the preparation of the tax bills that there were several overpayments existing on numerous line items. The overpayments were created due to reductions in the tax assessments, the recent Homestead Credit Benefit, combining of lots, change in lot number, removal of assessment, approved deduction,**

duplicate payment or pursuant to a successful appeal filed with the County Board of Taxation lowering said assessments; and

WHEREAS, pursuant to statute, said overpayments will need to be refunded to the owner, person who made payment or their representative. With said overpayments before action is to be taken, and

THEREFORE, BE IT RESOLVED, that Leslie Kraus, Tax Collector for Commercial Township is authorized to submit a voucher for refund of existing overpayments along with interest pursuant to statute, when required, as listed below. It is further requested that the Certified Financial Officer be authorized to refund as indicated by voucher.

Block	Lot	Owner	Year	Amount	Reason
184	26	Patricia Bailey	Homestead Benefit (2017)	\$250.69	Exempt Vet

**RESOLUTION 2021-48**  
**Approving a Club License For Bayshore Center**  
**At Bivalve, Inc., for 2021-2022**

WHEREAS, Bayshore Center At Bivalve, Inc., 2800 High Street, Port Norris, NJ, a non-profit organization that operates and maintains the "New Jersey Tall Ship" the A.J. Meerwald; and

WHEREAS, the Bayshore Center has many affairs during the year where they would like to be able to sell alcoholic beverages to those that attend their once a month, Friday Affairs that would enable them to have the funding they need for restoration of the Meerwald; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that the committee fully supports the Bayshore Center at Bivalve, Inc., and approves the application for a Club License; and

BE IT FURTHER RESOLVED, that the governing body praises the Bayshore Center for

The Café, the boardwalk, restored sheds, the museum, of course the sailing of the Meerwald and the many events that they hold that has brought thousands of people from other states to take part and to become aware of the Township of Commercial.

**RESOLUTION 2021-49  
Approving Proposal of Remington & Vernick Engineers  
To Provide Engineering Design and Construction Phase 3  
Services In The Amount Of \$55,000**

WHEREAS, Commercial Township was awarded a New Jersey Department Of Transportation Fiscal Year 2021 Local Freight Impact Fund Program grant in the amount of \$1,300,000.00; and

WJEREAS. Remington & Vernick Engineers have presented a proposal to provide engineering design and construction phase services for the replacement of Miller Avenue Bridge and Drainage Structure (sluice gate) in the amount of \$55,000; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that proposal of \$55,000 is approved and certification of chief financial officer has been received and is attached.

BE IT FURTHER RESOLVED, funds for certification are therefore being made available and certified against the grant appropriation entitled 2021 NJDOT Port Norris Riverfront Improvement-Phase 3 pending the approval of the 2021 Municipal Budget on April 29, 2021.

2021 NJDOT Port Norris Riverfront Improvement:	G-02-41-864-000
Present Balance In Account:	\$ 1,300,000.00
Total Amount of Engineering Certified	\$ 55,000.00(Not To Exceed)
Remaining Balance in Account:	\$ 1,245,000.00
Amount Certified: Total not to exceed \$55,000.	

**RESOLUTION 2021-50**  
**Approval of Proposal of Remington & Vernick Engineers**  
**For Annual Report and Certification of Stormwater**  
**Regulation Program in the Amount of \$2,000**

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires annual reports and certification as part of the Municipal Stormwater Regulation Program; and

WHEREAS, Remington and Vernick Engineers has presented a proposal for this project in the amount of \$2,000 which requires compliance with the Municipal Stormwater General Permit; therefore

BE IT RESOLVED by Township Committee of the Township of Commercial that Proposal is accepted and certification of funds from Chief Financial Officer has been received and is attached.

BE IT FURTHER RESOLVED, Funds for certification are therefore (will be) made available in the 2021 Municipal Budget pending approval on April 29, 2021 and certified against the appropriation entitled:

Engineering Services:	\$2,000.00 (not to exceed)
1-01-20-165-028	
Present balance in appropriation	\$25,000.00
Remaining Balance in Account:	\$23,000.00

Amount Certified: Total not to exceed \$2,000.00

**RESOLUTION 2021-51**  
**Extension Temporary Budget**

WHEREAS, an emergent condition has arisen with respect to Township of Commercial (municipality). As of April 15, 2021, the Township of commercial has not adopted 2021 budget and no adequate provision has been made in the 2021 temporary appropriation for



the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned: and

WHEREAS, the total emergency temporary resolutions adopted in the 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.A. 40A:4-20) including this resolution total \$158,185.01.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20.

1. An emergency temporary appropriation be and the same is hereby made for as follows:

**General Administrative**

Other Expenses 2,428.45

**Mayor and Committee**

Salaries & Wages 2,657.81

Other Expenses 328,13

**Municipal Clerk**

Salaries & Wages 8,688.75

Other Expenses 1,476.56

**Financial Administration**

Salaries & Wages 2,651.25

Other Expenses 754.69

**Audit Services**

2,231.25

**Data Processing**

Other Expenses 2,500.00

**Tax Collection**

Salaries & Wages 6,247.50

Other Expenses 1,246.88

**Tax Assessment**

Salaries & Wages 1,443.75

Other Expenses 1,594.69

**Legal Services**

5,250.00

**Tax Title Lien Manager**

Other Expenses 2,953.13

<b>Engineering Services &amp; Costs</b>		
<b>Other Expenses</b>		<b>1,640.63</b>
<b>Municipal Land Use</b>		
<b>Salaries &amp; Wages</b>		<b>45,84</b>
<b>Other Expenses</b>		<b>374.06</b>
<b>Housing Code Enforcement</b>		
<b>Salaries &amp; Wages</b>		<b>4,652.81</b>
<b>Other Expenses</b>		<b>360.94</b>
<b>Liability Insurance</b>		<b>1,312.50</b>
<b>Worker's Compensation</b>		<b>2,772.00</b>
<b>Group Health Insurance</b>		<b>15,093.75</b>
<b>Emergency Management</b>		
<b>Salaries &amp; Wages</b>		<b>236.25</b>
<b>Other Expenses</b>		<b>262.50</b>
<b>Streets &amp; Road Maintenance</b>		
<b>Salaries &amp; Wages</b>		<b>19,930.31</b>
<b>Other Expenses</b>		<b>5,414.06</b>
<b>Solid Waste Collection</b>		
<b>Other Expenses</b>		<b>17,483.81</b>
<b>Building &amp; Grounds</b>		
<b>Salaries &amp; Wages</b>		<b>1,148.44</b>
<b>Other Expenses</b>		<b>6,693.75</b>
<b>Vacant Property Maintenance</b>		<b>1,312,50</b>
<b>Sluice Ditch</b>		
<b>Other Expenses</b>		<b>328.13</b>
<b>Environmental Commission</b>		
<b>Other Expenses</b>		<b>65.63</b>
<b>Animal Control</b>		
<b>Contract Services</b>		<b>2,887.50</b>

**Senior Center**

Salaries & Wages	1,023.75
Other Expenses	223.13
Community Food Bank	98.44

**Parks & Playgrounds**

**Recreation SW PT**

Other Expenses	229.69
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**Maintenance of Parks**

Other Expenses	164.06
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**Library Operations**

Salaries & Wages	656.25
Other Expenses	203.44

**Celebration of Public Events** 219.06

**Recycling Tax** 511.88

**Utilities:**

Electric	1,706.25
Street Lights	5,184.38
Telephone	1,443.75
Natural Gas	984.38

**Gasoline and Diesel** 1,903.13

**Sanitary Landfill**

Other Expenses	9,646.88
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**Pension PERS**

**Social Security** 4,725.00

**Unemployment** 131.25

**Defined Contributions**

Retirement	262.50
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**Total** \$158,185.01

2. That said emergency temporary appropriation for the line items listed above will be or has been provided for in the 2021 budget under the titles as noted.
3. That one certified copy of this resolution be filed with the Director of Local Government Services

**RESOLUTION 2021-52**  
**Discharge of Mortgage George Thomas**  
**Bayshore Housing Grant**

WHEREAS, A certain Mortgage and Security Agreement dated August 1, 2008 was made between the Township of Commercial, A Body Politic Of The State Of New Jersey to George Thomas 4140 Route 47, Leesburg, New Jersey; and

WHEREAS, the Mortgage was made to secure payment of \$15,999.00. It was recorded in the office of the county recording officer of Cumberland Count, New Jersey on November 19, 2008 in Mortgage Book4051 on page 4434; therefore

BE IT RESOLVED, the Mortgage has been paid in full or otherwise satisfied and Discharged.

**RESOLUTION 2021-53**  
**Land Sale Block 48, Lots 6282 thru 6288**

WHEREAS, on March 18, 2021, a Land Sale was held by the Township Committee of the Township of Commercial at their regular township meeting and

WHEREAS, Perrault Jean-Paul had submitted a bid of \$1,200 for Block 48, Lots 6282 thru 6288, 140X100 at property known as 205 Iris Road, Laurel Lake, NJ.

WHEREAS, Land Sale was held and competitive bidding between Mr. Jean-Paul and Adrianna Danoto took place with Mr. Jean-Paul taking the bid at \$2,550; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that Committee approves the sale of Block 48, Lots 6282 thru 6288, 205 Iris Road, Laurel Lake, NJ In the amount of \$2,550.00 to Mr. Perrault Jean-Paul,85 Sycamore Road, Jersey City, NJ 07305.

Mayor Vizzard asked for motion.

Committeeman Jamison made motion to approve Resolutions 2021-47 thru 2021-53 and Committeeman Broughton seconded with unanimous roll call vote.

Mayor Vizzard said Rabies Clinic will be held Saturday, the 17th at Laurel Lake Fire Hall, 12:00 noon until 3:00pm and they will accept walk ins.

Mayor Vizzard said any reports from the committee.

Committeeman Jamison said I think we are going to have to do something about that truck traffic, I was told that those guys are running two o'clock in the morning, that's not right. Now you said at the land use board meeting they said they would run from 5:30 am to 3:00pm are we going to make the other companies stick to that.

Mayor said he thinks that would be a good idea but do we have an ordinance for that. I don't know if that was just a comment they made at the land use board or just some kind of statement. Do we need an ordinance to enforce something like that.

Committeeman Broughton said he heard they were out there at 2:00am.

Committeeman Jamison said he agreed with Ryan, he heard it too. I think we need an ordinance.

Mr. Hollinger said if that was said at the land use board in their stipulations then it would hold. But an ordinance is good.

Mayor Vizzard said if we did an ordinance then all of the companies would have to stick to the times that are specified in the ordinance. I think when we meet with them that we should tell them that we're going to do an ordinance.

Committeeman Broughton said that Frank DiDomenico put on the record the hours of operation will be 5:00 am to 3:00pm

Mr. Hollinger said well if that was put on the record its' enforceable now.

Committeeman Jamison said I feel we should have an ordinance and all sand companies have to follow it, something concrete.

Clerk asked committee if they were going to do anything with the Cannabis being legalized. There is a time limit on committee's response. Maurice River Township passed two ordinances against it.

Mayor said we haven't discussed that, there was a couple that was interested but I think they might back out.

Clerk said if you don't do anything, they can do what they want.

Mr. Dennis said there are five items they can do and the townships can opt out of what they do not want in their municipality but there is a time limit.

Solicitor suggested that committee look into each category that is allowed and see what they want to see come.

Mayor said three organizations have approached him and they all wanted 30 acres to grow, the problem with all of them were they wanted no parts of wells or septic. They wanted city water, city sewer. So why limit it, most likely they are not going to do it, but if someone does come and drives a well and has septic system, then why restrict it, we have plenty of land. If they want to do it, let them do it.

Mr. Seeley said he thinks it would be smart if the committee looked at the different ordinances that have been adopted.

Mayor Vizzard said where do we go from here.

Mr. Seeley said they should review the various ordinances and see what you would want and see what adjoining municipalities are doing. Circulate the ordinances and see what might be beneficial, some you want to agree with, some you won't agree with and you don't have to accept them and opt out of the ones you don't want.

Committeeman Jamison said if you don't do anything maybe they'd have something you really don't want. If we pass an ordinance we can control what we have here.

Mayor Vizzard said in all reality, it's already here.

Solicitor said Bridgeton is saying come on in. Maurice River is saying we don't want it.

Mayor said we'll review the ordinances and make a decision as to what we want to do for the township. He asked for a motion to open meeting to public.

Mr. Hollinger asked if township has been approached for solar power, that Millville is going to do one and Woodstown.

Mr. Dennis said sand mining companies have but they would have to tie into their electric power.

Mayor asked to close public portion and to adjourn.

Committeeman Jamison made motion to close public meeting and to adjourn

Committeeman Broughton seconded the motion.

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**Hannah E. Nichols, Township Clerk**