

Minutes of the Agenda meeting of the Township Committee of the Township of Commercial held on July 17, 2023, 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

Those Absent: 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 Vizzard – I don't see Barney here so we will move to the Engineer's report.

Nick DiCosmo- Riverfront Road Project phase III- We are looking to be done with all the design work by the end of the month then we will submit it to the County and DOT for their review.

Brown Street, Port Norris – Our final invoice should be issued by the DOT with a reimbursement in the amount of something like \$77,000, that should be coming soon.

Re-construction of Yock Wock & High- The 15th of July was the deadline to receive DOT comments back. We have not received any comments or confirmation from the DOT so I sent them an e-mail today to see when we can expect that information. But as of now, we are going to plan to advertise in the paper for that job on July 27, 2023, receive a bid on August 10th and hopefully award a contract on August 17th. That's the reconstruction of Yock Wock from North Ave High to Main.

Mill & overlay of Main St. – I hope we can award a contract at the September meeting. We still have to go through some DOT reviews, but we are on tract. This is the mill and overlay of Main St from Strawberry to Ogden.

Roadway and Drainage Improvements to Milbourne Dr. & Dennis Lane – We are still waiting on the local infrastructure application. Everything has been received by the DOT and we are just waiting to hear back from them.

2024 Municipal Aid Applications- Everything has been submitted and those are in review. We submitted for the roadway and drainage improvements to Whittier Dr and Dandelion

Rd. so that comes to just under a mile of roadway reconstruction on Whittier Drive, it's about .8 of a mile from Palm to Begonia. It will include a portion of Dandelion as well. Clint told me this is one of the top 3 drainage issues in the township.

Water & Sewer for Laurel Lake- There were some e-mails back and forth today to set up a meeting with Millville for the water and sewer planning with the I-Bank funding. We are still working on pinning down a date. So, there was some movement with that and hopefully we can pin down a date for some time early in August. Hopefully within a week or so I'll have a firm date.

Local Recreation Grant- This is from 2021, we received good news last week. This was a grant where we received \$50,000 originally for new railing at the Mauricetown Riverfront park but since it was determined that there was more work to be done there besides just a railing, I did ask the state, the DCA, if we could re-appropriate those funds for a different project and they said yes, you can submit something called a grant revision so we just have to submit that by the end of August. I'm working on that now. I guess what we are thinking of doing is the Battle Lane Park. I guess we will use those funds to do more clearing, final grade, a parking lot and some lighting. Maybe in the future we can add some equipment. It's nothing set in stone, we still need to submit it and they have to review and approve but it sounds positive.

Nick DiCosmo- So that's about it, the immediate thing will be Yock Wock coming up.

Mayor Vizzard- So what are your thoughts on the I-Bank funding with the water and sewer.

Nick DiCosmo- From what I have seen, they seem to be willing to give out the funding. I am curious to see what Millville says. Once I have this meeting with the Millville City Engineer, and see the direction he was thinking of, and how he would envision partnering with Commercial Township to move all this forward, I'll have a better idea. It was all sparked with the idea of extending the water.

Mayor Vizard- We need to see if we can get both going if we can.

Nick DiCosmo- Tom did you get the Shared Service Agreement with the County?

Tom Seeley- Yes, I did, everything looks good.

Mayor Vizzard- Your talking about the shared service agreement with the county?

Tom Seeley- Yes, I talked with John Carr.

Mayor Vizzard- Ok, I didn't want to sign it until both of you were ok with it.

Nick DiCosmo- That's good, that will authorize the remaining funds to cover design work and construction fees so that paired with the \$900,000 grant we got from the state, basically we are getting Main St. paved for free.

Mayor Vizzard- Yes and that's what we are trying to do. So, we have a resolution that came from the Cumberland County Board of Commissioners, a copy of their resolution authorizing then to do this with us.

The Clerk stated that there will be a resolution on Thursday authorizing the agreement.

Nick DiCosmo- From my standpoint everything looks good as long as Tom is good with the legality of it.

Tom Seeley- It looks good to me.

Mayor Vizzard- Very good, thank you. We'll move on to correspondence.

We have a letter from Competition Dirt Riders, requesting a parade permit for their annual motorcycle event which starts at the Mauricetown Fire Hall. The date is August 27, 2023. Their route encompasses all county roads. The resolution will be on for this Thursday.

We have a notice from Tom Seeley- The Supreme Court has temporarily suspended the office of foreclosure recommendations for final judgements in tax sale certificate cases filed after May 25, 2023.

Mayor Vizzard- Tom, do you want to explain more on that.

Solicitor Seeley- I will try not to make this a long and boring conversation. The US Supreme court decided this year in a very unique case where it was a 95-year-old woman that was moved into a nursing care facility the facts sort of lead to feeling bad for the person, but nobody paid her taxes, so it went up for tax sale, long story short, the government felt bad and what I believe is a terrible ruling. The US Supreme Court which state that any tax foreclosure, another words, when we foreclose on properties, and sell them here at land sale, which often times we sell for more than the property is worth. Say someone owes \$6,000 in taxes, and they don't pay their taxes for 10 years, then we foreclose on it, and what the Supreme Court has found is that you have to go now and find that person or their relatives, and any gain the township receives from the re-sale, goes back to the individuals. Which is an unbelievable ruling, it has the township acting as a realtor. People can just go now and not pay their taxes and expect to get a return for their money. It is going to kill the tax collection rate. Places like Laurel Lake are going to cause municipalities such as Commercial to not do foreclosures, so you are going to end up with more ghost houses. Fortunately, it's just temporarily suspended because I just don't understand how places through out the United States are going to allow for municipalities....It's tying our hands not to do these foreclosures and that's one of the things that get people to pay their taxes. If it's expensive and impossible for a township to do that, well, it's a scary ruling. Hopefully, they can figure it out before it's too late. But for right now, any tax certificate filed after May 25th, they will not enter into a final judgement which means that you can do all the work for it and the courts are temporarily suspending any final judgement which means the township can foreclose on them but cannot sell.

A resident in the audience shouted out “What about the murder house” Solicitor Seeley explained that he does not know what house that is, he identifies the properties by block and lot.

The Clerk stated that she is referring to the last foreclosure list submitted.

Solicitor Seeley stated that if it was on the list that was filed prior to May 25th, I believe we can get final judgement. There is a lot of things we are going to have to look into going forward with doing additional tax foreclosures.

Mayor Vizzard- We have always maintained that we are not in the real estate business. We are in the collecting taxes business. We are not real estate agents; we are not looking to sell real estate properties. We will auction these properties off to try to offset the cost of the taxes to you people. You guys are the taxpayers. We are not looking to make money selling real estate. The state thinks we are making money off real estate. I’m totally against it, we know that is totally wrong. And to answer your question, if it wasn’t brough up last year, it would fall under their ruling this year.

Solicitor Seeley- It is going to have such a backfiring significance that I can’t imagine that the Supreme Court will back it. It is going to be a disaster.

Mayor Vizzard- We are just hoping, because Minnesota did that, doesn’t mean Jersey is going to follow.

Solicitor Seeley- It is Minnesota but it’s the US Supreme Court so when the US makes a Supreme Court decision. All other state courts are supposed to follow that ruling. All it takes is for one person to challenge that and cite that one US Supreme court case. I just don’t see this being sustainable. I believe we will be talking a lot about this coming up.

Mayor Vizzard moved on to Resolutions.

- Resolution 2023-70 Governing Body Certification of the Annual Audit
- Resolution 2023-71 Approving Competition Dirt Riders Annual Motorcycle Parade
- Resolution 2023-72 Approving A Shared Service Agreement with the County of Cumberland
- Resolution 2023-73 Resolution Requesting Approval of Items of Revenue and Appropriation
- Resolution 2023-74 Authorizing Remaining Funding for Proposal of Remington and Vernick Engineers for Professional Engineering Design and Construction Phase Services for the Mill and Overlay of Main Street in Port Norris, New Jersey

- Resolution 2023-75 Resolution of Approval of Cannabis Retail Sales License for Pigment Retail Company, LLC within the Boundaries of Commercial Township, New Jersey
- Resolution 2023-76 Resolution of Approval of Cannabis Retail Sales for Pigment Retail Company, LLC within the Boundaries of Commercial Township, New Jersey
- Resolution 2023-77 Authorizing the Cancellation or Refund of Property Taxes Due to Approval of 100% Disabled Veteran's Application
- Resolution 2023-78 Resolution Requesting Approval of Items of Revenue and Appropriations.

Mayor Vizzard- Do we agree that these resolutions should be on for Thursday night?

Someone from the audience asked if they could interject. Mayor Vizzard said it would have to wait until Thursday night.

Committeeman Klaudi asked for clarification on Resolution 76. This resolution doesn't mention anything about walk-ins.

Mayor Vizzard- Neither resolution, 75 nor 76 says anything like that.

Committeeman Klaudi- But in his letter it does.

Mayor Vizzard- We need to get a little more clarification on what 76 is about in Mauricetown.

Committeeman Jamison- He is on the agenda for Thursday night.

Mayor Vizzard- Yes, he is on the agenda for Thursday. We need to make sure 76 is clear as to what that is all about.

Mayor Moved to Ordinances. There is one ordinance on for introduction.

Ordinance 2023-619

An Ordinance of the Township of Commercial, County of Cumberland, New Jersey, Providing for the use of funds for the Township Municipal Building to Undergo Renovations for Covid Mitigation and General Upgrade Amending Ordinance 2023-616

Mayor Vizzard- So that's good for Thursday night. Additional Items- Thursday night we will have the following guests. Val Forbs would like to request permission to use the baseball fields. Which I think is a great idea. We need to get those baseball fields used. We will have Justo Lucena is supposed to be here as a representative from the Mauricetown sand plant. Also, Emmett Vandegrift, his business partner & attorney to answer questions about the proposed cannabis retail facility in Mauricetown.

Mayor Vizzard asked for reports from Officials.

Committeeman Jamison asked the clerk if she hear anything back from the county regarding the submission of the County Asset Request Form. The clerk indicated that she had not.

Committeeman Klaudi didn't have anything to report. He said he was going to give Sgt. Black of the State police a call to see if they can attend Thursday's meeting.

Mayor Vizzard- I have couple things I want to bring up. I've attended several meetings. One of them was the animal shelter meeting with the County. There was a feasibility study by the Animal Shelters of America that was submitted to the County. There are a lot of things that they went over. Remember we were talking about having our own shelter and the cost and trying to determine what these animals were costing to the township. As it comes out, the end result is, there is 21,000 square feet of building that would be required to build a shelter and house all the animals. Out of that 21,000, \$470 to \$750 per square feet to determine cost. Which means you're looking at a \$12 million to \$17 million dollar animal shelter. That would have to be split up between all 14 municipalities. They are recommending, right now we are paying based on population. If I round it off, say 5,000 people in Commercial Township, our cost per animal is \$478, per animal. Right now, the normal cost, according to the animal shelter planners of America, is \$300 to \$550 so we are within the normal cost of sheltering animals. What they are trying to make us understand here is even though we think we are paying a high amount for animals to be sheltered, it's a whole lot cheaper then to pay our share of 12 to 17 million dollars for a new building. That's just for a new building, that doesn't include people to man the building, it's just to build the building. With our population being about 5,000 people, according to the shelter planners, Commercial pays, 1.7% of the compared cost with human population. So, another words, we have 5,000 people, 1.7% of that is what we pay to the shelter. The City of Vineland has 50,000 some people and they pay 1.74% which is the same thing as commercial township percentage wise. They have so many more people, they are paying so much more for their animals to be housed at the animal shelter. My summary of what I got out of this meeting was, it isn't going to be worth it for us to have anything to do with a county animal shelter, it's going to cost a lot more money. Right now, our annual cost per animal is \$478. So, if we have 30 animals, were looking at \$15,000 a year for 30 animals to be sheltered. It's not animal control cost, just sheltering. I know the City of Vineland isn't happy about all that, they may aske the county to do something different on that but my fear with that is the county tax rate is going to go sky high to pay for the animal shelter. Regardless, taxpayers are going to pay for this.

I also went to a Coastal Coalition meeting last week, they had a speaker there, Joe Martucci, he is from the Atlantic City press Meteorologist, he talked about the hurricane season projections. He is projecting that this year could be a pretty good year as far as hurricanes, good as in not really severe. The biggest problem he says that we have, because the ocean temperature is warming, the ocean is severely warm this year, there could be a projected, very sever hurricane in NJ but they don't know where. They are forecasting 19 storms, 7 could become hurricanes, 4 could be category 3 or 4. With that, that is why we are trying to figure out what we are going to do with a storm surge and what we are going to do to try and figure out how we are going to

protect Commercial Township with these storm surges. That's Mauricetown, Port Norris and Laurel Lake. That's all I have.

Mayor asked if anyone had anything else, with nothing, a motion and second was moved to adjourn the meeting.

Respectfully submitted,

Heather Miller, Township Clerk