Minutes of the Regular meeting of the Township Committee of the Township of Commercial, held on August 17, 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

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.

Mayor Vizzard asked the State Police if they had anything to report. They did not.

Mayor Vizzard- I do not see Robert Welch or Barney Hollinger.

Mayor Vizzard- meeting minutes of the agenda meeting July 17, 2023, the regular meeting, July 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 August 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- We will skip the engineers report until he gets here. We’ll move to Correspondence. We received notification from NJDOT that applications are now being accepted for the 2024 Safe Routes to School Program. Applications are due November 17, 2023. Next, Resolutions.

**RESOLUTION 2023-81**

**Change Order #1- Straga Brothers Inc.**

**Municipal Building Renovations in the amount of $24,368.00**

**WHEREAS, the Township of Commercial went out to bid the Municipal Building Renovations Project; and**

**WHEREAS, bids were received on January 26, 2023, with Straga Brothers, being the lowest bidder.**

**WHEREAS, additional work was added to the project for ceilings, flooring, paint and additional fixtures.**

**BE IT RESOLVED** **by the Township Committee of the Township of Commercial approve the change order #1 for $24,368.00 and certification of chief financial officer is contained in this resolution.**

**BE IT FURTHER RESOLVED**, **funds for certification are therefore being made available as follows:**

**ARP Unappropriated Grant Reserve:** Balance $99,843.61

**Amount Certified $24,368.00**

Remaining Balance $ 75,475.61

**Total Amount Certified $24,368.00**

**THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Commercial that a contract be awarded to Straga Brothers of Glassboro, NJ, for the Municipal Building Renovations in the amount of $158,068.00.**

FORM OF RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPROPRIATION

NJS 40A:4-87

RESOLUTION 2023-82

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Committee of the Township of Commercial in the County of Cumberland, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of $ 15,000.00 which is now available from a 2023 State of New Jersey, Department of Agriculture Spotted Lanternfly Reimbursement program.

BE IT FURTHER RESOLVED that the like sum of $ 15,000.00 is hereby appropriated under the caption 2023 State of New Jersey, Department of Agriculture Spotted Lanternfly Reimbursement program.; and

BE IT FURTHER RESOLVED that the above is the result of funds from the 2023 State of New Jersey, Department of Agriculture Spotted Lanternfly Reimbursement program in the amount of $15,000.00.

**RESOLUTION 2023-83**

**Awarding Contract to Asphalt Paving Systems for the Reconstruction of Yock Wock Road and High Street in the Amount of $788,600.00 through the FY 2022 New Jersey Department of Transportation Local Freight Infrastructure Fund**

WHEREAS, the Township of Commercial accepted bids for the reconstruction of the reconstruction of Yock Wock Road and High Street in Port Norris NJ on August 10, 2023, at 11:00 a.m. One (1) bid(s) were received and reviewed by Engineer for completeness; and

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

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Commercial hereby awards a contract to Asphalt Paving Systems for the Alternate 1 bid in the amount of $788,600.00 for the reconstruction of Yock Wock Road and High Street in Port Norris if approved by municipal solicitor and certificate of funding by Chief Financial Officer.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified funding for contract awarded to Asphalt Paving Systems in the amount of $788,600.00 from the following accounts:

G-02-41-869-000 2022 NJDOT Grant- Yock Wock Rd. & High St.

Balance in Account $807,000.00

Amount to be Certified $788,600.00

Remaining Balance $18,400.00

Total Amount Certified **$788,600.00**

RESOLUTION 2023-84

TOWNSHIP OF COMMERCIAL

EMERGENCY RESOLUTION NJ 40A:4-48

*(Under 3% limitation)*

WHEREAS, an emergency has arisen with respect to *Animal Boarding Fees* and, no adequate provision was made in the 2023 budget for the aforesaid purpose, and NJSA 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is $40,000 and three (3) percent of the total operating appropriations in the budget for 2023 is $96,192.55 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2023,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJSA 40: A:4-48:

1. An emergency appropriation is hereby made for unanticipated Animal Control/Boarding Fees due to Court Litigation and no adequate provision was made in the 2023 budget.

2. That said emergency appropriation shall provide in full in the 2024 budget; and is requested to be excluded from 2024 cap pursuant N.J.S.A 40A:4-53.3c (1).

3. That the statement required by the Local Finance Board has been filed with the Clerk and a copy transmitted to the Director of the Division of Local Government Services.

4. That two certified copies of this resolution be filed with the Director of Local Government Services.

**RESOLUTION 2023-85**

**Appointment To Commercial Township**

**Land Use Board Class IV Position**

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

Frederick Hundt of 9534 Noble Street, Mauricetown, NJ, be appointed to the Commercial

Township Land Use Board as a Class IV Member for remaining term of vacancy to expire

December 31, 2025.

**RESOLUTION 2023-86**

**Appointment To Commercial Township**

**Land Use Board Alternate III Position**

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

Elizabeth Truitt of 9564 Noble Street, Mauricetown, NJ, be appointed to the Commercial

Township Land Use Board as an Alternate III Member for remaining term of vacancy to expire

December 31, 2023.

CERTIFICATION

I, Heather Miller, Clerk of the Township of Commercial hereby certify that the forgoing Resolutions were unanimously adopted by the committee at their regular township meeting held on August 17, 2023, at 6:00 P.M., at the Township Hall, 1768 Main Street, Port Norris, NJ

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Heather Miller, Township Clerk

Mayor Vizzard asked for a motion to adopt resolutions 2023-81 through 2023-86. Motion was made by Committeeman Klaudi and seconded by Committeeman Jamison. Roll call vote, all were in favor.

Mayor Vizzard- We have an Ordinance for adoption.

**TOWNSHIP OF COMMERCIAL**

**CUMBERLAND COUNTY, NEW JERSEY**

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

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

Section 1: Ordinance 2023-616 is hereby amended to provide as follows:

Funding for the Township Municipal Building to undergo renovations for Covid Mitigation and general upgrade shall increase by $24,368.00 from $163,700.00 to $188,068.00 to accommodate cost of additional cosmetic building renovations not factored into original Ordinance. Amended funds will be appropriated as follows:

ARP Unappropriated Grant Reserve $24,368.00

Section 2: The total amount of amended Ordinance of $ 188,068.00 is hereby appropriated as follows:

Capital Improvement Fund $76,000.00

ARP Unappropriated Grant Reserve $112,068.00

Section 3: This Ordinance shall take effect upon publication of notice of final adoption as provided by law on or about August 30, 2023.

AND, BE IT FURTHER RESOLVED, by the Township Committee of the Township Commercial, County of Cumberland, New Jersey

Mayor Vizzard- Do I have a motion and a second to open the meeting to the public. Committeeman Jamison made the motion and was seconded by Committeeman Klaudi.

Mayor Vizzard- Anyone from the public like to address this ordinance? Seeing none, can, I get a motion to close to the public. Motion was made by Committeeman Jamison and seconded by Committeeman Klaudi.

Mayor Vizzard- Can I have a motion and a second to adopt the ordinance. Motion was made by Committeeman Jamison and seconded by Committeeman Klaudi. Roll call vote, all were in favor.

Mayor Vizzard- I think at this time we can go right into the land sales. Mr. Seeley will conduct the land sales.

Solicitor Seeley- If there is anyone here, present tonight or has submitted a bid for property, I’m sure they are familiar that the proper advertisements were submitted two times, one on August the 4th and the 11th in the paper of local circulation that the land sale would be conducted tonight, August 17, 2023, at the Commercial Township meeting building at 6:00, you see it’s 6:05. For record purposes, the conditions of the sale as they always are and as they were published, is that the property they receive is by quick claim deed only, we do not guarantee title, we are not a title insurance company. We do title searches when we do our foreclosures. Are foreclosures are found to be in conformance with the courts, but we are not an insurance company. So, we advise you to order title insurance if you plan to make substantial investments or regardless of what you plan on doing with the property. I’d like to ask if there are any questions about that. Ok, so you understand you should order title insurance, we are suggesting you do that. Second is tonight you are expected to put down 20% of the sales price of the bid you put forward and is accepted by the committee. There will also be a $400 conveyance fee added to the total of that. Any questions on that. Ok, if there are no questions, we will start with the land sale. The committee did receive a bid from Mobile House Investments and has put a bid of $1,500 for block 24, lot 4589-4593 known as 7700 Whittier Dr and the size of the property is 100 x 100 vacant property lot and it is buildable. The township has entertained the $1,500 bid and here we are at the public auction. We will open with the $1,500 bid.

A bid of $1,600 was offered. After several bids, the final bid offered was $5,500.

Solicitor Seeley- The next property was also introduced by Mobile House Investment again for a $1,500 bid. Block 22, lot 4872-4877 known as 338 Cherry Rd. and this is also a buildable lot at 120 x 100 vacant property. The starting bid is $1,500.

A bid of $2,000 was offered. After several bids, the final bid offered was $3,000.

Solicitor Seeley- The next property is 505 Evergreen Rd., and this is in the amount of $500. It is block 99, lot 8856-8857 known as 505 Evergreen Rd. and it is a 40 x 100 vacant lot which is not buildable, so it has to be offered to an adjoining owner. Mr. Ritz offered $500. Is anyone else here interested in bidding on this property? With none, the bid stayed at Mr. Ritz’s offer of $500.

Solicitor Seeley- Now that we have sold these properties for $5,500, $3,000, and $500, I will turn it over for the committee’s acceptance.

Mayor Vizzard- Do I have a motion to accept bid #1 at $5,500, bid #2 in the amount of $3,000 and bid #3 in the amount of $500. Committeeman Jamison made the motion and was seconded by Committeeman Klaudi. Roll call, all were in favor.

Solicitor Seeley- For the record are there any questions with regard to anything I said regarding the land sale that just took place.

Mr. Ritz- Are the properties marked out already.

Solicitor Seeley- You have to get your own survey. There is probably old pins in the ground. They usually go with metal detectors. If you know someone with a metal detector you may be able to find them yourself. But if you want an absolute defined property line, you will need to get a survey.

Mayor asked Mr. Seeley to wait on the paperwork until after the public portion.

Mayor Vizzard- We are going to drop back now and go to the Engineers report.

Nick DiCosmo-

Port Norris River front Phase III Project- The design for the Miller Ave. bridge, is completed and we are wrapping up the design for the Barry Ave. tide gate. Everything should be submitted to the County for DOT review by the end of this month. We plan to advertise and hopefully award a contract by the end of the calendar year.

Reconstruction of Yock Wock and High St.- Bids were opened last week. I believe it is on the agenda to award the alternate bid to Asphalt Paving Systems in the amount of $788,600 which is about $20,000 under our budget. We may be able to get a little extra paving done for that job. APS has indicated they can begin work immediately; however, we have to wait for DOT. We would like a pre-construction meeting next week but we have to wait for DOT.

Mill and overlay of Main St. – We are also near the end of our design. Hopefully we will be submitting it to the County and DOT for review shortly. I plan to advertise and award a contract at the October meeting. That will be from Strawberry to Ogden.

Local Aid infrastructure application for the reconstruction of Milbourne Lane and Dennis lane- Still haven’t heard anything.

2024 NJDOT Municipal Aid application – Still waiting. We submitted a month or two ago for drainage improvements to Whittier Dr. and Dandelion Rd. We should hear early in the fall.

Laurel Lake water and sewer- Today we were able to schedule a meeting for August 28th to meet with the city of Millville to discuss the future plan for the Laurel Lake water distribution and sanitary sewer. I will attend that meeting alone and I will report the discussions. After that as we get further along, we will meet with the committee members and the city officials and have further discussions.

Local Recreation grant - We will be submitting a reconfigured scope to hopefully use that money for the Battle Lane Park. I will be submitting that by the end of the month.

Mayor Vizzard- Very good, Thank you.

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

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

Richard Smith, Port Norris- I would like to commend the Public Works Dept. of Commercial Township. With all this recent rain, they have done a great job keeping up with the grass cutting, not just on the streets but they have the post office, the municipal building, the library, the ballfields, the senior center, the police barracks and these guys do a great job. I was at the dump this Saturday for dump day, and the way I saw those guys treat the elderly, they had trouble getting things off their trucks and they stepped up and did a really great job. I just wanted to say something positive about the road department. One more thing, I am awfully glad to see when we come here, we salute that flag. I just saw an article this week where a municipality in Minnesota decided not to salute the flag anymore. That’s treason. Thank you.

Mayor Vizzard- Thank you.

Thomas Ritz- I just bought the property at 505 Evergreen, and I own 509. When I first bought 509, I cleaned 505 because I thought it was mine. Twice the township dumped branches and other stuff on the property, and I called, and they cleaned it up, can you give them a note that the township don’t own that property no more. I don’t want anything dumped on there now that I own it.

Mayor Vizzard- Sure, I don’t know why not.

Thomas Ritz- There is still stuff on the property they dumped, tires.

Solicitor Seeley- The township dumped tires.

Thomas Ritz- Yes, I was there when they dumped them, and they said the township owns the property. I cleaned up the wood and stuff, but the tires are still sitting there, and I found out I don’t own it and that’s why I’m here now.

Mayor Vizzard- Anyone else from the public? Seeing none, can I have a motion to close to the public. A motion was made by committeeman Klaudi and seconded by committeeman Jamison. Any other considerations? Seeing none, can I have a motion to adjourn. A motion was made by committeeman Klaudi and seconded by committeeman Jamison.

Respectfully Submitted,

Heather Miller, Township Clerk