

Minutes of the Regular meeting of the Township Committee of the Township of Commercial held on February 17, 2022, at 6:00 P.M., at the Township Hall at 1768 Main St. Port Norris, NJ

Those Present:

Mike Vizzard	Mayor
Fletcher Jamison	Deputy Mayor
Joseph Klaudi	Committeeman
Thomas Seeley	Solicitor
Edward Dennis	Engineer
Heather Sparks	Township Clerk
Nick DiCosmo	Engineer

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 for reports of officials. No officials were there to report.

Mayor said we have consideration of prior meeting minutes
Reorganization meeting, January 7, 2022
Agenda Meeting, January 18, 2022
Regular Meeting, January 20, 2022

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

Mayor said we have the bill list. Consideration of the bills received for the month of February as prepared by the Chief Financial Officer.

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

Engineers report – Ed Dennis said I have a few updates, a lot going on as far as a number of DOT grants we are closing out and just starting up. We have a few projects down at the river that we are closing out with DOT and getting all that documentation squared away with DOT so we can get our final reimbursement. Same thing for Red Fern, Keron Drive and Parsons Lane. All those projects are complete, just working on the final paperwork with DOT. We do have a couple proposals on the agenda tonight. One is to move ahead with the remaining work on the next phase on the river front project which includes the bridge on Miller Avenue and the sluice gate replacement. This was a project that was being mostly funding by a grant through DOT and the balance of the project is being funded by an interlocal agreement with Cumberland County which has kicked in another half a million dollars toward the bridge work so we now have the funding in place for us to move ahead and finish out the engineering work on that project so we can get it out to bid. There is also I believe on the agenda a proposal for us to move with remaining engineering work on Cobb and Brown Street and the repaving of those roads. That is on for approval to proceed. We will get that out to bid in time for construction in late Spring,

early Summer. So those are the projects starting this year. Another update would be we have our plan endorsement process through the DCA we are working on, it's moving along. We are on schedule to meet DCA requirements, so we don't lose any center designations. I believe we have a tentative date, there is a meeting we need to have that the DCA refers to as a Visioning Meeting, I believe that is the 14th. Mr. Dennis confirmed date with assistant Nick DiCosmo. Mr. DiCosmo' said it will depend on everyone's schedule. Mr. Dennis said we will confirm that date and move forward. Mr. Dennis said we also have a pending grant for work on the truck route at the river. This will actually include work to Main St., Haven't heard from DOT yet on that. We are also working with Clint Miller on the Mauricetown Park and the issue down there with the railing and the bulkhead, to use some of the grant funding we received for that project to repair the railing. Other than that, that's all I have for updates.

Mayor Vizzard said he had a couple projects he asked engineers to look into, one being a walking path in Haleyville. Where do we stand with that?

Nick DiCosmo responded that he was waiting for funding. He is going to try to apply for the Safe Routes school funding program.

Mayor Vizzard said just for clarification, the DOT you are working on now with partnering with the County, that is to repair the bridge on Main St., the approach to the bridge where the bump is. Yes, that it is a grant application we have in now.

Mayor said and that is to make the bump go away.

Ed Dennis said yes.

Mayor moved on to correspondence.

Leslie Kraus, Tax Collector provided her statutorily required annual report to the committee. Report shows that the collection rate for 2021 was 93% up from 91.22 in 2020.

Mayor Vizzard commented that that was good because for the last 5 years, it hasn't been that high.

Mayor Vizzard said next, we have a land sale and Mr. Seeley will conduct the sale.

Tom Seeley said I believe there has been an offer on block 139, lots 7927, 7928, 7929, 7930, & lots 7931, 7932. Offer is \$1,000 dollars each. Mr. Seeley asked if the person who made the bid was present. Mr. Benamino Giunta acknowledged he was present.

Mr. Seeley asked if there was anyone else that was interested in bidding on these properties. No one else expressed interest.

Mr. Seeley continued explaining how land sales work and the requirements.

Mr. Seeley said these properties were advertised in locally circulated paper and anyone present had a right to bid on the properties. Sale conditioned on the approval of the committee.

Mr. Seeley recapped financial requirements, and process after sale. Bidding began.

Mr. Seeley asked for bids on block 139, lots 7927, 7928, 7929, & 7930. Original bid is \$1,000. No other bid offers were made. Sold to Mr. Giunta for \$1,000.

Mr. Seeley said the next property is block 139, lots 7931 and 7932. Original bid is for \$1,000. Mr. Seeley asked if there were any other bids. With none, property was sold to Mr. Giunta for \$1,000. And that will be conditioned on committee approval.

Mr. Seeley asked Mr. Giunta to step into the conference room to complete the paperwork.

Mayor Vizzard said we have an ordinance for introduction 2022-611, An ordinance providing for the use of funds for equipment repair to backhoe available in the Capital Fund-Reserve for equipment repair and replacement.

We also have another ordinance for repairs to the township building. I think we are all in agreement that ordinance 2022-609 will not be voted on tonight which is for improvements to the township hall. In leu of the Mauricetown park has so many problems there. We aren't going to spend money on this building, we are going to put it into the park and get that park repaired. With ordinance 609, part of the funding for the renovations of this building is coming from the sate recovery funds that we have for covid. We are allowed to use 40% of the bid from those funds which would leave an addition \$79,000 coming out of the capital improvement fund. We feel we are better off putting that money toward the park.

Mayor Vizzard, so we have ordinance for introduction, ordinance 2022-611.

A motion was made by Committeeman Jamison and seconded by Committeeman Klaudi to introduce the ordinance. Roll call, all were in favor.

Mayor – We have ordinance 2022-610 for 2nd reading and adoption. Ordinance 2022-610, Ordinance to exceed the municipal budget appropriation limit and establish a cap bank.

Mayor asked for a motion and second to open to the public. Motion was made by Committeeman Jamison and seconded by committeeman Klaudi.

With no comment from the public, committeeman Jamison made a motion and was seconded by Committeeman Klaudi to close the public portion.

A motion was made by Committeeman Klaudi to adopt ordinance 2022-610 and was seconded by Committeeman Jamison. Roll call vote, all were in favor.

Mayor said we have resolutions

RESOLUTION 2022-34

**Approving Contract with Richard E. Pierson Materials Corporation
For Cold Patch AT \$121.98 Per Ton Under the Cumberland County
Purchasing System Identification #181-CCCCPS**

WHEREAS, the Cumberland County Purchasing Office solicits bids and quotes on various products that are beneficial to the county and municipalities; and

WHEREAS, Cumberland County Purchasing obtained quotes for VOC-Compliant Cold Patch and Richard E. Pierson Materials Corporation was the lowest bidder at \$121.98 Per Ton which is available to municipalities; therefore

BE IT RESOLVED that the Township Committee approves a contract with Richard E. Pierson Materials Corporation at the cost of \$121.98 Per Ton of VOC-Compliant Cold Patch For the Commercial Township Public Works Department. Contract expires: August 31, 2022.

RESOLUTION 2022-35

Resolution of Preference for Approval of Cannabis Cultivation License for Pigment Holdings, LLC, By State of New Jersey Cannabis Regulatory Commission

WHEREAS, Pigment Holdings, LLC is a New Jersey Limited Liability company that is registered and authorized to conduct business in the State of New Jersey; and

WHEREAS, Pigment Holding, LLC, previously met with Commercial Township and discussed their intention to apply to the State of New Jersey for a cannabis cultivation license at property locate within the boundaries of Commercial Township; and

WHEREAS, Commercial Township has authorized the type of cannabis cultivation license that is being sought by Pigment Holdings, LLC, through Ordinance 2021-606; and

WHEREAS the issuance of a cannabis cultivation license to Pigment Holding, LLC, will not exceed any limit on the number of cultivation licenses allowed by Commercial Township; and

WHEREAS the property that will be leased and utilized by Pigment Holding, LLC, for a cultivation facility within the borders of Commercial Township is property zoned for such use and will not require the granting of any zoning variances or zoning changes in order for the cannabis cultivation facility to be operational.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of Commercial Township hereby demonstrates its preference for approval by the State of New Jersey Cannabis Regulatory Commission of the application for a cannabis cultivation license that is to be filed by Pigment Holdings, LLC,

Mayor said Resolution 2022-36 – Awarding contract to Capri Construction Co., Inc. for Municipal Building Interior Renovations will not be awarded and will be tabled.

RESOLUTION 2022-37

**Approving Proposal of Remington & Vernick Engineers
To provide remaining Engineering Design and Construction Phase Services for the
Reconstruction of Cobb Street and Brown Street**

WHEREAS, the Township of Commercial has received a NJDOT Grant in the amount of \$310,000 for the Reconstruction of Cobb and Brown Streets in Port Norris, NJ; and

WHEREAS Remington and Vernick Engineers submitted a proposal to the committee in the amount of \$33,500 for providing remaining professional engineering design and construction phase services in the Reconstruction of Cobb and Brown Streets; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that the committee has accepted the proposal in the amount of \$33,500 and the funds are to come from the following as provided by the chief financial officer in the certification of funds.

2022 NJDOT Cobb & Brown Street Match for RVE 2-01-41-865-418	\$14,000
2022 NJDOT Cobb & Brown Streets Grant for RVE	\$19,500
Available Balance	\$276,000
Remaining Balance	\$256,000
Total Amount Certified for RVE	<u>\$33,500</u>

RESOLUTION 2022-38

**Approving Proposal of Remington & Vernick Engineers to Provide Remaining
Engineering Design and Construction Phase Services for the Replacement of the Miller
Avenue Bridge
and Drainage Structure in The Amount Of \$185,000.00**

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

WHEREAS, Remington & Vernick Engineers have presented a proposal to provide remaining engineering design and construction phase services for the replacement of Miller Avenue Bridge and Drainage Structure (sluice gate) in the amount of \$185,000; and

WHEREAS, The County of Cumberland has agreed to enter into a shared services agreement with the Township in the amount of \$570,000.00 to provide the needed additional funding for this project.

WHEREAS the grant funded portion of the engineering design was previously authorized in the amount of \$55,000.00.

BE IT RESOLVED by the Township Committee of the Township of Commercial that proposal of \$185,000.00 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.

2021 NJDOT Port Norris Riverfront Improvement:	G-02-41-864-000	
Present Balance in Account:	\$ 1,245,000.00	
Total Amount of Engineering Certified	\$ 70,000.00	(Not to
Exceed)		
Total Amount of County Funding	\$ 55,000.00	
Remaining Balance in Account:	\$ 1,120,000.00	

Amount Certified: Total not to exceed \$185,000.

RESOLUTION 2022-39
Appointing Kenneth Wilson as Deputy OEM Coordinator

WHEREAS the Township of Commercial requires a deputy Office of Emergency Management Officer and with Fred Hundt resignation, the previous deputy was moved into the OEM Coordinators position leaving the need for a Deputy and:

THEREFORE, BE IT RESOLVED, the Township Committee has appointed Kenneth Wilson as deputy OEM Coordinator.

RESOLUTION 2022-40
Appointing Brian VanArtsdalen as Deputy OEM Coordinator

WHEREAS the Township of Commercial requires a deputy Office of Emergency Management Officer and with Mike Rodgers resignation as deputy OEM, a vacancy exists.

THEREFORE, BE IT RESOLVED, the Township Committee has appointed Brian VanArtsdalen as deputy OEM Coordinator.

Mayor asked for a motion to adopt resolutions 2022-34 through 2022-40 with exception to resolution 2022-36.

Committeeman Klaudi made a motion to adopt resolutions and was seconded by Committeeman Jamison. Roll call vote, all were in favor.

Mayor asked for reports of officials.

Committeeman Klaudi indicated he didn't have any.

Committeeman Jamison said all he has is that we cleared up the situation with the gentleman over here. He spoke with the guy, and he will no longer be parking over in front of the park.

Mayor wanted to clarify he was speaking of the tractor trailer. Mr. Jamison confirmed that he is speaking of the trailer.

Mayor said he had a couple things he wants to bring up. It looks like the State Police building is underway, looks like its going to be a go. The county of Cumberland is bonding that project for Commercial Township so there will be no monies from Commercial Township for the construction of that building. It will be owned by the state after a period of 40 years so they are going to get a new building and we will continue to get rent. Septic systems, I have been trying to use part of the American Recovery Funds to start a fund to repair septic systems in Commercial Township. It has cleared every hurdle but one. Cory Bookers office has been helping me out a lot with this. They just need to make sure; we are allowed to use those monies as a revolving account. My idea is if the township can take those monies and help someone buying or selling their house to repair their septic systems, when they go to settlement, we get that money back. It's added to the cost of the house. Then we will turn around and use that money for another septic system. Commercial Township has a very big problem with people abandoning properties and the reason they are abandoning properties is they can't afford to get the septic fixed. This way we aren't using township funds. We are using American Recovery Act Monies. We are trying to make where we can keep these properties on the tax rolls. It's not a given, but I think it's looking pretty good.

Mayor said we have also received the 2021 annual report from Commercial Township Environmental Commission. I want to say they do a very good work. They had a very good year and was productive on the projects they did. I would like to congratulate them.

Mayor said and, in a downward spiral, the marina will not be purchased by the state. Mayor said he was approaching the state and I have the letter. This came from manager of Green Acres, Department of Environmental Protection. Mayor read a portion of the letter explaining lack of interest in the marina. The letter asked if the township wishes to acquire it. Mayor said the Township does want to acquire it but can't afford it. Mayor said he was going to try and go back to some state offices to see if they can help us. I really do want to see that boat ramp stay

with the township. I don't want it just for the people of the township, I want people from all over the state to use it.

Mayor asked for a motion to open meeting to the public. Committeeman Klaudi made the motion and was seconded by Committeeman Jamison.

Mayor asked if anyone from the public wanted to speak.

Zack Taylor, 425 Petunia Place in Laurel Lake. He has had some trouble with a squatter in an abandoned property. He just wanted to come down to see where it's at. He has called the police; they say he is allowed to be there. I tell them he is not. I don't know, I have pictures. Code Enforcement, I believe they went out and took a look at it. Just wondering where were at on that.

Mayor Vizzard stated that he was aware of it. What I have done, and it is very difficult to kick anyone out of a house whether they own it or not. With that being said, I asked our attorney, Tom, to send them a letter telling him, if he wants to buy the property, we will sell him the property because it is township owned property. He is not allowed there; we are not allowed to kick him out. But we are allowed to offer him to buy it. That's the approach I took. I don't want to just kick the man out, he needs a place to live so if he is willing to buy it, we are willing to sell it to him. If he doesn't want to buy it, he is going to be removed by the Sheriff's department, but we have to go through all this legal stuff. It's not an easy thing to do. It's unfortunate that the township owns these properties and can't watch them but that's another reason I want to get the septic systems fixed.

Mr. Taylor said it's just I've never seen anything like this before. I don't even like leaving my house with this guy. He plugged an electric cord into my house. I walked a way for a day maybe and he had this extension cord going across the yard. It's just crazy.

Mayor said you have the right to call the state police on that. He's stealing your electric.

Mr. Taylor said he did, they didn't do anything.

Mayor said you're going to have to press charges.

Mr. Taylor said I don't want to get him in trouble, I just want him gone.

Mayor said but if you don't press charges, they can't do anything.

Mr. Taylor said he understood.

Mayor said we are trying to work this out humanly.

Mr. Taylor said I get it, I've had hard times in my live, I'm not a fancy guy.

Mayor thanked Mr. Taylor for bringing it to our attention. The truth of the matter is the township is liable.

Mr. Taylor said he understands, no one wants to say anything to him.

Clint Miller addressed Committeeman Jamison saying he had that particular house on a demo list for spring. I'm guessing that I can't go forward with that.

Committeeman Jamison said no, don't touch it.

Mayor Vizzard said no, we are going to have to wait. It's either he is going to buy it or he will be evicted and an eviction will probably be a year.

Patty Edelman, 140 Shell Rd. Laurel Lake- She states she was here back in October or November of last year about a house at 153 Shell Rd. Nothing has been done. I just want to know if anything will be done about getting that property cleaned up. It really is an eye sore.

Mayor Vizzard said yes, there has been. I believe if I remember correctly, that is the property that township went and cut the grass on.

Ms. Edelman said nothing has been done.

Clint Miller said they did cut that property, but it was last year.

Ms. Edelman says there is trash all over, bags of clothes that have been opened. Ms. Edelman continues to say people are going there and the trailer is open. Also, the feral cats are a problem and with spring coming there will be kittens.

Mayor Vizzard said, I know the owner was written a citation. According to the Code Enforcement officer, he is supposedly working with the owner to get the property cleaned up. That's the best we can do right now but he was given a citation and has paid the fine.

Kathy Hudoka, 3307 Lakeshore Dr. – I know this has been addressed by you guys, the property at Evergreen and Battle. It's a trailer, he has 6 trailers there. I know it was addressed by someone here, but my question is, he has 30 days to do one trailer. He has 5 or 6 trailers, that will take it to summertime. He told someone he was going to have to move because he was getting custody of his daughter. What are we going to do if he just leaves and leaves these trailers?

Mayor Vizzard said I'm really not familiar with this one. Is these 6 trailers your speaking of, are they mobile home trailers or what on one lot.

Mrs. Hudoka said yes. One trailer is his home.

Clint Miller said there are a few small camper trailers

Mayor Vizzard asked what the 30-day notice is she has referred to.

Mrs. Hudoka said your code officer, Steve, he sent a notice out. He said it would be one trailer per citation.

Clint Miller said that's the one where Steve told him if he gets one trailer a month off, he'll keep working with him.

Mrs. Hudoka said but that's summertime, who wants to sit outside and

Mayor Vizzard said, the man is working on it. I don't know what his financial situations are, but the deal Steve made with him was move a trailer a month and we'll work with you. If you don't move anything, we won't work with you.

Mayor Vizzard asked if there was anyone else from the public, seeing none asked for a motion to close to the public.

Committeeman Klaudi made the motion and was seconded by Committeeman Jamison. Mayor asked if the two OEM Deputy Coordinators were present.

Solicitor Tom Seeley asked Kenneth Wilson and Brian VanArtsdalen to come forward to be sworn in.

Solicitor Seeley conducted the swearing in of the two new OEM Deputy coordinators.

The Committee congratulated the two new OEM Coordinators.

Mayor said under additional considerations, the Commercial Township rabies clinic is scheduled for April 2, 2022, from 12:00 noon to 3:00 pm and that is at the Laurel Lake Fire Hall. And the municipal calendar has been at the printer and is expected to be mailed out next week.

With nothing further, Mayor asked for motion to adjourn the meeting. Mr. Klaudi made the motion and was seconded by Mr. Jamison.

Respectfully Submitted,


Heather Sparks, Deputy Clerk