Minutes of the Regular meeting of the Township Committee of the Township of Commercial held on October 20, 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

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 stated that he didn’t see the State Police with a report.

Mayor moved on to approval of meeting minutes for previous meetings of the agenda meeting of September 12th and the regular meeting of September 15th 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 October 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 asked Nick DiCosmo to present the Engineers report.

1. Port Norris River front Improvements- Miller Avenue bridge and the sluicegate. Still working on the permitting for DEP. He submitted updated permit documents. They are supposed to give a courtesy review. I followed up with this this week, hopefully we will know something tomorrow. After they review it and say, this looks good, we will do the final submission for the permits. Army Corp permits are submitted. Just waiting for confirmation from them and for them to actually issue the permits.
2. Plan Endorsement - Going well. Meghan had her meeting on Wednesday and informally we have been approved. We should get formal endorsement on November 2nd which will allow us to keep the centers of Port Norris, Haleyville & Laurel Lake as well as keep the river front to continue working as a working river front and not let it get restricted for development by the DEP.

Mayor Vizzard said that the State would like him to be involved in that but I will be out of town at that time. Mayor asked Nick DiCosmo if he would be available to attend. Nick indicated that he would attend if he could and would check his calendar. If not, they would ask Barney Hollinger to attend.

1. Reconstruction of Brown Street – Ongoing. They finished all the drain work. This week or the beginning of next week they will be doing some curb work with final paving to follow. Market Street to Cobb.
2. Yock Wock and High Street – Funded by Local Impact Fund. Design is ongoing for that. Proposal has been submitted for approval for the ongoing services of that project. Hope to get that out of the bid before the end of year.
3. Mill and overlay of Main Street – We will begin that design shortly. Still doing some coordinating to get that Shared Services Agreement between the two of them.
4. Gas Company Repairs – We have gotten the gas company on board to come out and do full-width mill and pave in Laurel Lake. Most of it is on Doris Drive. They will be doing that to properly repair the work they did for all the new gas lines. Originally they were only going to do half width mill and pave and were got them to do full width repairs for the whole length of the job.
5. Applications for FY 2023 Local Impact Fund. Could possibly apply for Strawberry Ave. for reconstruction.

Mayor thanked Nick for his report. stated that the State Police had come in and asked for their report.

Sgt. Black said he didn’t have anything specific. He had spoken to his detectives about any crime trends. Detectives indicated nothing that sticks out. The investigations that have taken place over the past 6-87 weeks have been solved. Put a lot of people in jail.

Mayor asked if anyone had anything for the police.

Larea Smith asked about NJ firearm registrations. Once the people have taken and completed the coursework. The fingerprinting is kind of a glitch right now. Do they have to call and make an appointment with you guys before they bring their papers down?

Sgt Black asked for clarification, was she speaking of firearm ID card.

Mrs. Smith said the card to carry.

Sgt. Black said they should make an appointment. The best thing to do is get in touch with Trooper Opher, he handles all the firearm things.

Mayor thanked Sgt. Black.

Mayor went over correspondence –

1. Correspondence from Mr. Eduard Gibert Renart requesting the purchase of municipal lien on property at 1301 Lakeshore Dr., Block 58, lot 509.

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

2. Correspondence from Bonnie Clendaniel. Her mother passed away and had a Bayshore Housing grant. Ms. Clendaniel was provided with the Bayshore payoff figure. Ms. Clendaniel is asking for permission to pay interest accrued so far, or some of the principle, or monthly payments for some of the debt. Total due as of 9/30/22 was $18,337.71.

Solicitor Seeley asked if there was anyone present representing the family. There was none. Mr. Seeley said he wasn’t really clear what the request is. Mr. Seeley suggested tabling because a clear request isn’t being made. It needs to be clarified.

The Committee agreed to table the request and seek clarification.

Resolutions –

**RESOLUTION 2022-96**

**Approving Tri-County Sportsman National Dual Sport Hammer Run**

**Saturday, November 5, 2022, and Sunday, November 6, 2022**

WHEREAS, Tri County Sportsmen Motorcycle Club Inc., has asked for permission to have their Annual 2022 Tri-County Sportsmen National Dual Sport Hammer Run across existing roads, trails that cross Commercial Township property on Saturday, November 5th and Sunday, November 6th, 2022 and

WHEREAS, General Liability Insurance has been provided by American Motorcyclist Association in the amount of five million dollars and all participating motorcyclists are required to have a valid registration, insurance, and motorcycle license.

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Commercial that Tri-County Sportsman Motorcycle Club Inc., is approved to have their National Dual Hammer Run on November 5th and 6th, 2022 and resolution and insurance will be forwarded to Karen Montana, Cumberland County Road Department.

**COMMERCIAL TOWNSHIP**

**RESOLUTION 2022-97**

**RESOLUTION ADOPTING THE CUMBERLAND COUNTY MULTI-HAZARD MITIGATION PLAN UPDATE**

WHEREAS, the Committee recognizes the threat that natural hazards pose to people and property within Commercial Township; and

WHEREAS, Commercial Township has participated in the preparation of the Cumberland County Multi-Hazard Mitigation Plan Update, a multi-jurisdictional, multi-hazard mitigation plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Cumberland County Multi-Hazard Mitigation Plan Update includes;

* A Base Plan containing summary information common to all participating jurisdictions in Cumberland County; and
* The Commercial Township appendix identifies mitigation goals, strategies, and measures specifically for Commercial Township to reduce or eliminate long-term risk to people and property from the impacts of future hazard events and disasters; and

WHEREAS, adoption by the Commercial Township Committee demonstrates commitment to hazard mitigation and achieving the goals outlined in the Cumberland County Multi-Hazard Mitigation Plan Update.

NOW, THEREFORE, in accordance with the Commercial Township Committee, be it resolved by Commercial Township, Cumberland County, New Jersey, that:

The Township Committee adopts the Cumberland County Multi-Hazard Mitigation Plan Update Base Plan and the Commercial Township Appendix including authorizing the formation and duties of the Township of Commercial Hazard Mitigation Working Group as follows:

1. The Working Group shall be convened by the Township of Commercial Emergency Management Coordinator and will include representatives of the following departments, agencies, and organizations and other interested parties:

Mike Vizzard – Commercial Township Mayor

Meghan Wren – State of New Jersey, Office of Planning Advocacy

Barney Hollinger – Commercial Township Waterfront Consultant

Nicholas DiCosmo – Engineer, Remington & Vernick Engineers

Robert Welch- Commercial Township OEM Coordinator

2. The Working Group shall convene to conduct plan implementation and maintenance activities as identified in the Base Plan and the Commercial Township Appendix including monitoring, Evaluation, and updating the Commercial Township Appendix, conducting outreach and education for residents and property owners, and providing annual reports regarding progress in implementing the identified mitigation measures to the Commercial Township Committee and the Cumberland County Office of Emergency Management.

**RESOLUTION # 2022- 98**

**RESOLUTION OF THE TOWNSHIP OF COMMERCIAL RECOMMENDING PLAN ENDORSEMENT AND ADOPTING THE PLANNING AND IMPLEMENTATION AGREEMENT**

**WHEREAS**, pursuant to the New Jersey State Planning Act and N.J.A.C. 5:85-7.1-24 the Township of Commercial has participated in the Plan Endorsement Process; and

**WHEREAS**, the Township of Commercial held a pre-petition meeting with the State on March 17, 2020; and

**WHEREAS**, the Township of Commercial conducted a public hearing to consider the Plan Endorsement and the Municipal Self-assessment (MSA) at a meeting on December 16, 2021 after providing due notice of the date of the hearing in accordance with N.J.A.C. 5:85-1.7(d); and

**WHEREAS**, the Township has approved the MSA, formally submitted December 20, 2021, as prepared by Remington & Vernick Engineers; and

**WHEREAS**, the Township will create a Visioning Statement to be incorporated into the next Master Plan update; and

**WHEREAS**, the New Jersey State Planning Commission expects to adopt the Plan Endorsement Petition on November 2, 2022; and

**NOW**, **THEREFORE**, **BE IT RESOLVED** by the Mayor and Council of the Township of Commercial, County of Burlington, State of New Jersey as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township adopts the attached PIA as part of the Plan Endorsement recertification process.
3. This resolution should be forwarded to the N.J. State Office of Planning Advocacy.
4. All Township officials and officers are hereby authorized and empowered to take all actions deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

**RESOLUTION 2022-99**

**Approving Proposal of Remington & Vernick Engineers**

**For Preparation of Application For 2023 NJDOT Local Freight Impact Fund Program**

BE IT RESOLVED by the Township Committee of the Township of Commercial that

Proposal of Remington & Vernick Engineers for the preparation of application for Local

Freight Impact Funds for Riverfront Development Projects in the amount of $6,000.

is approved by the chief financial officer with funding coming from the following accounts:

Line Item:

Engineering O/E Balance $18,266.00

2-01-20-165-028 Certify $6,000.00

Balance $12,266.00

**RESOLUTION 2022-100**

**Accepting Proposal of Remington & Vernick Engineers**

**For Professional Engineering Design and Construction Phase Services for Reconstruction of Yock Wock Road and High Street in Port Norris**

WHEREAS, the Township of Commercial has received a NJDOT Grant in the amount

of $900,000.00 for the Reconstruction of Yock Wock and High Street in Port Norris, NJ; and

WHEREAS, Remington and Vernick Engineers and submitted a proposal to the committee in the amount of $48,000.00 for providing professional engineering design and construction phase services in the Reconstruction of Yock Wock Road and High Street; therefore

BE IT RESOLVED by the Township Committee of the Township of Commercial that

the committee has accepted the proposal in the amount of $48,000 and the funds are to

come from the following as provided by the chief financial officer in the certification of funds.

2022 NJDOT Grant Reconstruction of Yock Wock Rd. and High Street

G-02-41-869-000 $48,000

Available Balance $855,000

Remaining Balance $807,000

Total Amount Certified for RVE $48,000

**RESOLUTION 2022-101**

**Appointing John Dayton To Commercial Township**

**Environmental Commission**

BE IT RESOLVED by the Township Committee of the Township of Commercial that

John Dayton of Mauricetown, New Jersey be appointed to the Commercial Township

Environmental Commission to fill the unexpired term of John Nardone to December 31, 2023.

**RESOLUTION 2022-102**

**Authorizing Employee Stipend Eligibility**

**WHREAS,** an employee of Commercial Township may temporarily receive a rate of compensation which is higher than the base salary for his/her regular position for temporarily being assigned additional higher-lever responsibilities.

**WHEREAS**, the higher-services compensation under this policy is temporary and does not change the subject employee’s base pay for his/her current regular position.

**WHEREAS**, Eligibility for a stipend is when an employee is temporarily assigned additional higher-level responsibilities due to a temporary need or a temporary position needed for more than two weeks. Compensation would be retroactive to the beginning of time where coverage is needed The Township of Commercial may temporarily pay a higher-services compensation which is more than the base salary for his/her regular position.

**WHEREAS**, eligibility for a stipend is not warranted for the coverage of normal, earned paid time off such as with vacation, personal time or for less than two (2) weeks of sick leave.

**WHEREAS**, Process for determining additional compensation: When it appears that higher-services compensation under this policy may be appropriate, Township Committee should review the relevant job descriptions and consult with subject employee.

**BE IT RESOLVED**, the employee should submit a Stipend Request Memorandum that should detail the situation, to include, position being covered, length of time expected coverage will be needed of said higher-level responsibilities.

**BE IT FURTHER RESOLVED**, when a request is received for an employee stipend, the Township Committee will confirm the need and authorize stipend to said employee allowing for proper function of the office in which there is a need and properly compensate employee for the additional duties.

**RESOLUTION 2022-103**

**Approval of Closing Memorial Avenue from Main Street to Brown Street for**

**Events of Trunk or Treat on October 31, 2022, from 4:00 P.M. to 7:00 P.M.**

**WHEREAS**, October 31, 2022, the Commercial Township Recreation Committee will host a Truck or Treat event from 4:00 P.M. to 7:00 P.M.; and

**WHEREAS**, in order to accommodate the participating residents and trick or treaters, Memorial Avenue will be closed to thru traffic from Main Street to Brown Street.

**BE IT RESOLVED** by the Township Committee of Township of Commercial that for the safety of the public to enjoy activities of the Trunk or Treat Event on October 31, 2022, the aforementioned closure is approved.

I, Heather Sparks, Township Clerk of the Township of Commercial hereby certify that the foregoing resolutions were duly adopted by the Township Committee at their regular meeting held on October 20, 2022, at 6:00 pm held at the Township Hall, 1768 Main St. Port Norris, NJ 08349.

Heather Sparks, RMC

Township Clerk

Mayor asked for a motion to approve resolutions 2022-96 through 2022-103. A motion was made by committeeman Klaudi and seconded by committeeman Jamison. Roll call, all were in favor.

Mayor said with the approval of all those resolutions, the fact that we have the centers designations through the State of New Jersey, it is a very good thing for Commercial Township, we will benefit from it.

Land Sales -

Mayor said we have four land sales; Mr. Seeley will conduct those sales.

Solicitor Seeley read the conditions of the land sale. The land sale by law needs to be advertised. This sale was advertised twice, once on September 7th and again on the 14th. Notice of the sale was also sent by certified mail to all adjoining property owners. I believe all the properties tonight will be sold to adjoining property owners and one of the conditions will be that these properties be combined with your current property. The reason is we do not want a lot of small lots. We would like to see bigger, buildable lots. So, these were published, and they are conditioned on the committee’s approval. There will be 20% due tonight. We suggest you get a title search done. At one time a title search was done but we are not a title company. The solicitor asked if there were any questions and will none, proceeded with the land sale.

1. Bid received from Gerald Hall, property owner at 253 Iris Rd., Laurel Lake,

In the amount of $ 2,000 for two properties. Block 48, Lot 6137, known as 6306 Magnolia Dr., size 60X100, vacant property **and** Block 48, Lot 6137, known as 6300 Magnolia Dr. size 40X100, vacant property. The combined size of both lots together will be 100X100 lot. The minimum bid was accepted at the August 19, 2022, meeting.

Solicitor Seeley asked if there was anyone else present that is interested in the property. With none, bid for $2,000 going once, twice, sold for $2,000 conditioned on the committee’s approval.

Solicitor Seeley said we will get those approvals at the end.

1. Bid received from Beverly Stokes, 232 Iris Road, Laurel Lake, in the amount of $750.00 for Block 47. Lots 6053, 6054, 6055, known as 236 Iris Rd. Combined, lot size is 60X100. Ms. Stokes owns property on both sides of this property. The minimum bid was accepted at the August 19, 2022, meeting.

Solicitor Seeley asked if Ms. Stokes was present. She was not. The solicitor asked if there was anyone else that was present and interested in this property. There was none. The solicitor said she bid $750.00, $750.00 going once, twice, sold to Ms. Stokes for $750.00 conditioned on the committee’s approval. Does anyone have any questions based on the fact that she isn’t here? There was none.

1. Bid received from Mr. Rev. Anthony Elliott for two properties at $400.00 each. Block 16, Lot 4206 known as 227 Fern Rd. and Block 16, Lot 4210 known as 235 Fern Rd. Lots combined will be 120X192.005. Minimum bid accepted at the September 15, 2022, meeting. The total would be $800.00. Mr. Seeley asked if Mr. Rev. Elliott was present. Mr. Seeley asked Mr. Elliott if his bid was for $400.00, each total being $800, and if he understood there would be a $400.00 conveyance fee. Mr. Elliott said yes, and he understood.

Mr. Seeley asked if there was anyone else that was interested in these properties. With none, Mr. Seeley said so it $400 each, going once, twice, sold for $800 to Mr. Elliott conditioned on the Committee’s approval. Plus, the Conveyance fee. And just so everyone knows, you have 30 days to make payment in full or you lose your deposit. 20% is due tonight.

1. Bid received from John C. Hickman for $4,000 for property at Block 228, Lot 8 known as 2314 Cobb St. Lot size is 212X130.3. Mr. Hickman is an adjoining property owner at 6204 Brown St. Minimum bid was accepted at the September 15, 2022, meeting.

Solicitor Seeley asked Mr. Hickman if his plan is to combine the lots. Mr. Hickman said it was. Mr. Seeley said $4,000 going once, twice, sold to Mr. Hickman for $4,000 conditioned on the Committee’s approval. The Committee will now vote on the sales.

Mayor Vizzard said there was four properties that were sold tonight that need to have committee approval, we are going to vote yes or no on all four properties.

Mr. Klaudi Yes Mr. Jamison Yes Mayor Vizzard Yes

All four property sales were approved.

Mr. Seeley asked that anyone who bought property join him in the conference room to complete the paperwork.

Mayor Vizzard announced that there was going to be a presentation by Mr. Ronald Mondello via zoom on the New Jersey Cannabis laws. We are going to try and bring him in now.

The clerk was unable to get Mr. Mondello on the zoom platform and rather than hold up the meeting Mayor decided to move on.

Reports of officials –

Committeeman Klaudi had nothing to report.

Committeeman Jamison said the only thing he has is the road department got a call to help a resident that had fallen. Clint, himself and Chris went to help. I think it shows that they are working for the community. I think they are doing a commendable job. Leaf season is coming up.

Mayor Vizzard said he had a couple things. The Commercial Township recreation committee is hosting a trunk or treat at the township hall parking lot on October 31st from 4-7 so memorial Avenue will be closed. The police barracks is moving forward. There is going to be a new state police barracks. That will begin next month. The old state police barracks is going to be handed over to the township and we are hoping to rent the building to whatever entity that may be interested in renting the building.

Committeeman Klaudi if there were drawings available for the barracks.

Mayor Vizzard said yes there are drawings available. Manders & Merighi is the architect. The state police have a set of plans that they have throughout the entire state where they want these things built. It will be for women and men as far as the locker rooms go and stuff like that.

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

Susan & Steven Chester – The complaint we have is, we own property at 305 Beech Rd. The neighbor that lives on Magnolia Road, put a fence up 13 feet onto our property. I know you can’t get involved in this dispute between neighbors. We contacted Steven DeSario in April and he told us the same thing but he was going to issue them a violation and to get a lawyer. So, we contacted a lawyer. The lawyer tried to contact DeSario, and he asked him to issue a summons because they didn’t get a permit and they didn’t have a survey or anything to show that was their property. It has taken a long time. The lawyer finally got a hold of DeSario, and he said he couldn’t do it because he didn’t have a survey which we had offered to him back in April. We took the survey down to him and he said now we can do this. A couple of months later, the lawyer contacted him again and he said he wasn’t going to do anything now. My question is, I called Desario’s office today, not know who I was. I asked do you need a permit to put up a fence. I was told yes. I asked what happens if you don’t get a permit. I was told you would get fined and you would still need to get the permit. What happens if I still don’t get a permit because it doesn’t belong to me and that’s when they said they would give me to the secretary of DeSario. They have not called me back yet and I have left a couple messages. I want to find out, did they give them a violation because if I have to proceed with court, I’m being told it is going to cost several thousands of dollars just to get them to take something off my property, that I own. It’s a small lot. It’s 30 feet wide and they took 13 feet of it. I want to make sure when I present it to the court and I have to do this and it’s costing us a lot of money, did he give them a violation and if he did, can I have a copy of it I can present to the court.

Mayor said he had a couple things to ask. Can you tell me again what your address is.

Mrs. Chester said ours is 309 Beech Rd. The property I am talking about is 305 Beech Rd., which is right next door.

Mayor said How long ago did you present this to Steve?

Mrs. Chester said it was April 2022. I contacted the neighbors peacefully, offered to help take it down, whatever it took to do it peacefully. They refused to do anything. They told Steve DeSario they didn’t feel they were in the wrong, but they cannot present a permit obviously because you need a survey to show where the boundaries are. We presented everything, I have the deed, I have the survey, everything. I just feel like we are being punished by going to court and paying $3,500 to $5,000 just to get them to remove it.

Mayor said I completely agree with you.

Mrs. Chester said we don’t want too much of a conflict with them. I even got the zoning regulations; I feel like he isn’t following his own because it says you cannot encroach onto someone’s property when you put up a fence.

Committeeman Klaudi said he would call Steve in the morning to find out what is going on. Find out if he did issue a summons.

Mrs. Chester said it was Mike Testa that is the lawyer that called him and he told Mike Testa he was not going to issue anything. That we just have to take it to court.

Mayor said my thought on that is perhaps maybe he is thinking you will make out better if you took the guy to court. The Judge may say you would make out better doing it that way but I don’t like the fact that you have to pay for that. It’s not your responsibility and I get that.

Mrs. Chester asked, and we can’t legally take it down, correct?

Mayor Vizzard said that’s correct.

Mrs. Chester said I felt like we owned it because it’s 13 feet onto our property. If it was just a foot, I might say, it’s not worth fighting over.

Mayor Vizzard said, I think there are two things you’re going to have to do. One is you’re going to have to go to court and follow through with that and prove the guy put the fence on your property. After that you’re going to have to do a civil suit to get repaid for the cost that you have regarding that he put the fence on your property. The township has ordinances on all this and if people don’t follow the ordinance, we are not the law. We can’t punish people for not following the ordinances.

Mrs. Chester said, so you can’t fine them. That’s what I was told when I called the zoning office today.

Mayor Vizzard said no, it’s just not going to happen so you have to go to court with that. We have these ordinances, and they are to be followed. If they aren’t followed, now you have to go to court and sue them for not following the ordinances. Now do I agree with it? No, I don’t totally agree with that. We are not the law. We come up with what we think is fair for everybody and if people don’t follow it, people have to go to court.

Mrs. Chester said but when it comes to Steve DeSario, if he did give them a ticket or whatever or warning, is there any way for me to get a copy of it.

Mayor said yes, it is public information. You can request that. Send that to Heather at the office and request a copy. It’s public information. Whether he did or not, I can’t tell you that.

Mrs. Chester said he falsely told us what he was going to do, and it strung us along. We went through the whole summer. We wanted to put a shed up. We have a storage unit we pay $500 a month for when we could have it there. It’s just costing us money, costing us stress, it’s just too much.

Mayor Vizzard said we totally understand there just isn’t much we can do about it.

Mrs. Chester said I figured that’s what it would be but I wanted to get it on record.

Mayor said I do agree, you need to pursue the courts and once you get it agreed through a judge, then you need to sue that land owner for the court cost.

Mrs. Chester said So I can get a copy, will it say they didn’t get a permit?

The Clerk stated that she can put the request in and if there was none issued, I would tell you that none was issued.

Mrs. Chester said I just don’t want to go to court and tell them something that isn’t true. I want to make sure I have everything straight.

Mayor Vizzard said If none was issued, I really need you to come back and tell us that. If there was no citation issued to them for not having a permit to put the fence up.

Mrs. Chester said ok, thank you

Bill Henderson- I would like to request to open Jeffries Road to access my two properties, block 221, lot 2 and lot 3.01.

Mayor Vizzard said because we are aware of the property problems that you are having and the request that you want to open that road, I am going to say to the rest of this committee, yes, it is a paper road and if you are building properties along that paper road, we are responsible to open these roads. So to answer your question, I am going to agree with that. We need to have a roadway there. We can’t have a house and people living in a house on a paper road that is not accessible by ambulances or the fire department. You need to have a road there.

Mr. Henderson said when he did the subdivision, that was worked out with the fire company.

Mayor Vizzard said correct, it was already approved, I already reviewed all that and all that was approved. As far as I’m concerned he deserves to have that road opened up. The township needs to have a passable road on Jeffries Road.

Committeeman Jamison asked if he was clearing the road.

Mayor Vizzard said he doesn’t have to clear the road, he is clearing his property but it is the township’s responsibility to clear the road.

The Clerk said she spoke to Solicitor Seely about this, and he said we would need an engineer’s plan.

Mayor said to Mr. Henderson, “I believe you already have an engineer’s drawing”.

Mr. Henderson said yes.

Deedra Brewer, 1830 Main St. – On the west side of Jeffries Road. I did a title search when I bought the property. I found no deeds of right a way or anything from the western side of Jefferies road onto my property. Mr. Henderson has said that Jeffries road extends 20 feet into my property which includes a fence I consider mine and a telephone pole that was put into place in 1953 and a Maple tree that has a circumference that dates the tree to be 100 years old. Jeffries road has never been anyplace other than where it is. The title search showed that the adjoining property owners over the last 100 years have deeded 16.5 feet on the rod from the western side for the eastern side of 1830 and also from the western side of 1862 which is Billy’s property. I have nothing that shows a right of way was every conveyed that encroached on my property. I see no easements, I see nothing but a survey I had done when I bought the property. I find there is a big discrepancy between the survey that was done and the deed. My deed says that my property starts at the corner of Jeffries road and the northern side of Main St., 66 feet right of way. 33 feet right of way on Jeffries Road. The 33 feet right of way of Jeffries Road does not encroach on my property. It doesn’t come over into the land. I should be notified as to any kind of action, I am an adjoining land owner before any approval of work being done on this road is done. I think the government is required to provide some kind of notice and a right to be heard on this.

Mayor Vizzard- I believe you have already been in front of the Judge.

Ms. Brewer, No

Mayor, yes you have.

Ms. Brewer, I filed a petition for an injunction in Cumberland County. They granted the injunction and stopped Billy. Billy said he was going to have to come all the way through and he was going to take down trees and fence in two weeks so I filed for a petition in Cumberland County court and he granted the injunction and stopped Billy from doing that. We had a court hearing on October the 5th in Gloucester County. The Judge said that I did not prove that I would be irreparably damaged because Billy could pay damages to me if he went through with this. The jury decided there was a cloud on the title and that it was my property so there is a lawsuit pending. It is the same lawsuit that the injunction number was filed at and we are in the middle of discovery now. It is a big deal to me. It’s the side yard of my property. It is the part of my property that divides a residential property to a commercial lot. Billy’s lot is very commercial, he has big dump trucks, big equipment, front end loaders, bucket trucks, everything coming and going up and down that road, all day, and all night. To remove that barrier, it’s really going to damage my property. Because I have not seen a deed from the township, because the township claims they own the right of way there. I would like to see a deed that says you have the right of way to come onto my property and I haven’t seen anything yet.

Mayor Vizzard said the deed would be public information.

Ms. Brewer said I did a title search. There is nothing at the courthouse.

Mayor Vizzard said it is public information, you can see that. You are drastically wrong of where you think your property line is. You are wrong with that.

Ms. Brewer said my deed says something different.

Mayor Vizzard said that’s ok, you can try to prove that in a court of law. But you are wrong. I’m going to tell you right now; the township knows their right of way on this roadway and the township is going to build that roadway to satisfy what is needed for Mr. Henderson in order for him to build his houses. If you have a problem with that, you are more than welcome to go to court to say that is wrong. I know you are already in court with it and know that you have been told by the Judges that you are wrong.

Ms. Brewer, No, he said……

Mayor Said no, I know that as a fact. I know for a fact there have been surveyors out there proving the purpose of this roadway, is exactly where the township says this roadway is. The township owns the roadway, you don’t. You may think you do, but you don’t.

Ms. Brewer tried to interject

Mayor Vizzard said you are not listening to me. You are better off just agreeing to the fact that you do not own that roadway. The township does own it and we have the right to be able to give Mr. Henderson right of way to his properties that he wants to build houses. You can’t stop that. You do not own that roadway. Now if you want to take us to court and you want to say that’s wrong, that totally your idea, you can do that. I’m not telling you, you can’t but I am telling you, you are wrong. We have had it surveyed 5 times. We know where this road goes. You may not like that road being there and I agree with the fact you don’t like it…

Ms. Brewer said I never minded the road Mr. Vizzard.

Mayor Vizzard, I’m telling you, you are asking a problem that you don’t deserve to have.

Ms. Brewer, My deed says…..

Mayor Vizzard, I don’t care what your deed says. It is wrong.

Ms. Brewer, I know you don’t care.

Mayor Vizzard, you’re right, I don’t. I’m telling you right now, it’s wrong.

Ms. Brewer, thank you Sir

Mayor Vizzard, you’re welcome.

Mr. Henderson said, if need be, I have a copy of her deed excluding the 16 feet

Mr. Seeley said I’m not sure whether providing any additional information would be helpful.

Mayor Vizzard said I just want to say this has all been settled in a court of law. I don’t even know why we are hearing this tonight. This has all been settled in a court of law.

Mr. Seeley said if this is a civil action, I don’t know what your purpose of presenting anything. If it’s before a superior court judge, we have no control.

Mr. Henderson said it’s in front of a Chancery court judge that it was dismissed in.

Mr. Seeley said Well that a Superior court judge, Becker right. Then we don’t need to hear anymore. You are dealing with it in Superior court. No disrespect meant.

Joann Wiederhold, 102 Olive Road- There has been some talk going around that there has been an approval for a safe house to be put in, in Laurel Lake.

Mayor Vizzard said a safe house, what is a safe house.

Ms. Wiederhold said a safe house is a place for drug addicted people go to get needles and they can shoot up there. I am trying to find out if this is true.

Mayor Vizzard said this is the first time I have heard anything.

Solicitor Seeley said I don’t even know how we could find out because of HIPPA laws.

Mayor Vizzard said I have no idea anything about this. Do you know where in Laurel Lake?

Ms. Wiederhold said the woman told me over by where the Laurel Station was. I heard that house was up for taxes.

Solicitor Seeley said if that’s the case, I can’t imagine any governmental agency would make that a safe house if it is up for taxes. They would purchase it and then make it into a facility. It may just be a rumor, I don’t know. All I know is your tip toeing around HIPPA laws. You have to be careful what you put out on somebody’s medical conditions.

Ms. Wiederhold, if someone did try to put a safehouse in, would you have to approve it?

Mayor Vizzard said I don’t think that has anything to do with us.

Solicitor Seely said I have delt with this in many municipalities, you could put in houses for people with Schizophrenia and stuff like that. Unfortunately, they have to go somewhere.

Ms. Wiederhold, I understand that, but we have enough problems out there.

Clint Miller said you’re talking about the house next to the Laurel Station we tore down. There are massive liens on that.

Mr. Seeley said it would not be a legitimate government agency. If it’s a safe house, it’s probably more like a crash house.

Mayor Vizzard said If it were to come to that, you as the public would be the first to know.

Solicitor Seeley said it would be a change of use.

Mayor said it doesn’t mean we can change it. But you will know about it if it comes out, but I have not heard anything about it.

Solicitor Seeley said but I can tell you a government agency would not purchase a house with Federal and Municipal liens.

Ms. Wiederhold said a safe house has to be by the Federal Government?

Mr. Seeley said no I’m not saying that it’s by the government and they would not purchase something with municipal and federal liens.

Ms. Wiederhold said she had a question for the officer. When the state police are called to a house for an over dose and they are given Narcan is there any protocol they follow to try to find out where they are getting these drugs at?

Officer Black said no, that’s not allowed. We can do an investigation. The laws concerning overdoses are pretty strict. They won’t call for help. We are restricted from asking a lot. We enter the data into a database on every overdose and let the state agencies handle that.

Ms. Wiederhold said I’m asking because there were three overdoses in the same house in one day.

Officer Black said we can do stuff with the physical evidence that is left behind, Heroin packages with stamps on it. We turn that over to our intelligence and they can run investigations that way. There are a lot of investigations into the drug seen of Millville and Laurel Lake than you know. We have a lot of intelligence going on behind the scenes.

Mayor Vizzard said and you’re asking about this because it was three overdoses in the same house on the same day In Laurel Lake?

James Riggins, 212 Olive Road – I have questions about a couple of properties. 304 Olive Road, owned by Alice and Ralph Whilden. There is a lien on it for $10,008.10. Alice died back in 2016. The property is dilapidated and falling apart. There are people squatting in the home. It’s bringing down the property value in the area. It’s just increasing the drug activity in the area. Also, 312 Olive Road owned by Leroy and Mildred Brown, both are deceased. Mildred was 2017 and Leroy was 2021. There is $1,000 worth of liens on that property as well. This is another house being squatted in. The people staying in the 312 property are going across the street and breaking into that house that is also empty. Just wondering if there is anything that can be done besides calling the state police and getting the same reaction we always get. Is there a way to purchase the property through the township.

Mayor Vizzard said that’s a legitimate question and I totally understand that question but have you approached the tax office as far as…

Mr. Riggins, this is the first time coming to a meeting so I was just wondering what we need to do.

Solicitor Seeley said do we know if it’s on a list for land sale. We may be foreclosing on it as we speak. It might be worth making the call because within 8 months, it could be township owned.

Mayor said it does take some time for that to get caught up with the tax paperwork as far as what properties are getting foreclosed on.

Mr. Riggins asked what other actions do I have to keep these people from going in and out of there.

Mayor Vizzard said it is too difficult for the township to police that.

Mr. Riggins, what about securing it and boarding up the property.

Mayor Vizzard said it’s going to be whoever owns the property. We can’t go on a piece of property and board it up. Now if the township forecloses and it becomes township property, then the township is responsible for boarding it up.

Mr. Riggins said and as for the property that Ms. Wiederhold was talking about, 236 Olive Rd. is owned by Troy Donnally. He rents the home out, I don’t know if it’s a legit rental but the people that he rents to are the type of people you are talking about. How do I find out if it’s a legitimate rental.

Mayor Vizzard said you would have to get a hold of the construction/zoning office. They can tell you if it is a legitimate rental. Whether it’s been inspected by the zoning officer and if it is a true rental. I’d like my property to actually be worth what it’s worth.

Mayor said absolutely, just keep moving forward with that. Contact Stefanie at the housing office and she will tell you whether it’s a rental or not.

Clint Miller said I just want to make sure we are on the same page with this road over here, Jeffries Road.

Mayor said We need to have access to that road. We need emergency access to whatever properties Mr. Henderson is building.

Clint Miller ok, two things. I would like to leave a four foot buffer on each side just to give them a few feet on each side. Also, we need to have that telephone pole moved.

Mayor said I believe the electric company is already aware of that. I also don’t believe we have to go all the way to Brown St.

Clint Miller said but we are on the same page, everyone is aware of the telephone pole. I have to call them; they are waiting to hear back from us.

Mayor said are you guys alright with it. The telephone pole is in the middle of the road.

Larea Smith- Don’t you have to make a motion.

Mayor said I don’t believe we need to make a motion. The road is already there. It’s already a township road. It’s already a paper road. Somebody just put a pole in the way, it needs to be moved. It’s already there. No, no motion needs to be made.

Larea Smith – But you’re using funds to increase a roads list for development.

Mayor said it’s already been available for development. It’s already a paper road. It’s already there. This committee has done nothing to change that road. It’s already there. If somebody put the pole in the way, it needs to be moved. This committee is not committing any additional monies to anything that was already done in the past. It’s already there.

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

Mayor said seeing as we have no additional considerations, Mayor Vizzard asked for a motion to adjourn. Motion was made by committeeman Klaudi and seconded by committeeman Jamison.

Respectfully Submitted,

Heather Sparks, Township Clerk