

Minutes of the Agenda meeting of the Township Committee of the Township of Commercial held on Monday, August 16, 2021 at 6:00 P.M., at the Township Hall, 1768 Main Street, Port Norris, NJ

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

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

Mayor Vizzard said we have no guests so I'll call on Ed Dennis, for his Engineer's Report.

Mr. Dennis said he has no update on the Recreation Application that was submitted for the Mauricetown Waterfront Park. He said that there will be a preconstruction meeting scheduled for Friday, morning August 20th regarding the reconstruction of Keron Drive and Parsons Lane. He said construction should start as of Monday, the 23rd of August. Mr. Dennis said on the Riverfront Project our next step is to prepare the design on the bridge and sluice gate.

Mayor Vizzard asked Mr. Dennis should township reapproach Verizon on the Tower, again?

Mr. Dennis, said at the very last meeting regarding the Tower they said that they were no longer interested. He said that he would contact Tod Bettenhauser and see if he can enlighten us on reapproaching Verizon regarding the tower.

Mayor Vizzard said we have a letter from Michael Gruccio, Attorney for Covia Solutions, Inc. a sand mining company who he was going to request an extension on their current license but it appears that the state adopted the New Jersey Permit Extension Act of 2020 which gives permit extensions to businesses that have been effected by the Pandemic which was created by the Coronavirus. The New Jersey Permit Extension Act will give Covia an extension of six months from June 4th to January 4, 2022 as long as they were unexpired on their mining license as of March 9, 2020 and their permit for Phase 2 and 4A doesn't expire until September 5, 2021. Mr. Gruccio asks for confirmation on the New Jersey Permit Extension Act for Covia Solutions, Inc. from the Township Committee who issued Covia's five

year sand mining license September 5, 2016 and recognizes the "ACT's" Extension to January 4, 2022.

Mayor and Committee stated that they did not have a problem with the New Jersey Extension Permit Act and the help it gives Covia. Mayor asked for item to be on the agenda of the regular meeting, also with resolution.

Mayor Vizzard said Heather Sparks, Deputy Clerk, ran copies regarding benefits to municipalities from the funding of Recreational Marijuana and how Jersey City will use those funds. One flyer explains how the State of New Jersey will tax the participants in order to provide the funds to municipalities participating. Flyers are:

- a. City council member agree on even split of Jersey City Cannabis tax revenue between schools, social programs
- b. Gross Receipts taxes become Part of New Jersey's Recreational Marijuana Legislation
- c. TAXES< New Jersey leads by Example with its New Cannabis Tax

Mayor Vizzard said the committee could look over the flyers prior to regular meeting but they could be removed from Thursday agenda. Mayor Vizzard said we will have second reading and public hearing on the ordinance regarding participating in the state Cannabis program which is scheduled for regular meeting on the 19th.

ORDINANCE 2021-606

AN ORDINANCE PROVIDING FOR THE SETTING OF MUNICIPAL STANDARDS AND QUALIFICATION, APPLICATIONS, FEES AND ADMINISTRATION FOR THE LICENSING OF MEDICAL AND PERSONAL USE OF CANNABIS ESTABLISHMENTS IN THE TOWNSHIP OF COMMERCIAL PURSUANT TO THE NEW JERSEY CANNIBIS REGULATORY, ENFORCEMENT ASSISTANCE AND MARKETPLACE MODERNIZATION ACT.

Mayor Vizzard said our contract with Gold Medal will expire on December 31, 2021 and in order to be in compliance the township will advertise in the Atlantic City Press on August 17, 2021 that bids will be received at the clerk's off on October 19, 2021 at 10:00 a.m. for three year contract of 2022, 2023, 2024. Mayor said put resolution on regular meeting agenda.

Mayor Vizzard said the following resolutions are scheduled for the regular meeting:

Resolution: Tax Collector To Approve Removal of Erroneous Improvement Value

Resolution: Tax Collector Corrections (will provide) collector cancelled

Resolution: Supporting Renewal of Bayshore Center in Bivalve Inc., 2021-2022 Club License

Resolution: Authorizing Clerk's Office To Go Out For Bid For Solid Waste And Recycling Collection For Years, 2022, 2023, 2024

Resolution: Commercial Township Committee Approves Covia Solutions Inc., Sand Mining Permit License On Phase 2 And 4A Extension Until January 4, 2022 at allowed under New Jersey Permit Extension Act.

Mayor Vizzard asked if committee had any reports or anything to add.

Solicitor, Thomas Seeley, said he had sent an e-mail to Brian Rosenberger regarding residents complaint on a tax appeal that she was not in agreement with, so she is filing the tax appeal to the state. Mr. Seeley said he needs to find out what was the outcome of the appeal that she had filed with the county.

Mayor Vizzard said that he has asked the Cumberland County Improvement Authority to look at financing a new state police barracks with a 30 year mortgage.

Mayor asked for additional comments and being adjourned the meeting.

Hannah E. Nichols, Township Clerk

Minutes of the Regular meeting of the Township Committee of the Township of Commercial, held on Thursday, August 19, 2021 at 6:00 p.m., in the Township Hall, 1768 Main Street, Port Norris, NJ

Those present:

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

Mayor Vizzard presided and called the meeting to order with the announcement that the meeting had been advertised, electronically recorded and meeting 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 asked Engineer, Edward Dennis, for his report.

Mr. Dennis said he didn't have much to add to Monday's report. He said there will be a preconstruction meeting on Friday, August 20th, 9:00 a.m. with contractor that is doing the reconstruction on Keron Drive and Parson's Lane. Contractor will start on Monday, the 23rd. Mr. Dennis said he has heard nothing on the Mauricetown Waterfront Park, Recreation Application. Still on hold on the Riverfront project. Mr. Dennis said he had reached out to Tod Bettenhauser who was the individual that worked for Verizon when we wanted to install a tower and he no longer works for Verizon but he said that as far as he knows, Verizon was no longer interested in going forward with the tower. Mr. Dennis said he would reach out to Verizon and hopefully get a contact person.

Mayor Vizzard said we have the New Jersey State Police present.

Officer Steve Baugh said that they have changed their format somewhat, but he was able to obtain some statistics during the last 30 days. He said there were 185 Stops, 996 Contacts, but he thought that number was inflated a little, 6 thefts, 7 domestic violence and 1 Assault at Liverpool Homes. He said he had nothing to add at this time.

Mr. Joseph Klaudi said he has been a resident for 37 years and he would like to discuss the issue of arrested prisoners being released from the barracks and they have no form of transportation out of Haleyville or Mauricetown. He said we have had incidents where these individuals, one is woman, who goes to people's houses requesting assistance for rides, use telephone and some residents are scared. Mr. Klaudi asked is there something the state police could do regarding the prisoners being released with no means out of the area.

Officer Baugh said Bail Reform has changed things. It is not our decision, it is up to the prosecutor to determine when prisoners go to jail or being released and we are not allowed to furnish them with transportation. It is up to the prisoner to make arrangements to get picked up. He said that he is familiar with the case Mr. Klaudi had referred to but the lady's family is fed up with her dealings and she is from the area, people know her. Officer Baugh said the only thing I can say is, there is nothing that we are allowed to do in this situation. We cannot offer transportation to them and most of them once arrested and then being released contact family, friend to pick them up.

Mayor Vizzard said we met with the state police the day that the situation was brought to our attention, we were told the very same thing, that there is nothing the state police is allowed to do in these situations.

Mrs. Debbie Hollinger asked Office Baugh the protocol for reporting a rabid raccoon to the state police. She said she and her husband contacted the state police regarding rabid raccoon and the officer responded and kicked the raccoon into the water to drown we assume, but it was where it could possibly get out of the water and walk away into a neighborhood. Mrs. Hollinger said they shot and killed the raccoon. Mr. Barney Hollinger said this certainly did not look good on the State Police, I think it was inhumane.

Officer Baugh said he is not familiar with this incident and that he would look into it.

Mayor Vizzard said he has two questions. Am I to understand that the Sheriff's department are taking over calls regarding animal complaints.

Officer Baugh said I guess there is an issue with Animal Control and is there a contract with them.

Mayor Vizzard said we have a contract with Animal Control but when called by a resident they say not their responsibility, call the state police. The state police tells the resident that's calling, not our problem. So right now I'm trying to understand how this works.

Officer Baugh said there is this Humane Law Enforcement and that is, one trooper per squad will be assigned. Say a resident calls and said a dog is being mistreated, out in the hot sun all day, no water, etc., and it is during 8:00 a.m. to 5:00 p.m., the Sheriff's Officers will respond to the calls. Calls after those hours fall on state police issuing complaints and

notifying Animal Control. He said Wild, Rabid animals would be us, domesticated animals are Sheriff's Department.

Mayor Vizzard said call animal control, we need to get this correct.

Mr. Jose Rodriquez asked Officer Baugh if on Fridays and Saturdays do the state police put more officers in the Laurel Lake to patrol.

Officer Baugh said no that there are officers patrolling in Laurel Lake during the week as well.

Mr. Rodriquez said he walks in Laurel Lake almost every day and during the week days he doesn't see any troopers in the lake but he does see them on Friday and Saturday.

Officer Baugh said I'm definitely going to say my troopers are in the Laurel Lake area every day. It doesn't change our station staff.

Mr. Rodriquez said I walk Battle Lane all the time, I don't see them but cars are speeding on Battle all the time.

Mayor Vizzard asked if anyone else had questions for Officer Baugh and being none he thanked him for taking his time to respond to those that had issues.

Mayor Vizzard said getting back to the agenda, I see we have minutes for consideration of the following meetings:

Minutes of Agenda Meeting July 12, 2021

Minutes of Regular Meeting July 15, 2021

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

Mayor Vizzard said we have consideration of Bill List for the month of August 2021 as prepared by Pam Humphries, CFO.

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

Mayor Vizzard said Committee has a letter from Michael Gruccio, Attorney for Covia Solutions, Inc. to approve an extension of Sand Mining Permitting License until January 4, 2022 as allowed under the New Jersey Permit Extension Act, due to COVID 19.

Mayor Vizzard said committee approved at Monday's meeting a resolution which is on the agenda tonight approving request.

Mayor Vizzard said we have an ordinance for second reading and public hearing:

ORDINANCE 2021-606

AN ORDINANCE PROVIDING FOR THE SETTING OF MUNICIPAL STANDARDS AND QUALIFICATIONS, APPLICATIONS, FEES AND ADMINISTRATION FOR THE LICENSING OF MEDICAL AND PERSONAL USE OF CANNABIS ESTABLISHMENTS IN THE TOWNSHIP OF COMMERCIAL PURSUANT TO THE NEW JERSEY CANNABIS REGULATORY, ENFORCEMENT ASSISTANCE AND MARKETPLACE MODERNIZATION ACT.

Mayor Vizzard asked for a motion to open the meeting to public on Ordinance 2021-606.

Committeeman Jamison made motion to open to the public. Committeeman Broughton seconded.

Mayor Vizzard asked for comments from the public.

Mr. Vandergrift asked about outdoor growing and he didn't see it in the ordinance.

Mayor Vizzard said, no it is not in the ordinance.

Mr. Vandergrift asked if it was going to be added

Mayor Vizzard said no.

Mr. Vandergrift asked will it ever be added.

Mayor Vizzard said no.

Mayor asked for additional comments and being none asked for motion to close the public portion and to adopt ordinance.

Committeeman Broughton made motion to close public portion and to adopt ordinance and Committeeman Jamison seconded to close public portion and to adopt Ordinance 2021-606. Roll call vote unanimous.

Mayor Vizzard said we have the following resolution for consideration and same will be read by title only.

Resolutions are typed in their entirety in the minutes of the meetings.

RESOLUTION 2021-80
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 erroneous assessments were placed upon properties as listed below for the tax year 2021, and

WHEREAS, the Tax Assessor has indicated that a demolition of the improvement or partial demolition of the improvement on these parcels was property conducted in 2020 and the improvement values should have been removed or partially removed from the assessment and MOD IV for 2021, and

WHEREAS, the Tax Assessor reports the correct assessment for 2021 as listed below, and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Commercial.

1. That the governing body acknowledges the Tax Collector's report of uncollectible.
2. That the Tax Collector is hereby authorized to cancel the 2021 tax along with the preliminary first half of 2022 as indicated below.
3. That any overpayments that were created be refunded or credited forward.

Block/Lot	Assessed Owner	2021 Error Assessment	Corrected Assessment	Difference To Cancel	Tax To Cancel 2021/1 st 1/2- 2022
131/9654	Craig Bessinger	\$85,600	\$26,000	\$59,600	\$2,575.61
144/10494	Troy Huntley	\$78,400	\$15,500	\$62,900	\$2,718.23
225/18	Bivalve Packing	\$214,900	\$180,600	\$34,300	\$1,439.56
237/10	Federal Nat'l Mortgage	\$129,300	\$14,600	\$114,700	\$4,813.96
251/6	Hannah/Mark	\$83,700	\$10,200	\$73,500	\$3,084.79

Nichols

266/30	Bivalve Packing	\$30,800	\$17,600	\$13,200	\$ 553.99
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RESOLUTION 2021-81
Authorizing Clerk's Office To Advertise For Bids For
Solid Waste and Recycling Collection For 2022, 2023, 2024

WHEREAS, Gold Medal our current solid waste and recycling trash contractor's contract will expire December 31, 2021; and

WHEREAS, Specifications have been prepared and an advertisement has been sent to the Atlantic City Press for bids to be received Tuesday, October 19, 2021 prior to 10:00 a.m.; and

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Commercial that the clerk's office is hereby authorized to solicit bids for Solid Waste and Recycling for the Township for period January 1, 2022 thru December 31, 2024.

RESOLUTION 2021-82
Commercial Township Governing Body Approves An Extension
On Covia Solutions Inc. Sand Mining Permit License Under The
New Jersey Permit Extension Act Of 2020

WHEREAS, Covia Solutions Inc., 2829 Technology Forest Blvd, Suite 100, The Woodlands, TX 77381 had sent a request to the Township Committee to extend their Sand Mining Permitting License which would expire on September 5, 2021, regarding Phase 2 and Phase 4A, known as Block 172, Lot 1, Block 173, Lot 2, Block 173 Lots 1-6, Block 269, Lots 1.01, 1.02, for an extension of 180 days; but

WHEREAS, the New Jersey Extension Act of 2020 N.J.S.A. 40:55D-136.7 et. Seq. (the "ACT") by express provisions, appears to automatically extend the duration of Covia's Phase 2 and 4A Site Plan Approval, Conditional Use Permit for Earth Extraction, as granted by the Land Use Board and the Sand Mining License as granted by the Township Committee. The Act trolls the term of certain permits and approvals in recognition of the COVID-19 Pandemic in order to accomplish a three-fold purpose:

- A. To prevent wholesale abandonment of approval projects and activities due to unfavorable economic conditions.
- B. To prevent the waste of public and private resources; and

- C. To allow for a quick and efficient resumption of projects when it is safe to restart normal business and government activity.

WHEREAS, the New Jersey Permit Extension Act of 2020 stipulates that to qualify for protection, an "Approval" must be unexpired as of March 9, 2020, and in respect to Covia's Phase 2 and 4A Site Plan Approval, its Conditional Use Permit for Earth Extraction and its Sand Mining License, all were effectively in place on March 9, 2020, and all of which are subject to a five year term, a term which does not expire until September 5, of this year; therefore

BE IT RESOLVED, by the Township Committee of the Township of Commercial that the committee recognizes and confirms, in their respective areas of jurisdiction that the duration of the Sand Mining License associated with Phase 2 and 4A of the mining operations conducted by Covia in Commercial Township remain protected, valid and effective until, at the very least, January 4, 2022, in accordance with the terms and provisions of the New Jersey Permit Extension Act of 2020.

Mayor Vizzard asked for a motion on Resolutions 2021-80, 81, 82.

Committeeman Jamison made motion to approve Resolution 2021-80, 81, 82 and Committeeman Broughton seconded and a unanimous roll call vote taken.

Mayor Vizzard asked for reports of officials, and called upon Mr. Barney Hollinger, Riverfront Consultant.

Mr. Hollinger said that there was a Bayshore Council meeting this morning at 10:00 a.m. He said the Coast Guard will be installing (inaudible) Mouth of the River to start process to start dredging. He said next Wednesday, the Department of Environmental Protection Commissioner will be down. Node lines need to be changed.

Mr. Edward Dennis said we need a steering committee, somebody that knows the river and the issues it has. Flood insurance and Federal funds overall doesn't look good.

Mr. Hollinger said there is a meeting tonight at 7:00 p.m., a zoom hazardous mitigation with Fred Hundt.

Mr. Dennis said if you have a list of projects, you need to submit them. He said FEMA money and trust funds has just spent tons of money, so it a bust right now.

Mayor asked for motion to open the meeting to the public and Committeeman Jamison made motion and Committeeman Broughton seconded.

Mr. Jose Rodriguez said he is tired of his neighbor still dumping trash on other people's property, cars are still in the yard, he put brush out for the township to pick up. I'm tired of it. I spend a lot of time on my property. I'm tired of it and I want something done.

Committeeman Broughton said I went out and inspected the property, but I didn't feel it was as bad as you described.

Mr. Rodriguez said trash still across street, cars are still there.

Mayor Vizzard asked Mr. Rodriguez, do you own the property where he is dumping his trash, if you don't, we will have to get who does own it.

Mr. Rodriguez said no, it's not his property, belongs to some woman and she never comes down.

Mayor Vizzard said the township is going to have to find out who owns the property because we're not going to clean it up.

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

Committeeman Jamison made motion to close public portion and to adjourn meeting.

Committeeman Broughton seconded. Meeting adjourned.

Hannah E. Nichols, Township Clerk