

Minutes of the Regular meeting of the Township Committee of the Township of Commercial, held on May 18, 2023, at 6:00 P.M., at the Township Hall at 1768 Main Street. Port Norris, NJ

Those Present:

Mike Vizzard	Mayor
Fletcher Jamison	Deputy Mayor
Joseph Klaudi	Committeeman
Heather Miller	Township Clerk
Thomas Seeley	Solicitor
Nick DiCosmo	Engineer
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 held in compliance with the Open Public Meeting Act.

Mayor Vizzard asked the attendees to join him in the flag salute and the Lord's Prayer.

No State Police present to give a report. Mayor Vizzard suggested a letter go out to the state police reminding them we have a meeting every month and would like them to attend. There was a brief discussion as to who was the Commander at the barracks. It was agreed that it was Blizzard. Mayor Vizzard said he would give him a call.

Mayor Vizzard- meeting minutes of the agenda meeting, April 17, 2023, the Regular meeting of April 20, 2023. Mayor asked for a motion to approve. Motion made by Committeeman Klaudi and seconded by Committeeman Jamison. Roll call vote, all were in favor.

Mayor Vizzard- bill list for consideration for the month of May as prepared by the Chief Financial Officer, do I have a motion to approve the bills. Motion was made by Committeeman Jamison, seconded by Committeeman Klaudi, roll call vote, all were in favor.

Mayor Vizzard asked for the Engineers report.

Nick DiCosmo-

Port Norris River front Phase III Project-Berry Ave. Tide gate and Miller Ave bridge. We finally received all five NJ DEP permits so we have secured all necessary permits. We are proceeding with our final design of the bridge and the tide gate. Hoping for construction by the end of summer, early fall. I spoke to the county, in regard to the billing, it's all sorted out. I think there was a changeover with the county CFO, they just weren't up to speed. Doug said, no worries, it's all fine as we originally agreed with them paying a portion of the engineering fees.

Mayor Vizzard- Does Pam know this?

Nick DiCosmo- I sent her an e-mail. Doug also said he was going to reach out to Pam, just to confirm.

Reconstruction of Yock Wock and High St.- Design is almost complete. We should be submitting our plans for DOT review shortly. It should be summer construction.

Mill and overlay of Main St. – That’s in design now. I spoke to Doug today, the interlocal agreement is drafted. He has received approval from the county attorney and administrator, so he is most likely going to put it on the agenda of the June meeting. We are going to continue with our design. It will probably be late summer, early fall construction.

North Avenue Pedestrian Safety Improvements – The survey is complete. We are working on our base plans now.

Submit the application to the DOT local infrastructure Aid program for the roadway drainage improvements to Milbourne Drive and Dennis Lane. We have that resolution for approval tonight.

The application period for the 2024 DOT Municipal Aid has opened so I sent that proposal in for approval tonight as well. We can discuss what roads or another phase of the pedestrian improvements path, but we can discuss that over the next month and come up with a plan.

Mayor Vizzard- That’s the letter I have hear and its due July 1st correct.

Nick DiCosmo- Yes.

Laurel Lake water and sewer- That was kind of put on hold for a bit, but we are back at it and hope to meet with the city of Millville engineer. I’ll keep you posted.

Mayor Vizzard- Did you say water and sewer or just water?

Nick DiCosmo- We are going to look into both with the idea of most likely doing the water first, but we want to explore doing both. The grant does both, its just water is easier in a constructability standpoint because we can just tie off of the Millville extension where with the sanitary, we would have to construct a plant or something of that nature.

Mayor Vizzard- It’s not on here but do we have a report from OEM.

Robert Welch- Two things. The school road safety corridor project I brought to you attention, I got the board in touch with Nick, so he is pretty much going to be taking over and helping out because the county needed an engineer to come up with plans for that.

Nick DiCosmo- I spoke with the board member, I don’t know exactly what’s going to become of it. They are interested in the pedestrian path. I guess the county is looking to do something and or the school is looking to re-configure their parent drop off. I said if they want to

meet with us about the path, we will gladly meet with them or if they need help re-configuring their student drop off but more importantly meet with us about the path we are doing. I haven't heard anything for the past month so I may follow-up.

Robert Welch- Just to advise you, they are in the middle of a shift in management right now and that may be why you haven't heard back from them.

Nick DiCosmo- That would be phase two of our path so we have plenty of time.

Mayor Vizzard- Money wise, I think they are better off having the parent drop off go into the original driveway and re-configure their driveway instead of re-configuring the road. That is just my thought anyway.

Robert Welch- The second thing is workshop next week, its basically a break off of the resilience workshop that we had last month or so I am going to that to represent us and see if we can't get any help with our levy. Mr. Miller expressed an interest in it as well.

Mayor Vizzard- When you say levy, which one are you speaking of.

Robert Welch- Peek of the moon. We constantly have an issue with that. They are going to talk about the changes in a lot of the regulations due to the flood plain management. They are coming out with new guidelines and new help for levies. We are always having constant issues with the peak of the moon levy. Its two days, next week, the 23rd and 24th in Philadelphia at the Embassy Suites. That's all I have Sir.

Mayor Vizzard- Very good, thank you.

Clint Miller- I'd like to add one thing while Rob is here. We had a storm a couple weeks ago and we had to come in to take care of some trees. I just want you guys to know it's nice to have an OEM officer out during these events and helping us. He really did do a good job, he was right ahead of us calling us with every tree he was finding. I just wanted to bring that to your attention.

Mayor Vizzard- Very good, thank you Rob.

Committeeman Jamison- Thank you Rob.

Mayor Vizzard reviewed correspondence-

On March 31, 2023, the township sent a letter to US Silica concerning resident complaints. On April 21, 2023, we received a response from the plant on how they plan to rectify the complaints. The plant manager, Justo Lucena has been invited to join our June meeting.

Mayor Vizzard- Just to clarify what all that is, the response to the letter we sent them was sufficient, we understand what they are trying to do, however the residents at our last environmental commission meeting had many more questions and many more complaints. That's

when we invited the plant manager to our June meeting. The residents can address the plant manager on their complaints.

Committeeman Klaudi- Has he responded to the invite.

Mayor Vizzard- He told me he is on vacation that week but he is doing everything he can to be here for that meeting. As it stands right now, he is coming to the meeting.

The NJ DCA has launched a Lead Grant Assistance Program to help municipalities conduct inspections for lead-based paint in residential housing built prior to 1978. These inspections are required. The state has allocated \$10,400 to assist Commercial Township in this requirement. A resolution is on for approval to participate in the program.

Mayor Vizzard- I just want to bring up the fact that it's just another point we need to ask our new inspector if they are lead paint qualified or do they have the qualification for that. We need to make sure they are qualified to do these inspections.

Mayor Vizzard moved on to resolutions.

Resolution 2023-56
Authorizing Assignment

WHEREAS, N.J.S.A 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, Capital Lien Group, LLC has presented an offer to purchase, by assignment, Certificate #22-00149, which was issued to the Township of Commercial at a tax sale held January 12, 2022 on block 212, Lot 4, known as 7071 Parsons Lane, Port Norris and assigned to 21st Associates, LLC in the amount of \$3,823.83, 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 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 Collector.

**Township of Commercial
Resolution No. 2023-57**

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Roadway and Drainage Improvements to Milbourne Drive and Dennis Lane project.

WHEREAS, there is a need for roadway and drainage improvements within the Township of Commercial; and

WHEREAS, funds for roadway and drainage improvements may be available to the Township of Commercial under the New Jersey Department of Transportation Local Aid Infrastructure Fund Program; and

WHEREAS, an application must be filed with the New Jersey Department of Transportation in order to be considered for said funding.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Commercial formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the firm of Remington & Vernick Engineers are hereby authorized to submit an electronic grant application identified as LAI-2023-Roadway and Drainage Improvements -00039 to the New Jersey Department of Transportation on behalf of the Township of Commercial.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Commercial and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as true copy of the Resolution adopted by the Mayor and Committee of the Township of Commercial on this 18th day of May 2023

Heather Miller, Township Clerk

The Mayor's signature and Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____

Clerk

Mike Vizzard

Mayor

RESOLUTION 2023-58
Approving Proposal of Remington & Vernick Engineers
For Preparation of Application for FY 2024 New Jersey Department of Transportation
State Aid 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 the FY 2024 New Jersey Department of Transportation Trust Fund (State Aid) program is approved for \$2,400 by the chief financial officer with funding coming from the following accounts:

Line Item:			
Engineering O/E	Balance	\$	23,950.00
3-01-20-165-028	Certify	\$	2,400.00
	Balance	\$	21,550.00

COMMERCIAL TOWNSHIP
RESOLUTION 2023-59
LEAD GRANT ASSISTANCE PROGRAM

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, “An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;” and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, Pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in appropriations to effectuate the purpose of the Act.

WHEREAS, DCA has allocated \$7,000,000 of this appropriation to the development of the Lead Grant Assistance Program (“LGAP”) for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

WHEREAS, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

WHEREAS, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

WHEREAS, an authorized municipal officer must execute the attached grant agreement in order to receive LGAP funding.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of, Commercial Township does hereby authorize the Mike Vizzard, Mayor to sign the attached grant agreement, and thus bind Commercial Township to the grant agreement's terms in order to receive the \$10,400 grant from the DLGS;

CERTIFICATION

I, Heather Miller, Township Clerk of the Commercial Township in the County of Cumberland, and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Commercial Township at its meeting of May 18, 2023.

Heather Miller, Clerk

Mayor Vizzard asked for a motion to adopt resolutions 2023-56 through 2023-59. Motion was made by Committeeman Jamison and seconded by Committeeman Klaudi. Roll call vote, all were in favor.

Mayor Vizzard- We have three (3) ordinances on for introduction.

ORDINANCE 2023-616

Mayor Vizzard- Second reading and adoption is scheduled for June 15, 2023. Do I have a motion to adopt. Committeeman Klaudi made the motion to adopt and was seconded by Committeeman Jamison. Roll call vote, all were in favor.

TOWNSHIP OF COMMERCIAL ORDINANCE 2023-617

Bond Ordinance Providing a Supplemental Appropriation of \$570,000 for the FY 2021 NJDOT Local Freight Impact Fund Port Norris Riverfront Project Phase III in and by the Township of Commercial, in the County of Cumberland, New Jersey, and Authorizing the Issuance of \$570,000 Bonds or Notes of the Township to Finance the Cost Thereof.

Mayor Vizzard- Second reading and adoption is scheduled for June 15, 2023. Do I have a motion to adopt. Committeeman Klaudi made the motion to adopt and was seconded by Committeeman Jamison. Roll call vote, all were in favor.

**TOWNSHIP OF COMMERCIAL
CUMBERLAND COUNTY, NEW JERSEY
ORDINANCE 2023-618**

AN ORDINANCE OF THE TOWNSHIP OF COMMERCIAL, COUNTY OF CUMBERLAND,
NEW JERSEY, PROVIDING FOR THE USE OF FUNDS TO REPLACE O-TURN 54" MOWER
AVAILABLE IN
THE CAPITAL FUND-RESERVE FOR EQUIPMENT REPAIR AND REPLACEMENT

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

- Section 1: The funding for Equipment Replacement-Mower.
- Section 2: The total amount not to exceed \$ 5,566.02 is hereby appropriated from the Capital Fund-Reserve for Equipment Repair and Replacement.
- Section 3: This Ordinance shall take effect upon publication of notice of final adoption as provided by law.

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

Heather Miller, Township Clerk

Mayor Vizzard- Second reading and adoption is scheduled for June 15, 2023. Do I have a motion to adopt. Committeeman Jamison made the motion to adopt and was seconded by Committeeman Klaudi. Roll call vote, all were in favor.

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

Mayor Vizzard asked if anyone from the public wanted to address the committee.

Mayor Vizzard- Ok, hearing no one, do I have a motion to close to the public. Committeeman Jamison made the motion and was seconded by Committeeman Klaudi.

Mayor Vizzard- Additional considerations, The Primary Election is June 6, 2023, polls are open from 6 AM to 8 PM. Everybody needs to get out and vote.

Mayor Vizzard- Before we adjourn, there are a couple of things I would like to talk to the committee about.

1. Due to the renovations we are putting into this building, we need to find space that we can store files and work that we don't have the room for in this building.

Mayor Vizzard- Leah from Inspira has office space at the senior center and naturally they have the building in Laurel Lake. I think that we should remove her from the office space at the senior center. She would be confined to the space she has in Laurel Lake. They are not paying rent and they are not giving us any money for either of these buildings. There is no reason why we can't take back the space at the senior center and store our files. It's a building that we can use, it's our building. We were nice enough to let her do that, but Inspira has refused to pay us any kind of monies in the past from the times that I have talked to them. In fact, a couple years ago I tried to get them to purchase that building in Laurel Lake and that it wasn't for us to take care of, but they refused to do that too. For now, I'm thinking we need that office space to store our files. I want to know what you guys think of that and I think we should move forward with that.

Committeeman Jamison- What is she doing in that building, is she doing anything at all in the senior center.

Clint Miller- I really don't know what she performs in there right now. I do know there is one or two people that go there and use it for office space.

Committeeman Jamison- But what is she doing with that space? You say she is using it for office space?

Clint Miller- Prior to having the building in the lake, they utilized it for everything but now they have the other place and everything is up there. I just want to stress that it's the future of the township. There are so many records that we can't throw away forever and I get in trouble with fire marshals, we have boxes stacked to high. It could elevate some of those problems. Fletcher, getting back to your question, I don't think they do a whole lot of anything there except their clerical things. Maybe they can figure out how to do that in their other building.

Mayor Vizzard- In all fairness, we can ask her and give her the opportunity to tell us what she is doing. I don't have a problem if you want to do that.

Committeeman Jamison- How many offices do we have up there. At least three right.

Clint Miller- They aren't empty but there are at least five, probably six.

Committeeman Jamison- She definitely can't be using all six.

Clint Miller- It's food for thought. I think it's a good idea, Mike.

Mayor Vizzard- The other thing I wanted to bring to your attention is the library, the Robbinstown library. It is getting very old, there are going to be a lot of problems here. There have already been a lot of problems with the library, so we need to figure out what we are going to do with the library. Is that building worth it to fix up? Is it going to be worth it to maintain that building? I don't know, it's something we are going to have to decide. I am not for that because it is such an old building.

Committeeman Jamison- There is a lot of history, that's where you have a problem when you start messing with something like that.

Mayor Vizzard- I completely agree but it doesn't mean have to keep our library there.

Committeeman Jamison- I understand what you are saying but you have to consider the people.

Mayor Vizzard- I get it, I'm totally with you.

Clint Miller- Mayor maybe it would be a good idea to have a special meeting and we could all get together and take a trip around to all our buildings. I know everyone is busy and has things going on but it would be a good idea to see all these buildings and see what's going on with them and be able to make a decision on things like that.

Committeeman Jamison- As far as the library goes, I'm a little sentimental about that because I went to school there, and so did my mom. If it's something we can present to the public, that it's going to cost X amount of dollars, maybe some donations will come in.

Solicitor Seeley- Let them voice their opinions.

Mayor Vizzard- I'm just throwing these things out there as think we need to think about. Eventually, we are going to have to think about it, something is going to happen to that building and we are going to lose all those books and everything that is there.

Committeeman Jamison- Then lets take it to the public and let them know we are going to look at it.

Committeeman Klaudi- I have never been there.

Mayor Vizzard- Do we still have problems with the fire marshal in that building?

Clint Miller- We are ok for now. We aren't supposed to use the upstairs and as far as I know, we don't. I think at some point they are going to want a metal door on it. The fire escape is in really bad shape. That's why I think we need to get together to check it out.

Committeeman Jamison- We can get together and we'll go around and visit and figure out what we have, present it and go from there.

Mayor Vizzard- As far as this lead grant thing goes, is that something we do?

The Clerk- I have a contract that I have here for you to sign. I have to submit that with the resolution. That money has already been allocated to us.

Mayor Vizzard- So am I correct that we need to hire someone who is lead paint certified? Or do we hire someone else for the inspections?

The Clerk- The money can be used to pay for the schooling or for supplies.

Mayor Vizzard- ok, the last thing I have to bring up is, I got an e-mail today from a sustainable communities grant for your town. It is a sustainable Jersey grant that is used to fund open space and recreational plans in your town. These grants are made available from Atlantic City Electric and are intended to help municipalities plan for and protect and improve public open spaces including local parks, natural areas and recreational facilities. I don't know if this is an idea or an avenue, we can go for the Mauricetown park, to try and get some money for that.

Nick DiCosmo- Forward it to me and I'll look into it.

Mayor Vizzard- I am also still pushing for a park in Laurel Lake. If this would help us get money to clear a wooded area and build a park somewhere on Battle Lane. Battle Lane is heavily traveled but I also think it's the safest place for us to have the lease damage. We could put it out of the way but I'm afraid out of the way is out of too many eyes so I'm thinking Battle Lane is probably the best place to put a park.

Nick DiCosmo- Ill see if I can talk to someone. From what we have done thus far, these grants are, no we won't fund a bulkhead, but we will fund a park. It would be great if it worked for the Mauricetown park. We are just asking that up front.

Mayor Vizzard- According to this, there are two different deadlines. The first part of the grant is due by June 29th and the second part is due by July 31st.

The discussion briefly continued as to requirements and parties involved in the grant.

Clint Miller- While we have Tom here, how can we put the heat on one of the properties we demoed with federal liens on it. This would be a prime location for the park.

Solicitor Seeley – It takes a lot longer to do the federal foreclosure and it costs a lot more money. I think the last time I did one it was like \$13,000.

Clint Miller- Is it something that has a long timeframe.

Solicitor Seeley- Yes, it takes a lot longer.

A brief discussion ensued concerning a location for the park in Laurel Lake and township owned property.

Mayor Vizzard- That's all I have for tonight.

Mayor Vizzard- If no one has anything else, can I get a motion to adjourn. Motion was made by committeeman Klaudi and seconded by committeeman Jamison.

Respectfully Submitted,

Heather Miller, Township Clerk