

Commercial Township
Special Meeting
April 1, 2024, at 4:00PM
Commercial Township Hall/Virtual

Mayor Sutton calls meeting to order.

This meeting is called pursuant to the provisions of the Open Public Meetings Law. Notice of this special meeting of April 1, 2024, at 4:00 pm was advertised in the March 29, 2024, edition of the Daily Journal and the South Jersey Times and posted on the door of the Municipal Building and has remained continually posted as required notices under statute.

In Attendance:

Ronald Sutton Sr.	Mayor
Mike Vizzard	Committeeman
Joseph Klaudi	Committeeman
Heather Miller	Township Clerk
Thomas Seeley	Solicitor
Clint Miller	Public Works Supervisor

Mayor Sutton said that the purpose of this meeting is to discuss the signing of a Letter of Intent and Lease Option Agreement with Tattleaux Solar Group for a solar project at the township's old land fill. Mr. Joe Cortez provided a revised LOI and Agreement on the night of March 21, 2024. To allow time for the Solicitor and Committee to review, this special meeting was called. Resolution 2024-47 was adopted on March 21, 2024. Authorizing Commercial Township to accept Letter of Intent and enter into a lease option agreement with Tattleaux Solar Group to develop, construct and operate a community solar project.

Mayor Sutton continues with discussion items and to address any questions.

- Letter of intent to develop, construct and operate a community solar project of approximately 3.0 megawatts-dc located in the locality of Haleyville, Port Norris/Commercial Township, NJ: Sponsor Solar Workforce Development and Education programs for community residents.
- Lease Option Agreement

Committeeman Vizzard said he had questions. Mr. Vizzard addressed Clint Miller saying he met with Frank from the solar company.

Clint Miller said that because of the weather, they didn't go on site. They looked through some drone pictures Clint had. Joe and Frank's big concern was that they thought they were going to encounter larger trees. Clint explained that there weren't many large trees, it was mostly small pines. Clint stressed that the trees would need to be removed, grinded up and removed from the site. DEP regulates us to hold debris for only one calendar year. Frank said he doesn't have any concern as far as the trees go. He feels it is well worth moving on to the next stage. Clint stated

that Joe Cortez was pressuring Frank to come down again before this meeting but that he had already been on site before. The interconnection will be a big hurdle.

Committeeman Vizzard asked if they are putting a fence around the entire thing. Clint Miller responded yes; they are.

Solicitor Seeley asked if we knew the specifications of the fence.

Clint Miller stated that wasn't something in the contract but that it would probably something they could bargain with.

Mayor Sutton said that it is supposed to be 8 foot high, chain link and he believes barb wire.

Clint Miller said that he was told the County Health Department may or may not require shrubbery around the fence line. No homes will be able to see it.

Clint Miller said they are shooting for a 3 megawatt. That is based on 12-14 acres. Clint said that the township owns more than 30 acres there. It may be something they will consider expanding on in the future.

Committeeman Vizzard said that he believed their concern was getting the approval from Atlantic City Electric. That's why they have limited it to 3 megawatts.

Committeeman Vizzard said he wanted clarification. There is a Letter of Intent and a Lease Option Agreement. Are they to vote on two separate things.

The Clerk stated that it is two documents that need to be signed.

Solicitor Seeley clarified that the Lease Option Agreement gives them first option. Without that, they won't be able to get an investor to back it.

Committeeman Vizzard said it also has two, five-year options for extensions.

Clint Miller said that in order to get the financing, they need it because it is going to coast a lot and a lot of time is invested.

Committeeman Vizzard said to Solicitor Seeley, without going into specifics you are recommending that we go forward with it and tackle any problems as we go.

Solicitor Seeley said that is correct. This is a letter of intent, it isn't perfect. Committeeman Vizzard said that isn't what I'm worried about.

Solicitor Seeley said what are you worried about.

Committeeman Vizzard said when DEP comes down to inspect and question things that should have been done in the 80's.

Solicitor Seeley said we need to just deal with it head on.

Mayor Sutton said when we met today, Frank didn't seem to think there would be a problem.

Clint Miller said it is something that will have to be dealt with.

Committeeman Vizzard said he just feels bad for the residents, that we would have to deal with that because of the stupid stuff that committee did back then.

Mayor Sutton said there are a few bright sides to it. As long as everything goes well, we will get some tax dollars out of it for a full-time lease, a yearly fee, money up front.

Committeeman Vizzard said just understand that if it cost more than he budgeted, we aren't getting anything.

Clint Miller said just remember they want this to happen just as much as we do. Clint wanted to make Committeeman Vizzard aware that there is money in a trust for remedying that situation.

Committeeman Vizzard asked if it came from DEP. Clint Miller did not know.

Mayor Sutton said if believed it came out of the capital fund many years ago.

Committeeman Vizzard made a motion to authorize the Letter of Intent and the Lease Option Agreement. Vizzard wanted to point out there are two five-year extensions that they do not have to sign. The motion was seconded by committeeman Klaudi. A roll call vote, all were in favor.

With no public, Mayor Sutton made a motion to adjourn, seconded by committeeman Vizzard.

Submitted by:

Heather Miller, Township Clerk