

Minutes of the Agenda Meeting of the Township Committee of the Township of Commercial held on April 15, 2024, at 6:00 P.M., at the Township Hall, 1768 Main Street, Port Norris, NJ.

Those Present:

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

Mayor Sutton presided and called the meeting to order with the announcement that the meeting had been advertised, and it was being electronically recorded and being in full compliance with the Open Public Meetings Act.

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

Barney Hollinger-

- Bay Shore Council meeting is Thursday.
- Supposed to meet with Meghan Wren on Thursday morning also to go over the working water front plans since he hasn't been able to attend the meetings.
- There is a new tree ordinance going into effect that you have to pass by May 1<sup>st</sup>. It is going to cover tree removal and replacement. The DEP has model Tree Ordinance on their website.

Nick DiCosmo- I know there are a lot of municipalities that are not going to be passing this ordinance because it's a, to put it bluntly, ridiculous ordinance. I will check to see if this one that we did or didn't pass, and we will have to review it. You know how these things work, and we will be forced to pass it.

The Committee discussed that this ordinance has nothing to do with Municipal properties but with private properties.

Mayor Sutton called for Commercial Townships OEM Coordinator, Robert Welch,

Robert Welch-

- This week we had a couple of flooding incidents. Friday, we had to shut the cause way down because the flooding was pretty significant. Clint stated that there were a few small breaches at Peak of the Moon that needed to be addressed.
- Reached out to the CDM (?) when it comes to the FEMA/BRIC project. Me and Ben Stowman are consolidating information to help with flood and mitigation projects to help through FEMA/BRIC. They wanted to know what the evacuation routes are when we have flooding and close down roads.
- Next week me and all my staff will be down in Atlantic City for the OEM Conference. If there is any emergency, I will be more than glad to come and deal with it.

Committeeman Vizzard- I have some questions here. Robert, I have some questions, this is the very first time I have seen OEM person say, "his staff", since when does Commercial Township have a staff of OEM?

Robert Welch- Well, we have me and my two deputy coordinators. I just call them two OEM staff; they are basically in charge of dealing with the school specifically. The one, Rebecca Parish, is our shelter manager.

Committeeman Vizzard- I guess my question is, is this way it should be all the time? It has never been this way since I have been in office.

Robert Welch- They are all volunteers.

Committeeman Vizzard- Volunteers or not, they are still costing the Township money if they are going to Atlantic City and charging us for three rooms. So where is this staff coming from?

Robert Welch- Basically, they are a group that can handle all situations and it is not just falling back on me trying to handle all the jobs.

Committeeman Vizzard- Well still, you're not answering my question. Ten years ago, there was no staff, it was just an OEM officer.

Clint Miller- When we did have other OEM officers, Robbie was under our last OEM officer. I am just trying to be polite here. The difference is he shows up to every meeting and tells you everything. We didn't have that before. He was involved with the last person doing OEM within that time frame.

Committeeman Vizzard- I guess my concern is that is there enough money in the budget to handle an OEM staff?

Robert Welch- I have been maintaining, monitoring, and working with Ms. Pam. Everything I do I reach out to Ms. Pam first and get her approval before I do anything. Throughout the year I make sure I write down everything I do, and make sure I am monitoring it from start to finish so I don't go over the budget. The reason for bringing in all this staff is because I want to do everything right for Township. I want to be able to cover all these things that the OEM should be covering. I am trying to apply for EMA Grant along with other grants, and one of the things is that is required for the OEM is that we are supposed to be involved with the schools, we are supposed to this and that, and it never really happened. Now I am trying to bring it all to where it should be in a sense.

Committeeman Vizzard- Yeah that's fine, because I know the school got the grant for the generator through the OEM and it had nothing to do with the Township.

Robert Welch- I am just trying to bring the organization up to where it should be, and doing the job we are supposed to be doing for the Township.

Mayor Sutton calls Michael Zumpino from TRIAD Associates.

Michael Zumpino-

- Thank you, Mayor Sutton, I am a founding partner from TRIAD Associates with 46 years in business. We are located in Vineland, and we have represented Cumberland County and all the surrounding counties for over four decades.
- We have secured grants for all types of projects over the years.
- When we get the grants, the engineers do all the planning and designing. We work well together to maximize grant funding for our clients.
- It is our responsibility on our dime to make recommendations that make the most sense in State and Federal funding.

Michael Zumpino goes over the TRIAD Associates contracts, what they include, and how they benefit the Township. He also stated that the company has a Grants Committee that meets every week that tracks different opportunities throughout the year.

Mayor Sutton asks if there are any questions for Michael from the Committee.

Committeeman Vizzard- How many times, if at all, are your costs covered by the grants?

Michael Zumpino- Rarely ever. For the applications most time not, it is always the upfront cost from the Municipality.

Committeeman Vizzard- Can you give me an estimate for a grant for Mauricetown Park?

Michael Zumpino- Not yet no.

The Committee talks about the cost of how much the Mauricetown Park will be to fix, and how the fees are calculated in the grant writing process. Michael Zumpino also stated that if a project isn't funded and the Township paid for the grant application, they will refile the application.

The Committee thanked Michael Zumpino for his time and presentation.

Mayor Sutton called for the Engineers Report.

Nick DiCosmo-

- For the Port Norris River Front Road Way Improvements phase three, we have the contract signed and that preconstruction meeting is scheduled for May 1<sup>st</sup> at the Township Hall.
- Working on the DOT close out for the reconstruction of Yock Wock Road and High Street. We have the final change order for that, but it does need to be signed by the Mayor.
- For the mill and overlay of Main Street, the concrete sidewalk and curb work is still on going by South State.
- Still looking for additional funding for the Mauricetown Park.
- Had a preconstruction meeting for the North Avenue pedestrian safety improvements job and awaiting mark outs over at the field. The notice to precede was issued on the 24<sup>th</sup>.

Clint Miller- We talked about this during preconstruction, the neighbor on the corner is upset about some of their fence work being taken down.

Nick DiCosmo- Yes I heard about that. There is a section of the fence in the way of the path on North Avenue. We have it in the contract to put a new fence in, it just has to be moved about 6 inches so the pedestrian path can go through the area. The fence was in the right of way, so the path will go in the right of way, and they will get a new fence out of it.

Committeeman Vizzard – I was thinking this time around that we could delete that certain portion and take it around the other side to the salt shed and come out that way. Just until we talk to them if it comes to that.

The Committee continues to talk about the plans for the new walking path and how it impacts on the residents' fence and driveway. They stated there will be a walk-through next week where the path is going to go.

Nick DiCosmo continues with his engineer's report-

- Two recent positive announcements, we did just receive a 1-million-dollar grant for the Local Freight Impact Fund from the NJDOT for the mill and overlay project Main Street Phase 2.
- We just received another grant from 2023 Local Aid Infrastructure Fund through the NJDOT as well, and we were awarded \$475,000 dollars for the roadway and drainage improvements for Melbourne and Dennis Lane.
- The roadway and drainage improvements to Whittier Drive we have completed our survey and base plants, and we are shooting for summer construction and be done by the Fall.

Mayor Sutton moved on to correspondence.

Correspondence from Giulia Schiavoni from Beril LLC requesting the assignment of 4 municipal liens.

Received a notice through PMRS that the Township was awarded \$1,000,000.00 for the 2024 Local Freight Impact Fund for the re-paving of the remaining portion of Main Street from Strawberry Avenue to the Township border.

Received notice through PMRS that the Township was awarded \$475,00.00 for roadway and drainage improvements for Milbourne and Dennis Lane.

Received a proposed contract from TRIAD Associates to provide 2024 Grand Writing and Consultation Services.

Received a letter of appreciation from Shane Godshall of the American Littoral Society for assistance provided by the Commercial Township Public Works Department.

Mayor Sutton moved on resolutions.

Resolution to be adopted tonight.

Resolution 2024-47

Executive Session

Mayor Sutton- Do I hear a motion to approve?

Committeeman Klaudi- What about the correspondence? Are we going to be putting all of this on the agenda or are you just going to bypass that?

Mayor Sutton- Yeah, obviously.

Committeeman Klaudi – Okay. I would like to hear more about the Schiavoini,

Heather Miller- There are 4 municipal liens and he is asking that we assign it to him, and he would become an outside lien holder. We have done this before, but basically, he would become the lien holder and take it from the Township. The properties all have little mobile homes on them so it would probably be a benefit for the Township. He will pay the taxes and ultimately foreclose on them.

Solicitor Seeley- If we get them the taxes won't be paid until we foreclosed, but if he gets the liens it will take him approximately two years to foreclose and he has to keep the taxes paid up. Either he forecloses or abandons them.

Committeeman Klaudi- I would like to make a motion to put all 5 items on the agenda.

Mayor Sutton asked do I have a motion for the executive session, Resolution 2024-47. Committeeman Vizzard made the motion and was seconded by Committeeman Klaudi. Roll call vote, all were in favor.

Mayor Sutton moved on with the resolutions.

Resolution 2024-48	Resolution to Read Budget by Title Only
Resolution 2024-49	Resolution for Local Examination
Resolution 2024-50	Accepting the Resignation of Pamela Humphries, Township CFO and QPA.
Resolution 2024-51	Cancellation of Eagles Lake Reserve, LLC Performance Bond Guarantee in the amount of \$12,480.00
Resolution 2024-52	Adoption for the 2024 Municipal Budget.

Mayor moved on to the Ordinance for Second Reading and Adoption.

Township of Commercial  
Ordinance 2023-633

AN ORDINANCE OF THE TOWNSHIP OF COMMERCIAL,  
COUNTY OF CUMBERLAND, STATE OF NEW JERSEY.  
AMENDING ORDINANCE 2007-487 DEVELOPMENT AND REGULATION  
ORDINANCE AMENDING ARTICLE VII, SECTION C, ITEM 3  
REDUCING SET BACK FOR PERMINENTLY INTALLLED GENERATORS.

Mayor moved on to Additional Considerations.

1. There are six (6) properties that have been deemed, tagged and owner notified on imminent danger, requesting the owner either correct the imminent hazard or demolish the structure. All the property owners failed to respond to the notices and the grace period for action has expired. Does the committee want to authorize a demolition hearing for the following properties.
  - 1741 ½ Main Street. Port Norris
  - 872 Steep Run Road, Millville
  - 6207 Brown Street, Port Norris
  - 7919 Henry Street, Millville
  - 153 Shell Road, Millville
  - 2419 Memorial Avenue, Port Norris.

Committeeman Vizzard- I say yes, we want to do that.

Committeeman Klaudi- I agree.

Solicitor Seeley- If you all agree to that, I need to request title searches on all the properties.

Clint Miller- Joe and I are going to around to look at some of the properties. There are half a dozen that we actually own. Some of those properties are on the list, are covered in asbestos and that is going to be very expensive for the township. I don't want to waste time looking things we can't achieve and look at ones that we can.

The Committee talks about the houses on the demolition hearing list.

Committeeman Vizzard- I'm thinking we just gave a blanket approval to all of them, and if they can't be done then it can't be done.

The Committee goes over the list of houses up for demolition, and Solicitor Seeley goes over the process of the demolition hearing. They all agree that there will be more houses added to the list, but the Township owns those properties.

Heather Miller- I will put this on for Thursday's resolutions.

Mayor Sutton asked for a motion to open the public portion of the meeting. Committeeman Klaudi made the motion, and Committeeman Vizzard seconded.

Barney Hollinger from Port Norris wanted to address the Committeeman about the dumpster situation that he brought up last month. He stated they did move one, but they still have some that are 2 cubic yards. Solicitor Seeley stated he gave the committee correspondence to their previous attorney that addressed several issues, one being the dumpsters, and he is awaiting to hear back. Barney and Debbie Hollinger both stated that there are Facebook posts/comments about the dumpster situations as well. Barney Hollinger proposed that there should be an ordinance revised stating that nobody in a residential area should be allowed to have a dumpster, that at least must be trash can size. Committeeman Vizzard was in complete agreeance of getting rid of the dumpsters and have everyone trash cans and separate recycling cans. Barney Hollinger stated another issue he has is with the chickens, and the Township needs enforce their Ordinance more or change it. The Committee discusses the regulations on having chickens, and it's something the Zoning Officer needs to address.

Mayor Sutton asked for a motion to close the public portion. Committeeman Klaudi made the motion and was seconded by Committeeman Vizzard.

Mayor Sutton moved on to the reports of the officials.

Mayor Sutton- Tom, do you have anything on the mount construction?

Solicitor Seeley- I got in touch with Mark Bryant and he has two attorneys. They are going after Mounts insurance company. I sent a letter threatening to go after Mark Bryant to put pressure on Mounts insurance company to provide coverage. Basically, saying as property owner, we will go after them to fix it, and they were basically in favor of it so they can turn it over to the insurance company.

Mayor Sutton- How about Inspira, with Leah?

Solicitor Seeley- I have not heard anything back from Leah.

Mayor Sutton- How about the pot place? Have you heard back from them?

Solicitor Seeley- I think they are waiting for state approval.

Mayor Sutton- I think what we should do is send them a voucher and a license, but we haven't received a check yet. I think what we should do is get a letter and give them 30 days, and if they don't send that check, let's revoke that license.

Solicitor Seeley- I will be in contact with them.

Barney Hollinger and Committeeman Vizzard discuss the plans/ideas for the NJSP boat ramp.

Committeeman Klaudi- Saturday 9:30am the Environmental Committee is having a tree planting ceremony down at the Veterans Park if anybody wants to join.

Committeeman Vizzard- I'll be in. I also want to speak my two cents with this Leah, building thing. I understand we are trying to get them responsible for that building so that the township has nothing to be responsible for. I totally agree with you, but that organization and those people do a great deal for the people in the Township. They help these people, there are a lot of people, and they are happy with them. My feeling about it is, I don't think we should push them to own that building. I think they make us look good; they make the township look good for the fact that they take care of those people. If we go back to them and tell them, we are continuing all the good things for the township if you buy this building from us for a dollar is foolish on our part. Now that doesn't mean we can fix the building; I'm not saying that. If there is a roof leak, we are not going to fix it. If the roof leaks, they have to cover it. I'm just saying let's not push the issue to make it look like we are jerks about it. They do good things for this township. They do good things for everyone.

Mayor Sutton- I'm not they don't, and I will say a lot of it is not from this Township. You ride the roads and a lot of the food they give them, they throw it right down along the road. I can't tell you how many bags of onions I've seen.

Committeeman Vizzard- I'm sure people do that but that doesn't mean we should push them out the building.

Mayor Sutton- If you don't want to give them that building that fine, then we need to get some kind of rent.

Committeeman Vizzard- No we don't need to get rent from them.

Mayor Sutton- Inspira has a lot of money.

Committeeman Vizzard- I don't care how much money Inspira has Ron, you're missing my point. They are doing good things for this township ron. Its not about money.

Mayor Sutton- Yeah and what happens if the roof leaks or the air conditioner goes.

Committeeman Vizzard- I just told you what happens, they are responsible for it.

The committee discusses what happens when the roof leaks, or other things happen to the building they are responsible for the damages. Committeeman Vizzard tells the Mayor to leave the issue alone because those people do great things for the residents in our Township. Mayor Sutton tells Solicitor Seeley to contact Leahs boss at Inspira to let them know they are responsible for all maintenance to the building. Mayor Sutton stated they should word the notice saying they will turn the building over a dollar and if the roof/air condition goes you are in charge of the maintenance. Committeeman Vizzard agrees, and there are people in this community that totally need that building to function.

The Committee went into Executive Session.

The Committee came back from Executive Session.

Solicitor Seeley- The executive session was for litigation services. Everyone is aware that there is an appeal going on with Deadra Brewer vs. Township of Commercial. We all discussed how we are going to handle the appeal.

Mayor Sutton made motion to adjourn, Committeeman Vizzard Second.  
Meeting Ended.