Minutes of the Agenda meeting of the Township Committee of the Township of Commercial held on December 12, 2022, at 6:00 P.M., at the Township Hall, 1768 Main Street, Port Norris, NJ.

Those Present:

Mike Vizzard Mayor

Fletcher Jamison Deputy Mayor

Joseph Klaudi Committeeman

Thomas Seeley Solicitor

Nick DiCosmo Engineer

Heather Miller Township Clerk

Clint Miller Public Works Supervisor

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 in full compliance of the Open Public Meeting Act.

Mayor asked Barney Hollinger for his Riverfront Consultant report.

Mr. Hollinger- On 11/29 he attended the Commercial Township State planning meeting which led to the next meeting held on Thursday. The New Jersey Resilience Accelerator for the State plan. One thing that came out of it was the expected sea level rise by 2100. Sandy was between 5 and 7 feet. If you look at NJfloodmapper.org, you can overlay each storm and find out where your problems are. The second half of the meeting had someone from FEMA and it was one of those break out sessions to do a what if. It had nothing to do with what the meeting was about. It was good up until that point. I guess when the guy from Rutgers is done, there will be a value of property in the township that will be used for study and planning. The next meeting is going to be an in-person meeting, I don’t think I’ll be able to attend that one. They are asking for the township to pick people, someone from the Environmental commission, township engineer. The Bayshore Council doesn’t meet again until Thursday morning, so I don’t have anything there. The only other thing I have is, down to Shellpile there is a bump of sand on Berry Ave. coming out of the marina there. Up the road a bit on the right is just solid sand. In Bivalve, the road up by the clam house is completely flooded at high tide. The bulkhead is wiped out and Mount Construction is gone. The equipment is down there but nothing is going on.

Clint Miller said he was going to bring it up. He has been getting complaints from the residents and the clam house. It is really bad. Even on a regular tide. Mr. Miller had pictures to show the damage. The employee parking is totally under water. Mr. Miller spoke to Todd Reeves to let him know how serious this is. Apparently Mount won a big contract for pretty much the same kind of work so they are in the process of buying it, they are in negotiations. Mr. Miller said we really can’t wait for negotiations but regardless someone has to contact us and let us know what their plans are. We can’t live like this in winter. If we have a bad storm, we are going to have a serious problem down there. It’s washing across the road every day. Todd is going to reach out to them and someone from Mount is going to reach out to us.

The discussion continued as to the extent of damage and flooding occurring on the property and the effects. Also discussed was who the responsible party is and conveying to them the seriousness of the situation.

Clint Miller – It looks like Mount won this bid so thank God we got the grant for High St. The job they are going to be doing down there is 10 times that size so imaging the truck traffic we are going to have on High St.

It was determined that ALS, American Littoral Society holds the contract with Mount and they need to force Mount to make the repairs. Contact information for someone at ALS was provided to Tom Seeley.

Mr. Hollinger – He spoke to Mr. Errickson that has one of the shell trucks down there and he says that since Mount was there, it seems like the road is floating down by the shucking house.

Mayor Vizzard – Suggested that we get involved in the negations of the new contract to ensure all parties can inspect and monitor the road and note any determinations from higher truck usage.

Mr. Hollinger – It is my understanding that this is now going to be a part of their business. They are going to be doing more than just this one job. They are here to stay.

Nick DiCosmo – We designed this road based on the truck ratio at the time. It is still designed for tri-axle trucks. It could shorten the usable life. We stopped right up to where the township road stops. Anything beyond that really isn’t township responsibility.

Mayor Vizzard – Lamonica already has 80,000 lb. trucks coming in there. Mounts going to say you already have 80,000 lb. trucks coming through here, how can you say it’s my trucks. You’re saying the increased traffic could shorten the life of the road. How can we say that? If we spend millions of dollars on a road that will be able to withstand truck traffic, then it should be able to withstand truck traffic. How can you tell someone they can’t run their business because they are going to tear the road up? I agree someone is going to have to fix it so that’s why I say, get it in the contract, if you destroy the road, it’s your responsibility to fix it.

Nick DiCosmo- The road is built for truck traffic based on the counts and ratios at the time taking into account for grown they best way that you can.

Mayor Vizzard- But Barney just said it is happening now. The road is softening up now. If it’s softening now, it’s never going to last with Mount.

Nick DiCosmo- Is the road cracking?

Clint Miller – No

Nick DiCosmo- Then it’s not moving. I’m sorry but that road isn’t moving. We also reconstructed that entire sub-base of that road. It’s 6 inches of reclaimed sub-base and another 6 inches of asphalt.

Mr. Hollinger – But there is a railroad bed under that, there’s been shell and gravel put down. There is a lot of material under that road.

Mayor Vizzard – If this guy feels like the road is softening, we need to go and look at it.

Mr. Hollinger – When this new company buys this, don’t they have to go before Land Use Board for change of use?

Mayor Vizzard – I would assume so.

Mr. Hollinger - This is something that needs to be monitored.

Nick DiCosmo- It’s a township road and it’s the township’s responsibility to maintain the road but that is where a tax would come into play. I’m not saying for the residents, I’m talking about a trucking tax or something like that. I don’t think that would dissuade them from coming here. How do you maintain other roads, by tolls, that’s how it is done.

Mayor Vizzard – I think we should do that with all the trucking companies and the sand plants.

Clint Miller – Suggested looking at updating the Master Plan for taxation of the business out there.

Mayor Vizzard – We need to circle back and address this problem we are having right now. We need to contact ALS and they need to force their contractor to fix the bulkhead and get the flooding stopped. Then we need to come up with a way to address the condition of the road. I’m sure you have a survey, heights for the road in the finished product of where the highs are. So, we can see if the road is sinking. We could go out and do a survey before they do work again.

Nick DiCosmo – Yes, we can do that. We may be going overboard but to protect us, it would be helpful. There may not be a problem, at the end of the day, the road was designed to last for like 30 years. I don’t know of any damage there may be for the current truck traffic.

Mayor Vizzard – That’s the problem, Barney’s guy says that there is, so we need to see if this is really happening.

Tom Seeley excused himself. He needed to leave to make the Lawrence Township meeting.

Clint Miller – I’d like to request your approval of sending Josh Hoffman to school for Public Works Manager. It’s a process that will take more than a year. The township has to be covered by someone who is a certified Public Works Manager. My time here is short and it’s going to take him some time to get that certificate and to learn the position. I’m not saying you’re putting him in that position, I’m just saying it’s something to prepare for the future. The classes are expensive, they are about $4,500. He will pay out of pocket. We have an education reimbursement program for classes. You all know Josh; he’s a great young man and I feel he is the future of the township. He’s young and I think he would be good for the township. That’s a bridge to cross later if you decide to put him in that position. With Covid a lot of these classes have changed. Some of them I think can be done online. I’m just asking that you consider letting him do that. I think it’s beneficial to the township, he’s been working here for 10 years and a good young man that would do good in that position.

Mayor Vizzard – I know you say if we decide to make him the public works manager but once we have committed to have him take these classes, we have basically committed ourselves to making him the manager. What I’m saying is there are other people. Are they all ok with Josh taking the classes.

Clint Miller – Yes, I spoke to Chris before I even brough it up to Josh. Chris has a lot of years here, but you know Chris and he doesn’t want to be in that position. Josh is excited and he’s a smart man, I think he would do well with this. I just think we need to prepare. I don’t feel like I’m going anywhere but I may not be here tomorrow. We just need to be prepared. I’ not positive, put as long as we have someone actively seeking this, the Township would be covered. I believe the classes will be starting sometime in February or March and we will need to let Pam know so she can budget for that cost.

Mayor Vizzard – I have no problem with it. We can do a roll call on it.

The Clerk did roll call, all were in favor of Josh Hoffman attending course for Public Works Manager certification.

Clint Miller – Thanked the Committee

Mayor Vizzard – Said while he was thinking of him, asked the Clerk to send an e-mail to Solicitor Seeley reminding him to contact ALS. It can’t wait another month.

Mayor asked for the Engineers report.

Nick DiCosmo –

Miller Ave. Bridge – Good news, our Army Corp permit has been approved and will be issued shortly. We ran the hydraulic modeling for the bridge that DEP required us to do. It showed that we are expecting no changes. I’ve sent that report with the data to DEP for review and with their blessing, we can formally submit. I believe now essentially everything is done and just needs to be uploaded. We have fulfilled all permitting requirements. I don’t see why we wouldn’t be able to get this built this spring.

Brown St. – It’s finished. Nick drove it prior to the meeting. Felt it drove well.

Committeeman Jamison- He felt there were a couple spots by Bacon. Asked if they would be coming back to seal the driveway aprons.

Nick DiCosmo – There are a couple punch list items. He doesn’t like the way they set the inlet boxes. Mainly minor items on the punch list. 1st. payment is being paid to the contractor.

Mill & Overlay of Main St. – Spoke to Doug at the County, he is going to have the council draw up the Interlocal agreement for Main St. They are good with it; they are just working out their internal details.

Mill & Overlay in the Lake – This started last Friday. It is probably going to take two weeks, but we will have an inspector out there at all times and all that time is covered by SJ gas. This should be done before Christmas.

2023 Local Impact Fund – He will get the resolution submitted tomorrow. Our estimate is about $900,000 for Strawberry Ave. Tried to keep it in line with the other grants we have been successful with. It will take us from Main St. to the dangerous curve where the guide rail is damaged. We will get all that repaired and construct the road in the same manner as the other trucking roads in the area.

2023 Local Recreation Grant – He sent over his proposal to prepare one, possible two applications. The mayor originally said he’d like to apply for stadium lighting at the ball fields which I think fits the application perfectly. This is a little different than the last one. They have extended to trails and walking paths, so it seems to be more comprehensive now. In addition to the stadium lights, I don’t know if you want to apply for additional funding of the walking path on North Ave. which we have unofficially received funding for. I don’t know if you want to expand on it with this program.

Mayor Vizzard – I think we need to check with the electric company to find out if it is even possible to put lights up at the ballfield before we pursue applying for funding for it.

Clint Miller – There is triple phase there.

Mayor Vizzard said he thinks it is too small. I don’t think what is there will work. If they can extend the power down, they may be able to do that. In the meantime, I was thinking about some parks. Maybe a park in Laurel Lake.

Clint Miller – Absolutely because we had to tear down some of that and we only have one little piece up there.

Mayor Vizzard – I’m thinking of the corner of Poplar and Spring Garden. I’m thinking of taking some trees out, putting up some lighting and having it more secure than what it is now being back in the woods.

Nick DiCosmo – So you’re thinking of using more of the property, opening it up and adding a parking lot.

Discussion ensued about the destruction and littering of the current Laurel Lake Park and the issues with security. Additional ideas discussed for redesign of a new park. Other areas discussed for a new park were woods across from the firehall on Battle Lane and behind the old rescue squad on Spring Garden.

Committeeman Jamison – He does not like keeping the park in the same location. Wherever the park goes, it needs to be visible so people can see what is going on.

Nick DiCosmo – Maybe we need to step back and decide what we want this park to be and then we can determine where the best place would be.

Clint Miller – It needs to be designed for little kids. Not big kids. The big kids will destroy it.

Mayor Vizzard – Whatever it is, plan on it including clearing of woods.

Discussion continued with ideas for activities and amenities the park could offer.

Mayor Vizzard – While we are talking about parks, what is going on with the Mauricetown Park?

Nick DiCosmo- No too much. The FEMA funding didn’t pan out. There isn’t anything that gets us to the proper cost analysis. It was a stretch to try to include the one house at the end of the road mostly because the flood elevations there is pretty high. If the bulkhead was bordering a road, we would be able to include that road. Unfortunately, that isn’t the case. The bulkhead is basically just protecting the park and the parking lot. The cost of the bulkhead has to equal or be less than what it is protecting. We just don’t have it. That’s the problem with the FEMA grants. They don’t think of the park as having value.

Mayor Vizzard – I’m afraid we are going to lose this park before we get funding for it.

Clerk – Rather than using the recreation money for a new park in Laurel Lake, can we use the funding for the Mauricetown park.

Mayor Vizzard – That’s my next question, rather than a new park can we use that funding for this?

Nick DiCosmo – At the end of the day, it is a park. Last year there wasn’t that much funding but we applied for a new railing because we didn’t know the extent of the damage but this year we do so maybe we just apply the whole kit and caboodle to this program. I think it could be an easy application to sell it.

The Committee agreed this would be the better option for the park funding.

Mayor Vizzard continued with correspondence.

Correspondence received from Remington & Vernick for application of the 2023 Local Recreation Improvement Grant program. Mayor said we just discussed all that.

Correspondence from Eduard Gilbert Renart. He has rescinded his request for a lien assignment previously approved for 1061 Charles Place as a result of finding s through a title search. Mr. Renart is now requesting a lien assignment for 501 Opal Road. The current lien value is $3,253.43.

Correspondence from Remington & Vernick requesting payment certificate #1 to be considered for the Reconstruction of Brown Street in the amount of $ 330,459.63 to Asphalt Paving Systems.

Mayor Vizzard moved to Resolutions.

Resolution 2022-109 – A resolution authorizing the submission of an application for grant funding and the execution of a grant contract with the New Jersey Department of Transportation under fiscal year 2023 Local Freight Impact Fund.

Clerk – That resolution needs to be adopted tonight to make a timely submission.

Mayor Vizzard asked for a motion to adopt resolution 2022-109. A motion was made by Committeeman Jamison and was seconded by Committeeman Klaudi. Roll call vote, all were in favor.

Mayor continued, Resolution 2022-110 Resolution awarding Animal Control Contract to Shore Animal Control

Resolution 2022-111 – Approving Proposal of Remington & Vernick Engineers for preparation of application for the 2023 NJDOT Local Recreation Improvement Grant Program

Resolution 2022-112 – Authorizing Assignment

Resolution 2022-113- Approving Compensation for the Commissioners of the Commercial Township Fire District No. 1

Resolution 2022-114 – Awarding contract to Riverside Construction Materials, Inc. for Rock Salt at $81.50 per ton for Public Works.

Resolution 2022-115- Accepting proposal of Remington & Vernick Engineers for township portion of professional engineering design and construction phase services for reconstruction of Yock Wock Road and High Street in Port Norris

Resolution 2022-116- Budget Transfer

Resolution 2022-117- Approving Bingo and Raffle license applications of the Laurel Lake Volunteer Fire & Rescue., Inc for year 2023

Resolution 2022-118- A resolution adopting Technology Risk Management Standards in compliance with the New Jersey Excess Liability Joint Insurance Fund’s Cyber Risk Management plan’s tier three requirements

Committeeman Jamison said he would not be able to attend Thursday’s meeting but that he was in approval of resolutions 2022-110 through 2022-118.

Mayor Vizzard – We have an Ordinance for second reading and adoption for Thursday.

Ordinance 2022-613

An ordinance of the Township of Commercial, County of Cumberland, New Jersey providing for the use of 2022 Budgeted Matching Funds for the 2021 NJDOT freight Impact Grant for Replacement of Miller Avenue Bridge now available in the 2022 Municipal Budget.

BE IT ORDAINED, by the Township Committee of the Township of Commercial, County of Cumberland, New Jersey, as follows:

Section 1: Supplemental matching funds for 2021 NJDOT Freight Impact Grant for the replacement of the Miller Avenue Bridge,

Section 2: The total amount of $15,000 is hereby appropriated from the 2022 Municipal budget account number 2-21-41-865-418

Section 3: This ordinance shall take effect upon publication of notice of final adoption as provided by law on or about January 5, 2023.

AND BE IT FURTHER RESOLVED, by the Township Committee of the Township.

Mayor Vizzard – Before we adjourn, I want to mention one more thing. Last year we put the building renovations on hold because I thought we could use it for the Mauricetown park but since we cannot, I’d like to get the building renovations going again. We will probably have to go back out to bid again. Mayor asked the committee if they wanted to keep the renovations the same or reduce or do something different.

Committeeman Klaudi said he wasn’t sure what was in the original plan.

Mayor Vizzard briefly went over some of the renovations originally planned.

Mayor Vizzard asked for a motion to go back out to bid for the building renovations. Motion was made by Committeeman Klaudi and was seconded by Committeeman Jamison. Roll call vote, all were in favor.

Mayor Vizzard if there is nothing else, can I get a motion and second to adjourn. A motion was made by committeeman Jamison and seconded by Committeeman Klaudi.

Respectfully submitted,

Heather Miller, Township Clerk