

Minutes of the Regular meeting of the Township Committee of the Township of Commercial held on July 21, 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
Heather Sparks	Township Clerk
Clint Miller	Public Works Supervisor

Those Absent:

Edward Dennis	Engineer
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 acknowledges that no state police were present to give a report.

Mayor said that Engineer, Nick DiCosmo will not be in attendance. Engineer provided report to Mayor who will present.

Mayor asked guest, Eduard Gilbert Renart to come forward with his presentation.

Mr. Renart – 134 Mercer St., Jersey City, NJ, Requesting of the Committee members to sell some tax liens owned by the township of Commercial. Last month he sent a letter to each of the committee members with a list of liens owned by the township. He is interested in purchasing these properties, foreclosing on them, fixing them up and bring hard working men and woman back to this community. In driving around, he saw that there are a lot of abandoned properties, lots of trash and garbage. He would like to get them cleaned up. If the property is old and dilapidated, we would bring new houses. If the properties are reparable, we will repair them and bring them to standards.

Mayor Vizzard asked a few questions. Mayor said he understands what it is he is trying to do and thinks that it is admirable but there are a lot of properties listed. Mayor referenced that the letter says that you will fix up these trailers, then sell them. The properties that the trailers are on, are not big enough to build on. Mayor asked what the intent is for the properties that had the trailer on them?

Mr. Renart said the property would stay as is. The trailer would be sold. There may be cases where we sell the trailer and rent the land. There may be circumstances where we sell the whole package. Something that they offer is financial services.

Solicitor Seeley suggested that would make it a rental.

Mr. Renart said It is not a rental. The home is theirs and can be moved at any time.

Mr. Seeley said but the land would be the rental.

Mayor Vizzard said but if the mobile home is moved, they can't bring another in, the property is not buildable. You cannot get a septic there. I just want to get to the bottom of what you're doing. We can not sell you that property knowing that it is not buildable. It doesn't meet the requirements of a buildable property.

Mr. Renart said he understood.

Mayor asked what then his intention will be

Mr. Renart said if the property is repairable, we will repair it. If it is not, we will cut our losses. Knowing that, the list will get shorter.

Mayor said he didn't want to do nothing for him but suggested starting with 1 or 2 properties.

Mr. Renart agreed and thanked the committee for their time.

Mayor moved on to approval of meeting minutes for previous meetings of June 13, 2022, and June 16, 2022. Mayor asked for a motion and second for approval.

Motion made by Committeeman Klaudi and seconded by Committeeman Jamison. Roll call, all were in favor.

Mayor asked for consideration to approve the bill list for the month of July as prepared by the Chief Financial officer.

Motion was made by Committeeman Jamison and was seconded by Committeeman Klaudi. Roll call, all were in favor.

Mayor Vizzard presented the Engineers report –

- Port Norris Riverfront roadway improvements, the revised closeout documents have been received by NJDOT for review. Final DOT reimbursement pending review of closeout documents.
- Reconstruction of Keron Drive and Parsons Lane, final reimbursement has been received by the Township and the project is 100% complete.
- Port Norris Riverfront Improvements phase III, all additional information has been sent to the Army Corp of Engineers for review. Working on updated compliance statement for wetlands and flood hazard permits.
- The Plan Endorsement is waiting on a report from the state. Expect by the fall of this year.
- FY 2022 NJDOT Reconstruction of Cobb Street and Brown Street. Recommended award base bid A. The full project is from Cobb Street to Market Street to APS Construction.
- FY 2022 Local Freight Impact Fund, the reconstruction of Yock Wock Road and High St. The survey and pavement course has been completed. Waiting for base plans to be drafted and will begin design.
- FY2022 Mill and overlay of Main Street, survey is pending. Road course is completed. Updated coat estimate is completed and ready to be sent to the County for their review for the shared service agreement.
- Mauricetown park improvements. The inspection report shows the bulkhead has significant deterioration. Does not seem cost effective to repair. It is recommended to replace the bulkhead. We are in the process of investigating funding sources at this time to pay for the replacement of the bulkhead.

- FY2023 DOT state aid applications have been submitted
- The gas company in Laurel Lake. The gas company road opening repairs. They have agreed to mill and pave the unacceptable repairs on Magnolia and Cherry in August, and they have also indicated that several other areas will receive half with mill and pave in Laurel Lake once all their work is complete.

Next Mayor went over correspondence –

1. Letter from Competition Dirt Riders, Requesting Parade Permit for their annual motorcycle event which starts at the Mauricetown Fire Hall. The date is August 28, 2022. Their route encompasses all county roads. Resolution on tonight for approval.
2. Letter from Justin Campbell of 524 Cherry St. He is interested in purchasing township property at 417 Cherry St. Property has a small trailer with addition. Would like to fix up to live in. Mr. Campbell is offering \$5,000. The committee reviewed the offer and agreed to accept the offer as a minimum bid. A motion was made by Mayor Vizzard and seconded by committeeman Jamison. Clerk indicated that the land sale would take place in September.
3. Received notification from NJDEP that the township is being reassigned from a Tier B to Tier A municipality under the Municipal Separate Storm Sewer System. This will require more of the township to remain in compliance with storm water management. Notice has been provided to the Engineer as stormwater program coordinator. Mayor said that the committee is opposing this. This change will require a lot of the township right down to street sweeping machines. There will be a meeting set up with DEP the Mayor plans to attend. All the municipalities are against this.
4. Received quote for purchase of one (1) 2022 International CV515 Cab & Chasis for the Public Works Department. Purchase would be through Sourcewell Co-op with Hunter Truck Sales and Service. Quote is for \$111,496.50. CFO has confirmed funding is available. Committee agreed to move forward with this purchase. A resolution will be on for next month's meeting.
5. Correspondence from Leae Parmenter of Family Success Center. There is an opportunity for a fully funded playground at the Spring Garden Rd. location by Inspira Health. The center is requesting approval to start the project. The committee was in agreement to allow but wants to ensure proper insurance is in place.

Resolutions –

Clerk indicated that resolution 2022-75 needed to be adopted before passing resolution to award contract for Brown Street project.

Resolution 2022-75
TOWNSHIP OF COMMERCIAL
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
PURSUANT TO
NJS 40A:4-87

(\$52,400.00 -for ARP Grants Receivable/Reconstruction of Brown Street.

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of a municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, Said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Commercial will utilize \$52,400.00 of the ARP Stimulus Funds/Grants Receivable for the Reconstruction of Brown Street.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Commercial hereby requests the Director of Local Government Services to approve the insertion of the following items of revenue in the budget year 2022 in the sum of **\$52,400.00** which item is now available as revenue from:

ARP Grants Receivable	\$52,400.00
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BE IT FURTHER RESOLVED that like sum of **\$52,400.00** be and the same is hereby appropriated under the captions of:

2022 Reconstruction of Brown Street \$52,400.00

BE IT FURTHER RESOLVED that the above is a result of monies totaling **\$52,400.00** from ARP Grants Receivable.

Date: **July 21, 2022**

BE IT FURTHER RESOLVED, that the Township's Chief Financial Officer will submit this Chapter 159 electronically on the Division of Local Government Services website.

CERTIFICATION

I hereby certify the foregoing Resolution was duly adopted by the Township Committee of Commercial Township, County of Cumberland, and State of New Jersey, at a regular meeting held on Thursday, July 21, 2022, held at the Township Hall, 1768 Main Street, Port Norris, New Jersey 08349 at 6:00 p.m.

HEATHER SPARKS, Clerk

Committeeman Jamison made a motion to adopt resolution 2022-75 and was seconded by committeeman Klaudi. Roll call, all were in favor.

RESOLUTION 2022-76
Resolution to Cancel State/Federal Grant Balances

Whereas: There are balances remaining in various Federal/State Grant line-items that should be canceled that are no longer needed,

Therefore, be it resolved that the following Grant reserves and receivable balances to be canceled:

Receivables:

2014 ANJEC Grant- Lake Audrey	\$	15.00
2016 NJDOT Grant- Raymond Drive III	\$	20,800.05
2015 NJDOT Doris, Ferry Maurice	\$	11,274.60
2012 NJDEP Bivalve Shore Protection Grant	\$	75,000.00
2012 FEMA Grant- Bivalve Station	\$	30,975.00

Total to be canceled. \$ 138,064.65

Reserves:

2014 Laurel Lake Small Cities Grant	\$	746.00
2014 ANJEC Grant- Lake Audrey	\$	15.00
PetSmart Charities Grant	\$	22.60
2016 NJDOT Grant – Raymond Drive III	\$	25,800.05
2019 NJDOT Grant – Whittier, Iris, Magnolia	\$	9,708.98
2012 NJDEP Bivalve Shore Protection Grant	\$	75,000.00
2012 FEMA Grant- Bivalve Station	\$	11,535.00
2012 NJDEP Bivalve Shore Protection Match	\$	18,750.00

Total to be canceled. \$ 141,577.63

RESOLUTION 2022-77

Authorizing Assignment

WHEREAS, NJSA 54:5-113 authorizes assignment by a municipality of tax sale certificates for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges: and,

WHEREAS, NJTL Capital, LLC has presented an offer to purchase, by assignment, Certificate # 17-00052, which was issued to the Township of Commercial at a tax sale held January 13, 2017 on Block 85, Lot 8962, known as 442 Dandelion Road, Millville, NJ and assessed to David A. Lewis in the amount of \$1,993.52, being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Commercial hereby authorizes the Mayor and the Municipal Clerk to execute the necessary assignment documents to effect assignment of the above-referenced Certificate of Sale.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Tax

RESOLUTION 2022-78

Resolution to Authorize Township Solicitor to Proceed with In-Rem Foreclosure

WHEREAS, N.J.S.A. 54:5-104.35 provides the authority for the governing body to proceed with the "In Rem" foreclosure process on those municipally held tax sale certificates held for more than six months from the date of Tax Sale, and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Commercial, County of Cumberland, State of New Jersey, hereby authorizes the Township Solicitor to proceed with "In-REM" foreclosure, by conducting title searches, filing a copy of the complaint and any documentation required to all proper courts and authorities including the offices of the Tax Collector, County Clerk and Attorney General of the State of New Jersey, for those properties as appearing on the attached Tax Foreclosure List as prepared by the Tax Collector.

RESOLUTION 2022-79

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Clerk of Township pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Schedule of Findings and Questioned Costs", and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Schedule of Findings and Questioned Costs", as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Commercial, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION 2022-80

Approving Competition Dirt Riders Annual Motorcycle Parade

BE IT RESOLVED by the Township Committee of the Township of Commercial that the Annual Competition Dirt Riders Motorcycle Parade is approved for August 28, 2022, commencing from the Mauricetown Fire Hall, Noble Street, Mauricetown, New Jersey; and

BE IT FURTHER RESOLVED that the parade route will be as follows:

Noble St., CR#744, By-Pass Rd., CR #649, Haleyville Rd., CR # 676, Ackley Rd., CR #718, Dividing Creek Rd., CR # 555, Newport Road., CR # 610, Buckshutem Rd., CR #670, Millville-Fairton Rd., CR # 698 and Cedarville Rd., CR #610.

RESOLUTION 2022-81

Awarding Contract to Asphalt Paving Systems for the Reconstruction of Brown Street in the Amount of \$342,400 through the FY 2022 New Jersey Department of Transportation Municipal Aid Program

WHEREAS, the Township of Commercial accepted bids for the reconstruction of Brown Street, Port Norris, NJ, on July 19, 2022 at 11:00 a.m. One (1) bid(s) were received and reviewed by Engineer for completeness; and

WHEREAS, in accordance with the Local Public Contracts Law NJSA 40A: 11-1, et. Seq., the contract is normally awarded to the lowest responsible bidder;

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Commercial hereby awards a contract to Asphalt Paving Systems for base bid in the amount of \$342,400.00 for the reconstruction of Brown Street in Port Norris if approved by municipal solicitor and certificate of funding by Chief Financial Officer.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified funding for contract awarded to Asphalt Paving Systems in the amount of \$342,400.00 from the following accounts:

G-02-41-867-000	2022 NJDOT Reconstruction of Brown St.	\$275,000.00
Balance in Account	\$275,000.00	
Remaining Balance	-0-	
G-02-41-868-000	2022 NJDOT Reconstruction of Brown St. Match	\$ 15,000.00
Balance in Account	\$15,000.00	
Remaining Balance	-0-	

G-02-41-868-001	2022 ARP Grant Receivable	\$ 52,400.00
Balance in Account	\$52,400.00	
Remaining Balance	-0-	

Total Amount Certified \$342,400.00

CERTIFICATION

I hereby certify the foregoing Resolutions were duly adopted by the Township Committee of Commercial Township, County of Cumberland, and State of New Jersey, at a regular meeting held on Thursday, July 21, 2022, held at the Township Hall, 1768 Main Street, Port Norris, New Jersey 08349 at 6:00 p.m.

HEATHER SPARKS, Clerk

Mayor asked for a motion to approve resolutions 2022-76 thru 2022-81. A motion was made by committeeman Klaudi and seconded by committeeman Jamison. Roll call, all were in favor.

Mayor said we have two land sales. This will be conducted by Solicitor Seeley. Mayor wanted to make clear that on the first property with Edwin Soto. Mayor addressed Mr. Soto saying that he expressed he would like to build a garage or camper on the property. Mr. Soto came forward and explained that the main reason he wanted the property was to avoid encounters with indigents and the people that live around here making the neighborhood horrible. Not only that, but they also threaten people. It is uncomfortable. I am willing to put a lot of money out of my pocket to come there and spend time with my family and away from the city. I am retired military with few years left and want to live in peace. The main reason I want to buy this, is to get them out. I have no idea what I am going to do with this. I would even buy the corner where the mother lives to these indigents if I could. Peace and quiet has a price.

Mayor Vizzard said, your letter indicated you maybe would put a garage, I just need you to know that is not permissible.

Mr. Soto said he was just throwing ideas in the air because I do own a lot of old cars. If it is not legal, then it isn't legal. The main reason is to just get rid of the indigents.

Mayor turned the sale over to Mr. Seeley.

Solicitor Seeley explained the land sale process and suggested land purchased should have a title search done.

Solicitor Seeley asked if anyone else was present that was interested in the property being sold at 435 Petunia, block 116, lot 9959.

A gentleman from the audience spoke up saying he was not an adjoining owner but would be interested in bidding.

Mr. Seeley started auction. Starting bid was by Mr. Soto in the amount of \$1,225.00. Bidding ended at \$1,500, sold to Mr. Edwin Soto. There was a roll call vote accepting the bid of \$1,500. All were in favor.

Mr. Seeley moved on to the next sale. Bid was received from Steven and Susan Chester in the amount of \$500.00 for two properties, block 135, lot 7020, 312 Aster Rd. and lot 7022, 316 Aster Rd. The combined lot size will be 80X100.

Mr. Seeley asked if there was anyone else present interested in bidding on this property. With none, the property was sold to Steven and Susan Chester in the amount of \$500.00. There was a roll call vote accepting the bid of \$500. All were in favor.

Reports of officials –

Committeeman Klaudi said that he contacted the Sheriff's department. He told them about the speeding problem we have on 553. They ran 2 operations, two weeks apart. They said they were going to put their camera out there and see if they can reduce the speeding problem we have. Mr. Klaudi has not received any feedback as to how many tickets were issued.

Mayor Vizzard questioned clerk on e-mail sent regarding health care cost going up. IS this something we can all get together to fight.

Clerk indicated it was information purpose only at this point. The League of municipalities opposes this increase and encourages municipalities contact legislature and oppose it.

Mayor indicated he would like to do that.

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

Jose Rodriguez of Satinwood Rd. Came to complain about the same thing he has complained about for the last 7 years. He came down and spoke to code enforcement on Monday. He was told there was nothing that can be done. Mr. Rodriguez said that he could do something about the trash and code enforcement said there was nothing he could do. I want to know who I need to speak to?

Mayor Vizzard said, you say you have been complaining about the same thing for 7 years. This committee has not, done nothing. The committee has done what they can. If the guy refuses to adhere to it...

Mr. Rodriguez said so you can do anything.

Mayor Vizzard said, this guy has received tickets, he has paid fines and he is going to live how he is going to live. We can't force him to live any different.

Solicitor Seeley said if he was issued a ticket and as a result of the ticket, is given a fine, and he pays it, you are back at square one.

Mr. Rodriguez said a two years ago, it was Covid, and I understand that. Now it's the same thing again. He has more cars out there. The front of his has is full of trash. It's embarrassing when people come to visit you.

Solicitor Seeley offered advice suggesting that he take it to civil court and file a civil action against him. The township can only act thru the municipal judge. A superior judge may have more bite.

Mayor Vizzard said if you do take him to court, we will provide you with whatever paperwork you need showing everything we have done that he has not complied with. Its public knowledge anyway.

Committeeman Klaudi said the last time you were in, I went out there and he was issued citations and fines. Mr. Klaudi said he would have code enforcement go out again.

Mr. Rodriguez said I thought, if he gets a ticket, the judge will make him clean up the property.

Solicitor Seeley said he probably did.

Mr. Rodriguez thanked the committee and also thanked them for taking down the Laurel Station. That was another concern. At night, kids were always there breaking glass and hanging around.

Mayor stated public works found a lot of needles.

With no one else from the public wishing to speak, the Mayor asked for a motion to close the meeting to the public. Motion was made by Committeeman Jamison and seconded by Committeeman Klaudi.

Mayor said additional considerations –

The Commercial Township Recreation Committee is hosting a fall festival and car show on October 1, 2022, from 1pm to 5pm here at the township hall.

The Veteran's Park Committee is hosting a spaghetti dinner at the Mauricetown Fire Hall on October 15, 2022. It will be take-out only. Cost is \$15 for adult and \$7 for child.

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, Township Clerk