

Minutes of the Agenda meeting of the Township Committee of the Township of Commercial held on January 16, 2024, at 6:00 P.M., at the Township Hall, 1768 Main Street, Port Norris, NJ.

Those Present:

Ronald Sutton
Joseph Klaudi
Mike Vizzard
Thomas Seeley
Nick DiCosmo
Heather Miller
Clint Miller

Mayor
Deputy Mayor
Committeeman
Solicitor
Engineer
Township Clerk
Public Works Supervisor

Mayor Sutton 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 Sutton stated the first order of business is Barney Hollinger, Riverfront Consultant.

Barney Hollinger-

- Spoke of flooding on Berry Ave. Water across the road in the last two storms. Stated that part of Miller was also under water.
- Reported on the bulkhead damage at Longreach. More flooding is occurring and coming across the road. Spoke to owner Todd Reeves.
- Biden signed into law for Port infrastructure development. Part of it is for port reconstruction. After reading it, he thinks it may be used to raise the township wharf. It's for places that are used to unload seafood and other activities.
- For the last two weeks, Pineland has been emptying the dumpsters at apartments on Memorial Ave. He didn't think they were to do that.

Clint Miller responded that the township is to empty them, it's part of the contract. Pineland bought those dumpsters from Waste management. We are required to do it.

Mayor Sutton- To follow up on what Barney was saying on the flooding, I went down there, 2-3 days in a row, Bob Bateman called me, it's the dyke where they ruined it. I stopped and spoke to Todd Reeves, and he said the same thing, but they are trying to blame it on the storms. I want to recommend that Tom Seeley send Todd Reeves and Mount Construction a letter that this must be fixed immediately. Give them 15-30 days.

Committeeman Vizzard said he wasn't against it.

There was a brief discussion on the damage to that bulkhead and the consequences of it.

Committeeman Vizzard stated that he does questions the legality of sending a letter because the township has no contract with Mount Construction. The only people we could go after is Harbor House.

Multiple people talking, discussing responsible parties and how to resolve the situation.

Tom Seeley pointed out that there should have bonding for the work done out there.

Barney Hollinger stated that all funding was paid through the American Littoral Society.

Nick DiCosmo suggested getting a copy of their contract.

After further discussion it was ultimately decided that Tom Seeley would review the contract if a copy were obtained and if no corrective action is taken, a letter would be sent to ALS who is under contract with Mount Construction.

Mayor Sutton called for OEM report.

Robert Welch, OEM coordinator-

- Statistics of the storm on Tuesday, January 09, 2024. Reporting on trees down, flooding on the causeway, and power outages. The Haleyville school was briefly opened as a warming and charging station. Areas of Laurel Lake were out of electricity for an extended amount of time. All were restored as of this report.
- Storm of 1/12 into 1/13, no issues.
- Preparing for storm expected to begin overnight and through the day tomorrow. (1/19/24).
- Still contending with a tree issue on Doris Dr. A tree down on a Verizon wire. Has contacted 911 several times but Verizon must contend with their wires. It is effecting the through fare there.
- The school reached out to him. They are working on their emergency action plan. They have been in touch with Port Norris Fire Co and Mauricetown Fire Co. In the event of an active shooter event or something of that nature requiring an evacuation, Mauricetown will be their primary site and Port Norris school will be their secondary site. When the plan is complete, it will be submitted to him, and he will submit it to the township and county OEM.

Mayor Sutton commended Rob on the job he has done. Doing a great job.

Mayor Sutton called for the Engineers report.

Nick DiCosmo-

- Riverfront Road Project phase III- (Tide gate and bridge). Received authorization from DOT to advertise. DOT did approve our extension request. The county had a number of comments about the bridge. A response was provided and now waiting for their

authorization to advertise. Also working on overhead wire relocations. There is Atlantic city electric, Comcast and Verizon on the poles on Miller Ave. They will conflict with the pile driving. Should not hold up going to bid. He hopes to go to bid in a week or so.

- Re-construction of Brown St. – PMRS shows that final payment was made. I just want to confirm that with Pam.
- Mill & overlay of Main St. – The bid opening is scheduled for tomorrow at 11am.
- North Ave Pedestrian Safety Improvements –We have received authorization from DOT to advertise. The plan is to advertise on the 25th and open bids on Feb. 8th. A letter was submitted to the county to request the intersection of Highland and Steep Run as a four way stop.
- 2024 Local Freight Impact Fund- The resolution was submitted to PMRS.
- 2024 NJDOT Municipal Aid- The proposal is on the agenda for review and consideration for roadway improvements and drainage to Whittier Dr. This job will consist of reconstruction of Whittier from Begonia to Opal and installation of new drainage improvements at the intersection of Dandelion. It will be piped into the main that was constructed as part of the Laurel Lake drainage improvements several years back.
- MS4 grant- Working on the stormwater prevention plan. Contacted DOT and will continue to work with them to get the plan submitted and receive an additional \$50,000 of grant funding for the MS4 reassignment.

Mayor Sutton had some questions for Nick and the rest of the committee so he could be brought up to speed regarding Mauricetown park.

Nick DiCosmo said he hadn't made much headway in finding funding for that. Nick continued that last it was discussed, they were going to explore replacing the bulkhead with a living shoreline. A jetty stabilized rocks kind of shore. Nick intends to reach out to the American Littoral Society to see if they have any suggestions on funding. Nick stated that an underwater inspection was done in 2022 and we have that report. He has an estimate to fully replace the bulkhead with a new sheet pile bulkhead. He believes it was somewhere between \$7-8 hundred thousand.

Mayor Sutton asked about the money Biden put out for boardwalk repairs and if this may fall under that funding.

Nick DiCosmo didn't think it would fall under that. He didn't know the status of that funding, but he was going to look into it. Nick suggested maybe it would fit better under something like this because they couldn't get a cost analysis to work out under any FEMA grants. The park isn't really protecting much, and it doesn't have a large enough monetary value.

Mayor Sutton asked Nick to put special effort toward this. It needs to be fixed and he knows it is a big concern to Clint.

Nick DiCosmo said he would look into it. He mentioned he didn't know how much of a cost savings there would be for the rock line verses a bulkhead. The bulkhead is the easiest way to do it.

Mayor Sutton- moved to correspondence.

- Linda Gentile of Shore Animal Control has provided a year end animal control report for the committee to review. They responded to over 800 calls in 2023.

Mayor Sutton continued that there is an Ordinance up for introduction.

ORDINANCE 2024-632

Calander Year 2024

Ordinance to Exceed the Municipal Budget Appropriation Limits and to
Establish a Cap Bank
(N.J.S.A.) 40A: 4-45.14)

Second Reading and Adoption is scheduled for February 15, 2024.

Mayor Sutton Ordinances for second reading and adoption.

Township Of Commercial

ORDINANCE 2023-630

AN ORDINANCE BY THE TOWNSHIP OF COMMERCIAL, COUNTY OF CUMBERLAND, STATE OF NEW JERSEY, TO AMEND ORDINANCE 2021-606, TO ALLOW AND REGULATE THE OPERATION OF RECREATIONAL CANNABIS FACILITIES WITHIN THE TOWNSHIP

Mayor Sutton said he hasn't seen or read this ordinance.

The Clerk stated a copy was in his packet.

Solicitor Seeley said we have been working on that for quite some time and that he believes it is comprehensive.

Mayor Sutton asked if there is a time limit on this in case there are things that should be added or amended.

Solicitor Seeley said it is up for final reading. Do you want to delay it?

Mayor Sutton responded he hasn't read it. Solicitor Seeley suggested he could go over it with him. Solicitor Seeley said we have been going over this for 4-5 months. He comprised the information from several different municipalities. The mayor or Mike had a lot to do with where it would be allowed.

Mayor Sutton said he would read through it and if he had questions, he'd ask.

ORDINANCE 2023-631

AN ORDINANCE AMENDING THE 2021-607 SALARY AND WAGES
ORDINANCE OF CERTAIN OFFICIALS AND EMPLOYEES OF THE
TOWNSHIP OF COMMERCIAL IN THE COUNTY OF CUMBERLAND
PROVIDING THE TERMS OF PAYMENT THEREOF AND REPEALING
ORDINANCE INCONSISTANT HEREWITH

Mayor Sutton asked why this ordinance is being done.

The clerk responded that it was to adjust the CFO's salary.

Committeeman Vizzard said she deserves it.

Mayor Sutton said he didn't want to open a can of worms, but we don't usually give raises out in between union contracts.

Committeeman Vizzard said there is a lot of work that she has been doing that is above and beyond and she takes a lot of work home.

The clerk stated she is not in the union.

Mayor Sutton said you do it for one then you're going to have people standing in line for it.

Solicitor Seeley stated that with the new cannabis ordinance there will be additional work she has never had to do before.

Mayor Sutton asked how much of an increase.

The Clerk stated she is going to get \$36,000.

Mayor Sutton moved on to Resolutions.

1. **Resolution 2024-19** List of Uncollectable Taxes
2. **Resolution 2024-20** Correction of Resolution 2023-116

Mayor Sutton asked what this resolution was. Clerk explained the collector made an error on a resolution adopted last month and this is the correction.

3. **Resolution 2024-21** Authorizing the Transfer of Overpayment to Other Tax Years or Refund of Overpayment to Owner, Payer, or Their Representative.

- 4. **Resolution 2024-22** Resolution for Transfer of Interest to the Current Account
- 5. **Resolution 2024-23** Authorizing Contract to Riggins Inc. for Purchase of Gasoline and Diesel Fuel Under Cumberland County Purchasing Pricing System # 64-CCCCPS
- 6. **Resolution 2024-24** Approving Membership in the Cumberland Development Corp.

Mayor Sutton asked when the CDC meetings are. Committeeman Vizzard stated he believes it's the 2nd Wednesday of the month. The meetings are at the Shiloh Municipal Building.

- 7. **Resolution 2024-25** Approving Raffle License Application of the Citizens United to Protect the Maurice River and its Tributaries for year 2024.
- 8. **Resolution 2024-26** Approving Salary Increase for CFO to \$36,000 for 2024
- 9. **Resolution 2024-27** Accepting Proposal from Remington & Vernick for Engineering fees of Municipal Aid Whitter Dr.
- 10. **Resolution 2024-28** Executive Session

Mayor Sutton stated he would like to add a resolution to aid in preparing the budget, a resolution to hire another part time code enforcement officer. The mayor wants to get the towns cleaned up and one part timer is never going to do it.

Committeeman Vizzard asked if he wanted to do that in December of 2024. We are on a temporary budget.

Mayor Sutton stated we will be working on the budget for 2024 and he would like to hire someone for this year. The town needs to be cleaned up.

Committeeman Vizzard said that he agreed, it did but in his opinion, the current part time person should be offered full time. He is doing a great job.

Mayor Sutton replied that if you give him full time, you have to provide health benefits. If you have two-part timers at 30 hours a week, you get an extra 20 hours.

Committeeman Vizzard replied that he felt the town would loose the current PT employee.

Mayor Sutton suggested making him full-time but still hiring another part-time employee. Mayor stated this situation has gotten away from us.

Committeeman Vizzard agreed that it had but that it was because the person who was doing the job, wasn't who we thought he was. That's why they opted to hire PT but when he was hired, he was told he'd have an opportunity to go full time should need to do that. We need to back up what we promised him. He agrees we need more time spent on this. We need to offer this man full time.

Mayor Sutton asked what health benefits cost and if this man has a family.

Committeeman Vizzard said he doesn't think it matters and sure he does. But it doesn't matter.

Mayor Sutton said he'd like to know, that's why he is asking.

Committeeman Vizzard said he could talk to the CFO tomorrow but as far as the conversation tonight, I don't believe it's good to tell the man he's going to be part time and we are going to hire someone else.

Mayor Sutton said he didn't have a problem if they wanted to hire him full-time, but he wants to hire a part-timer to go along with it.

Committeeman Vizzard said now your talking about another vehicle.

Mayor Sutton said things needed to be cleaned up.

Committeeman Vizzard said he wanted to hire this man full-time and see how he makes out first. Committeeman Klaudi agreed saying one step at a time.

Mayor Sutton said he didn't think this township could take another year of going backwards with the trash and debris in the yards.

Committeeman Vizzard said it's been three years of struggling with the guy that was in there. Things have gone backwards, no one is denying that. Let's give this new guy a chance, make him full time and see what he can do then I'll agree to see about getting another part timer. We can offer it to him, if he doesn't want it, we'll look to do something different. It's always been a full-time position.

Committeeman Klaudi said you will see that this guy is out to make this township better.

Committeeman Vizzard said if you want to put a resolution on to make him full time, I'll back you. Committeeman Klaudi agreed.

Mayor Sutton suggested calling a meeting and discuss it with him. It needs to be done right away.

Committeeman Vizzard suggested next week.

Mayor Sutton said OK. Next, he wanted to talk about JIF, they don't do the Elected official's dinner anymore and it has to be done online. He was wondering if the other members wanted to do it together an hour prior to the next workshop meeting.

Both Committeeman Vizzard and Klaudi said they preferred to do it at home on their own.

Mayor Sutton asked when they would be sitting down with Pam to go over the budget.

Committeeman Vizzard said he didn't know; she hasn't said yet.

Mayor Sutton said there were a lot of things she could do to set utility bills and stuff like that but there are some things they may want to change. He thinks it's important to go over it with her.

Committeeman Vizzard didn't see any problem with that.

Mayor Sutton said as far as the EMS, he doesn't know where they stand.

Committeeman Vizzard said he knew that Pam was looking into their financials. He told them that they reserved the right to have their financials audited.

Mayor Sutton said if we are going to have to put any kind of big money into it....

Committeeman Vizzard said we aren't going to be able to.

Mayor Sutton said but if it was laid on to us that way, the first think he would want is an outside audit.

Committeeman Vizzard said which is what I've already asked for. It hasn't happened yet, but it will. The other thing, when all this first started, we were exploring this cannabis Company, and my first thought was we could use that income to offset the rescue squad. Of course, we have come across blocked walls lately. I still think it is a good funding source. Of course, we are running out of time. They may have to cut back.

Mayor Sutton asked where everything was with the cannabis. When are they looking to open.

Mayor Sutton- I haven't seen any activity up there.

Solicitor Seeley said they won't until they go before land use board. Until they have the site plan approval, they can't do anything.

Mayor Sutton said he came to a meeting they attended; did you guys' ever ask for a background check on them?

Committeeman Vizzard said if they have their licenses and approvals from the state, they really are no reasons to do that.

Solicitor Seeley pointed out that they have already opened several already.

Mayor Sutton said that's his problem, they open them and then they sell them. Is there anything in the ordinance about if they open this and then sell it.

Solicitor Seeley said the thing is even if they do sell it and they get it up and going, and it's a viable business and someone buys it, it is still bringing you the funds that the other store did.

Mayor Sutton asked can we put in the ordinance that if it changes hands and they sell it that we would want a background check.

Solicitor Seeley said you could do that anyway.

Committeeman Vizzard said it didn't even need to be in the ordinance.

Solicitor Seeley said there is no reason why we can't do that.

Mayor Sutton said this way you have no control over who is buying and selling.

Solicitor Seeley said the big driving force is going to be financials. If they are able to generate what they propose they will, nobody is going to be able to afford that type of business, but we can put it in there for a background check.

Robert Welch said for quick reference when it comes to EMS, I said in the meeting back in October, if the township gets involved, my recommendation is that you have all representatives, from all the departments when it comes to the board, from that point forward. Mr. Welch suggested two members from all three fire districts as the board that will oversee the EMS going forward. They can keep tabs on the finances.

Committeeman Vizzard asked if it was something that could be done now.

Robert Welch said that we can push for that.

Committeeman Vizzard said they have to be held accountable for taxpayer's dollars.

Robert Welch said there has to be transparency and the fact that they want money from everybody now, I think everybody needs to be involved. Right now, Laurel Lake controls that and we have to go off their word.

Committeeman Vizzard said Laurel Lake's funding comes from the taxpayers, not from the "township". There should have been someone from all the departments involved and overseeing where these funds went.

Mayor Sutton said we are going to open to the public. If you want to speak, please come to the front and state your name and address. Mayor asked for a motion and second to open the meeting to the public. Motion was made and so moved.

Barney Hollinger – This background check you want to do, I'm sure if you call the state, I think you will find that the state cannabis regulatory commission is already doing that. I think it is just another step you don't have to do. You can call them, and they will give you all the information you need. This is one of the most regulated industries in this state.

Mayor Sutton said I just want to cover our tail.

A motion was moved and seconded to open the meeting to the public.

Fletcher Jamison, Brown St. Port Norris- Code Enforcement. I agree with Mike and Joe. The new guy is doing a great job. He does care about the township. Like Joe said, it's not about the money, but he cares. You should offer him the full-time job and not worry about getting someone to help him. That's just like spiting in the mans face. It's like giving him the job then taking it away from him. He's doing a good job. Give him full time and more hours. He can get more done. You're still going to have the same problems where people will not clean up their properties. He'll write tickets and it's still going to be the same, but he'll be able to do more work with more time.

Marie Gallo- We are having a meeting tonight with the recreation committee, It's 150-year anniversary, this year. We would like to plan a beef and beer type of event. We are joining with the historical societies and the Bayshore Center. So, what we are talking about is that the committee needs to be involved. The township hall needs to be involved. We need someone to help us get into the Mauricetown Fire Company to see if we can have our event there. Just spreading the word, getting us donations. It's the township's anniversary and it's a big deal. The recreation committee asked me to come up and make sure this committee knew what was going on and trying to do. The historical society is very excited. They are going to have presentations; they will have items from throughout the years. They will be selling the usual items they usually sell. They did bring up maybe having a t-shirt made for the 150-year anniversary for the recreation committee to sell. I'm looking for input and support. We are going to try really hard to have it March 9th. The anniversary is March 10th.

Mayor Sutton asked, what month?

Marie Gallo said March.

Committeeman Klaudi said that's close.

Committeeman Vizzard said we should probably get permission from the insurance co about the beef and beer.

Marie Gallo- Would there be a budget for this.

Committeeman Vizzard said there is funding in the recreation line-item. She can check with the CFO to see what is available.

Marie Gallo continued that there are a lot of moving parts but not many hands on. They had help with certain things, but the hardest part would be selling tickets and getting the word out. It's short notice but we need to make the push.

Committeeman Vizzard said it was well worth the push, it's the 150th anniversary and pointed out that Ronald Sutton is Mayor during the 150th Anniversary.

Mayor Sutton wanted to know who was going to be selling the tickets and noted there isn't much time to sell tickets.

Marie Gallo said that all the recreation committee members will be selling tickets and that they will advertise and let all the businesses know, utilize social media.

Committeeman Klaudi said he would ask the fire company about using their hall.

Marie Gallo asked if he could find out if they have a list of approved caterers. Marie thanked the committee.

Nick DiCosmo spoke suggesting since they would be working on the budget to incorporate funding for the Mauricetown Park and suggested the committee consider bonding for that project. Nick also said he knew a gentleman who has a business that seeks out grant funding. His name is Jim Ella. Of course, he doesn't do it for free, but he works for other towns. Suggested the committee may want to explore the option for this particular project.

Mayor Sutton suggested Triad and said he didn't want to pay someone else to look for it and for Nick to exhaust all means.

Barney Hollinger- He would like to say the same as Fletcher, he thinks the committee should hire the guy full time but he if recalls, there used to be over 1,000 rental properties, and suggested hiring someone to just handle the rental properties while this guy catches up with all the other stuff going on.

Mayor Sutton said this guy doesn't do the rentals. Bill White is doing the rentals.

Clint Miller said he thought what Barney was getting at is there are a lot of unregistered rentals.

Barney Hollinger agreed, there are a lot of unregistered rentals. There are also a lot of places that never got CO's. There are 2-3 of them in his little neighborhood. The other thing is all the chickens. He has a goat across from him sitting in a little dog pen on a tiny piece of property.

Mayor Sutton said that was kinda what he wanted to do, to get another guy who can do the rental inspections.

Committeeman Vizzard said that as he stated earlier, he was not dead set against hiring someone else. He just wants to offer this guy full time first and get him going and if needed, hiring someone else part time could be considered.

Mayor Sutton said that he would like to see the construction official, who we pay \$55,000 a year to and send to the state and put that \$55,000 to code enforcement.

Committeeman Vizzard said No, you do not want the state here.

Barney Hollinger said that was done before and didn't work out.

Committeeman Vizzard said it would be a disaster and is not the way to go.

Mayor Sutton asked if there was anyone else and said that the committee was going to go into executive session.

The clerk said that the executive session is for Thursday night and that the code officer was going to attend on Thursday.

Mayor Sutton said he wanted to go over it tonight.

Solicitor Seeley said if he wanted to brush over it tonight, they can do that.

Committeeman Klaudi made the motion and was seconded by Committeeman Vizzard to go into executive session.

Mayor Sutton- We are now closed to the public. At this time, we are going to go into executive session. I am asking that everyone leave the room. You can wait out in the foyer and if you want to come back in to hear what happens, you can come back in after the executive session.

When the meeting was set to reconvene, the clerk went out and invited anyone waiting outside to re-join the meeting.


Mayor Sutton asked for a motion to re-open the public meeting. A motion was made by Committeeman Vizzard and seconded by Committeeman Klaudi.

Solicitor Seeley gave an overview of what was discussed in the executive session stating that what was discussed was the empty houses and trailers, squatters and various individuals

that are living in houses they don't own that are eyesores to the township and that they will be coming up with a plan to try and get rid of some of these properties.

Mayor Sutton asked if there was any further comment, and with nothing, asked for a motion to adjourn. A motion and second was moved and the meeting was adjourned.

Respectfully submitted,



Heather Miller, Township Clerk