

COMMERCIAL TOWNSHIP
EXECUTIVE SESSION
JANUARY 16, 2024

Minutes of Executive Session interrupting the Regular Township Meeting of January 16, 2024, of the Township Committee of the Township of Commercial in the Township Hall, 1768 Main Street, Port Norris, NJ

Those Present:

Ronald Sutton Sr.	Mayor
Joseph Klaudi	Deputy Mayor
Mike Vizzard	Committeeman
Thomas Seeley	Solicitor
Heather Miller	Township Clerk

Mayor Sutton informed the public that the committee was going into an executive session and that when the committee reconvened the regular meeting, they would be called back into the meeting room.

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

Solicitor Seely asked the committee if they were familiar with the name Byron Whitmarsh. Does anyone know if he is alive.

The clerk said he was not, he passed away a couple years ago.

Solicitor Seeley said we have a problem with the gentleman because it appears he bled these properties dry, sucked out all the equity. You can see that as of this month, the total liens on the property. (the clerk had provided a spreadsheet of the Whitmarsh properties). Solicitor Seeley identified that there are Municipal liens, outside liens and Federal liens. The total for all the liens is almost half a million dollars. Solicitor Seeley continued by explaining that unfortunately in recent days, the foreclosure laws have had changes. The US supreme court basically made it illegal to have any final judgements which means we can not get any final judgements. We can do all the work, and the judge will dismiss the case.

Mayor Sutton asked if it is temporary.

Solicitor Seeley said it is still temporary, but it is still effective. Until they change the law, it puts a lot of pressure on small towns like us.

Solicitor Seeley said he didn't know how the committee would like to tackle some of these issues. Some of the properties have people living in them.

The clerk stated that 208 Robin Rd. was the biggest issue for code enforcement. There are people living there and every inch of that property is covered in debris. The clerk continued

that it looks like there are two properties that are vacant and one of them looks like the construction official already tagged it.

Mayor Sutton said we can do a condemnation hearing, tear it down and put a lien on the property.

There was a brief discussion about recent issues with squatters and trying to have them ejected and the difficulty of getting service from the sheriff's office as well as the rights squatters have.

Mayor Sutton said we have to try.

Solicitor Seeley asked where he wanted to start.

Mayor Sutton said start with the ones that no one is living in. Another thing is that when they go over the budget, he wants more money to put in for the road crew. They don't get overtime like they did for snow, so they care to tear these places down.

Committeeman Vizzard wanted to point out that they had demoed properties over the last five years. It's not that the township has done nothing.

Mayor Sutton said that he knew that, and he wasn't trying to say they didn't.

Committeeman Vizzard said as far as he knows, there is \$10,000 set aside for tearing down houses.

Mayor Sutton said we need to get some of these places tore down.

Committeeman Vizzard said he understood but the road crew has other obligations as well. I know you say we will put liens on these properties, but we will never see that money, and this is just taxpayers' money being used to tear down these places.

Mayor Sutton said we want people to clean up their properties we need to clean up our own properties.

Solicitor Seeley wanted to make it clear that when these places get torn down, we still don't own them.

Solicitor Seeley explained briefly about the process of foreclosure when a federal lien is involved.

The clerk asked if we could find the next of kin for these properties and ask them what they are doing.

There was discussion briefly as to whether someone had an interest in the properties and if someone was collecting rent and the unfortunate reality that no one will take responsibility because of the liens on the properties.

Solicitor Seeley said that it is something we need to get the housing official and code enforcement in on the conversation if they are going to be enforcing some of these issues. Mr. Seeley said take your packets and review them so we can discuss them with the officials. Remember, we have to have demolition hearings, we need to contact these people and it's not just a matter of slapping a sticker on the building. The easiest ones on the ones that are not occupied and in the worst condition. We need to leave it to the construction official.

The clerk stated that the code enforcement official will be attending Thursday night and is dealing with the squatter issues. She will reach out to the housing/construction official to see if he can also make it.

Mayor asked for a motion to close the executive session.

Committeeman Klaudi made the motion and was seconded by Committeeman Vizzard.
Roll call, all were in favor.

Respectfully Submitted, .



Heather Miller, Township Clerk