

Minutes of the Regular Meeting of the Township Committee of the Township of Commercial, held on August 20, 2015 at 6:00 P.M., at the Township Hall, 1768 Main Street, Port Norris, NJ

Those present:

Judson Moore	Mayor
Fletcher Jamison	Committeeman
Ronald L. Sutton, Sr.	Committeeman
Thomas Seeley	Solicitor
Hannah E. Nichols	Township Clerk
Edward Dennis	Engineer

Additional:

Larae Smith	Recreation Committee Member
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Mayor Judson Moore presided and called the meeting to order with the announcement that the meeting had been advertised in the annual notice of meetings, that it was not being electronically recorded due to recording machine malfunctioning but that meeting was being held in full compliance of the Open Public Meeting Act.

Mayor Moore asked everyone to rise and join him in the Flag Salute and Lord's Prayer.

Mayor Moore said we have our Station Commander here, Lt. Horsey and he will give us his report.

Lt. Horsey said these statistics are for the month of July 2015, we had 534 service calls, 277 motor vehicle stops, 62 criminal investigations, 1 motor vehicle accident, 30 burglaries. Lt. Horsey said the state police try to stress to homeowners that they keep their properties locked, their out buildings, garages locked, their cars, trucks all vehicles locked. He said anything in your yards that can be stolen and salvaged you should put up. He said they caught some thieves in Maurice River Township recently who stole boat and motor, fire pit.

Committeeman Sutton asked Lt. Horsey if the state was going to make the township install bullet proof glass on all of the windows and doors.

Lt. Horsey said that is what he was told. He said this will be a state expense, not a municipality one.

Mayor Moore thanked Lt. Horsey and said that he had been informed that the residents of Laurel Lake state that they see the state troopers patrolling the roads a lot more now than they did before. Mayor said committee is very thankful for that.

Lt. Horsey said his best time for patrolling in the lake area is when it get dark, after midnight to deter some of the burglaries that go on.

Mayor asked the public if anyone had questions for Lt. Horsey and being none, thanked him for his report and information regarding safety.

Mayor Moore said he would like to invite Larae Smith to the meeting and said she is a member of our Recreation Committee.

Mrs. Smith said that the recreation committee met on August 12th and discussed some recreational issues and one of them was the skate park. She said that Committeeman Jamison has reported that the younger kids had complained to him about older kids using drugs and being rude to them.

Committeeman Jamison said he had always said the park will be for all of the kids and if there are troublesome events or illegal things going on that he would shut the park down. He said the township is planning to take the light out at the skate park to deter the kids from using it in the evening.

Mrs. Smith said that the recreation committee had decided that each one of them would make a special effort to patrol the park during the day and evenings to try and curtail any activities that they feel in inappropriate. Mrs. Smith said the recreation committee is going to meet on September 9th and discuss a Community Demonstration Day with the purpose being to get the parents and children out to the park for their input on procedures, rules, regulations and safety. She said we want to insure everyone's safety that uses the park and we want it to be a great experience with a lot of fun and we encourage the kids to continue using it. Mrs. Smith said regarding the Community Demonstration Day that they will have food and beverages for everyone, that they would like for the township to print the flyers for the event, that additional trash cans will be needed and where will the bagged trash go.

Committeeman Jamison said that the bagged trash will go into the dumpster by the road garage, that additional trash cans will be available.

Mrs. Smith said we have door prizes and gifts and currently they have ten commitments. She said one of the recreation committee's agenda is to get the older kids show the younger kids. She said she is hoping to get a certified instructor out for the event. She said the recreation committee would like business cards when reaching out for donated items.

Mayor Moore said that the committee is willing to help in anyway that they can and once they get their flyer made up bring it to Hannah and they will print them for you.

Mayor asked Engineer, Edward Dennis for his monthly report.

Mr. Dennis said not a lot for this evening, there is funding available through Small Cities and to keep the drainage program going in the lake he has three resolutions for public hearing on the agenda this evening and applications for Laurel Lake Drainage Phase III has to be filed by September 11, 2015. Mr. Dennis said the Doris Drive and Maurice Street project has gone to the state for approval and if all goes well, they will advertise on September 4th, Bid Opening on 16th and award on 17th.

Mayor Moore said Doris Drive and Maurice Street, these should not be difficult projects because there is no drainage involved and he hoped it would be done by early fall.

Mr. Dennis said he was right, no drainage, they are just waiting on the state approval. He said the Laurel Lake Drainage Phase II, has been completed, close out is in progress. Raymond Drive Phase II construction complete, punch list in progress. Mr. Dennis said Miller, Ogden and Berry Avenue project completed, closeout in progress. Mr. Dennis said there is a meeting on August 26, with NJ State Police to review design for the NJDEP Shore Protection Program. He said the library has been close out and money received by township. The Laurel Lake Drainage Phase I is being closed out with NJOEM and NJ DOT. Berry Avenue Sluice closed out. Mr. Dennis said he has a resolution on the agenda for this evening to rescind designation of Conditional Redeveloper Vanguard Energy Partners for solar project. He said the USDA Port Norris Wastewater Disposal Feasibility Study is done and delivered to township committee on August 17, 2015.

Mayor thanked Mr. Dennis and called on Solicitor, Thomas Seeley for his report.

Mr. Seeley said he is still fighting JP Morgan Chase regarding their complaint on township not subordination agreement. Mr. Seeley said he will continue to fight the complaint to safe guard Bayshore Housing money. He said the Wells Fargo donation of 221 Olive Road has been completed with most costs being recovered from Wells Fargo. Mr. Seeley said the

Talbot In Rem final judgement was received on August 4, 2015. Craig Bessinger redeemed his property and taxes were paid in full. Philip Weldon was notified again to vacate through his tenant regarding foreclosure. List for land sale has been reviewed and notices sent. The Dennis Vacating Final Judgment has been filed with county clerk's office on August 17th, 2015. The Carsello In Rem Title search request for each TSC was requested July 8, 2015, talked with Carolyn at Dominion Title on August 6, 2015. She said that they are working on them and should have some for me to review within next few weeks. He said committee has received two proposals for cell tower, Tower Point and American Tower, it is up to committee to review and make a decision. The Jehovah Witness Building has been finalized, contract delivered to committee.

Mayor Moore thanked Mr. Seeley and stated that Pam Humphries CFO has prepared Bill List for the month of August 17, 2015, and what was the pleasure of the committee.

Committeeman Sutton made motion to approve and Committeeman Jamison seconded the motion with a unanimous all in favor.

Mayor Moore said the committee did not increase the municipal taxes this year but the school did by nine cents on a hundred and so did the fire districts, one cent on a hundred for a total of ten cents per one hundred dollars. He said the school superintendent was good enough to provide the township with a letter of explanation to give to an irate individual that wanted to blame the tax office. Reason for increase school did not include deferred in their 2014-2015 budget and therefore it had to be included with 2015-2016 making for the increase.

Mayor said the Bayshore Center at Bivalve will present "Life On The Bayshore During The Revolutionary War" on Saturday, August 22, 11 am to 4 pm.

Mayor Moore said the following items were discussed at the agenda meeting and will be approved this evening by motion.

1. Mayor and Solicitor to collaborate on a complaint letter to BPU regarding Atlantic Electric's lack of response in the lighting at Post Office Facility.
2. Authorizing Engineer to prepare proposal for survey of Laurel Lake Community Center Property.
3. Authorizing the Mayor to solicit bids for recycling containers.
4. Letter of Support for Senate Bill 781-782, clarification of OPRA & OPMA Rules.
5. Letter to Mauricetown Fire Company, do not qualify for solar project
6. Letter to William Henderson III denying closing of Peek-Of-Moon Road
7. That Commercial Township will build dugouts at the ballfield before next season and money will come out of recreation. That Dave Dean will oversee construction.
8. Authorizing Engineer to file application for Phase III Laurel Lake Drainage.
9. Motion Executive Session immediately following regular meeting

Mayor Moore asked for motion.

Committeeman Jamison made motion to adopt and Committeeman Sutton seconded the motion. Roll call vote unanimous.

Committeeman Jamison said that Henderson had told him that he owns half of the road and that he will block that off. Committeeman Jamison said maybe we should have engineer get involved take a look at the situation.

Mr. Dennis said that he would work something up for them.

Mayor Moore said we have an introduction of an amendment to the salary scale ordinance.

ORDINANCE 2015-570

Amending 2015 Salary Scale Ordinance

AN ORDINANCE FIXING A SCALE OF SALARIES AND WAGES OF CERTAIN OFFICIALS OF THE TOWNSHIP OF COMMERCIAL IN THE COUNTY OF CUMBERLAND, PROVIDING THE TERMS AND PAYMENT THEREOF AND REPEALING ORDINANCES INCONSISTANT HEREWITH.

BE IT ORDAINED by the Township Committee of the Township of Commercial in the County of Cumberland, State of New Jersey

Section 1. That the following municipal employee and officials will be paid a salary figure from the lowest figure to the highest figure or within the lowest to highest amount.

Commercial Township Municipal Judge	\$12,000	to	\$20,000
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Mayor Moore asked for motion and Committeeman Sutton made motion to adopt, Committeeman Jamison seconded with a unanimous roll call vote. Mayor said second reading and public hearing will be held September 17th, 2015.

Mayor Moore said we have several resolutions and same will be read by title only>

RESOLUTION 2015-96

Adopting A Strategic Recovery Planning Report

WHEREAS, the Township of Commercial, New Jersey and its neighboring communities experienced major devastation a a result of Hurricane Sandy that struck the area on October 29, 2012; and

WHEREAS, the Township of Commercial is committed to rebuilding in a manner that anticipates and responds to future storm events and sea level rise and helps the community to be more resistant to damage from such events and is more sustainable for future generations; and

WHEREAS, by Resolution 2013-102, The Township of Commercial requested that New Jersey Future assign a Local Recovery Planning Manager to work with the municipality to help municipal staff develop and implement its long-term recovery and rebuilding process; and

WHEREAS, part of the scope of services New Jersey Future has provided to the Township of Commercial to assist in the recovery and rebuilding process is the preparation of a Strategic Recovery Planning Report (SRPR) which describes the impacts of Hurricane Sandy, evaluates the Township of Commercial's present vulnerabilities and risk related to future storm events and sea level rise, and helps to identify recovery and rebuilding strategies; and

WHEREAS, the Township of Commercial's Township Committee is satisfied that all of the post-Sandy concerns have been identified and addressed in the Strategic Recovery Planning Report, dated May 2015, prepared for the Township of Commercial by New Jersey Future.

THEREFORE, BE IT RESOLVED that the Township of Commercial, County of Cumberland, State of New Jersey hereby approves and adopts the May 2015 Strategic Recovery Planning Report prepared by New Jersey Future.

RESOLUTION 2015-97

Requesting Approval Of Items Of Revenue And Appropriation
\$3000 Green Communities Grant #FS16-095

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 Commercial Township 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 2015 in the sum of \$3,000.00 which is now available from 2015 Green Communities Grant #FS16-095 in the amount of \$3,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$3,000.00 is hereby appropriated under the caption 2015 Green Communities Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from Green Communities Grant in the amount of \$3,000.00

Resolution 2015-97

Offered By Mayor Moore

Seconded by: Committeeman Jamison

Adopted: August 20, 2015

RESOLUTION 2015-98

Resolution Of The Township of Commercial of the Township of
Commercial Authorizing The Sale Of Surplus Personal Property
No Longer Needed For Public Use On An Online Auction Website

WHEREAS, the Township of Commercial has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Commercial intends to utilize the online auction services of GovDeals located at GovDeals Website; and

WHEREAS, the sales are being conducted pursuant to the Division of Local government Services, Local Finance Notice 2008-9.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Commercial in the County of Cumberland, State of New Jersey, that the Township of Commercial is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled GovDeals; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between GovDeals and the Township of Commercial are available at GovDeals Website and in the Township of Commercial Clerk's office; and be it further

RESOLVED, that a certified copy of the within Resoluiton be forwarded by the Clerk to the Following:

Gov Deals Website Through Internet

SCHEDULE A

1. 1996/4 Door Jeep Cherokee(does not run) White, 2/working Light Bars
2. 1995/#47 6'6" Meyer Snow Plow. No controls. Includes Truck Mounting Bracket
3. ECHO 2110 Weed Trimmer
4. STIHL FS-106 Weed Trimmer
5. STIHL GY-70 Pole Saw
6. STIHL 440 Chain Saw w/20" bar and chain
7. JRCO Front Mount Tine Rake (Dethatcher)

All Items Sold As Is!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

RESOLUTION 2015-99

A Resolution Approving A Grant Management Plan In Accordance With The New Jersey Department Of Community Affairs, Small Cities Community Development Block Grant Program, For The Laurel Lake Roadway and Drainage Improvements – Phase III

WHEREAS, there is a need for roadway and drainage improvements in the census-designated place of Laurel Lake within the Township of Commercial; and

WHEREAS, funds for roadway and drainage improvements are available to the Township of Commercial under the New Jersey Department of Community Affairs, Small Cities Community Development Block Grant (CDBG) Program; and

WHEREAS, a Grant Agreement must be executed with the New Jersey Department of Community Affairs in order to receive said funding; and

WHEREAS, that Grant Agreement requires the Township of Commercial to prepare and submit a Grant Management Plan to the New Jersey Department of Community Affairs; and

WHEREAS, the Small Cities CDBG Program requires a great deal of administrative oversight and careful attention by qualified people to be selected by the Township of Commercial.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Commercial authorize the submission of a Grant Management Plan to the New Jersey Department of Community Affairs for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorize to sign the Grant Agreement on behalf of the Township of Commercial and that their signature constitutes acceptance of the terms and conditions of the Grant Agreement and approves the execution of the Grant Agreement.

RESOLUTION 2015-100

A Resolution Adopting The Citizen Participation Plan Developed By The New Jersey Department Of Community Affairs, Small Cities Community Development Block Grant Program, For The Laurel Lake Roadway And Drainage Improvements-Phase III

WHEREAS, there is a need for roadway and drainage improvements in the census-designated place of Laurel Lake within the Township of Commercial; and

WHEREAS, funds for roadway and drainage improvements are available to the Township of Commercial under the New Jersey Department of Community Affairs, Small Cities Community Development Block Grant (CDBG) Program; and

WHEREAS, a Grant Agreement must be executed with the New Jersey Department of Community Affairs in order to receive said funding; and

WHEREAS, that Grant Agreement requires the Township of Commercial to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the Township of Commercial has reviewed the Citizen Participation Plan prepared for Small Cities CDBG grantees.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Commercial, County of Cumberland and State of New Jersey, that:

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Township of Commercial; and

The Township of Commercial will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the Grant Agreement on behalf of the Township of Commercial and that their signature constitutes acceptance of the terms and conditions of the Grant Agreement and approves the execution of the Grant Agreement.

RESOLUTION 2015-101

A Resolution Affirmatively Furthering Fair Housing In Accordance With The New Jersey Department Of Community Affairs, Small Cities Community Development Block Grant Program, For The Laurel Lake Roadway And Drainage Improvements-Phase III

WHEREAS, there is a need for roadway and drainage improvements in the census-designated place of Laurel Lake within the Township of Commercial; and

WHEREAS, funds for roadway and drainage improvements are available to the Township of Commercial under the New Jersey Department of Community Affairs, Small Cities Community Development Block Grant (CDBG) Program; and

WHEREAS, a Grant Agreement must be executed with the New Jersey Department of Community Affairs in order to receive said funding; and

WHEREAS, that Grant Agreement requires the Township of Commercial to make efforts to affirmatively further fair housing; and

WHEREAS, the Township of Commercial has reviewed various actions that would be acceptable to the New Jersey Department of Community Affairs and the US Department of Housing and Urban Development (USHUD); and

WHEREAS, the Township of Commercial has made assurances that: (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; (2) it will comply with the Civil Rights Act of 1964, and the regulations issued hereto; (3) it will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that Hannah E. Nichols, Township Clerk shall be designated as the Fair Housing Office for the Township of Commercial; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Township of Commercial; and

BE IT FURTHER RESOLVED that the Township of Commercial will publish in the local newspaper of record and post at the municipal hall a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the Grant Agreement on behalf of the Township of Commercial and that their signature constitutes acceptance of the terms and conditions of the Grant Agreement and approves the execution of the Grant Agreement

RESOLUTION 2015-102

A Resolution Rescinding Resolution 2012-109 Designating Vanguard Energy Partners LLC As Conditional Redeveloper For The Landfill Solar Redevelopment Area

WHEREAS, on May 3, 2011, the Mayor and Township Committee adopted Ordinance 2011-522 thereby adopting the document entitled Redevelopment Plan, Landfill Redevelopment Area, Township of Commercial, Cumberland County, New Jersey, prepared by Remington, Vernick & Walberg Engineers; and

WHEREAS, on August 13, 2012, the Township received an Expression of Interest submitted by Vanguard Energy Partners LLC pursuant to Redevelopment Plan section 5.1; and

WHEREAS, on August 16, 2012, the Mayor and Township Committee adopted Resolution 2012-109- designating Vanguard Energy Partners LLC as Conditional Redeveloper for the Landfill Solar Redevelopment Area pursuant to Redevelopment Plan section 5.1; and

WHEREAS, the Township and the Conditional Redeveloper have not been able to consummate a mutually acceptable Redevelopment Agreement pursuant to Redevelopment Plan section 5.2 and section 5.3.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Commercial rescind Resolution 2012-109 designating Vanguard Energy Partners LLC as Conditional Redeveloper for the Landfill Solar Redevelopment Area pursuant to Redevelopment Plan Section 5.4.

RESOLUTION 2015-103

Approving Appointment To Commercial Township Recreation Committee

BE IT RESOLVED that the following individuals be appointed to the Commercial Township Recreation Committee:

Mark Russell
Kevin Young
Leah Tonge
Mike Panzino

RESOLUTION 2015-104

Supporting The County Of Cumberland In Their Petition Before the BPU
Regarding Telecommunication Issues That Exist In South Jersey Municipalities

WHEREAS, The County of Cumberland is finalizing its plans to file a formal petition before the BPU on behalf of interested South Jersey municipalities with serious telecommunication issues that exist in the region; and

WHEREAS, Many of South Jersey towns and municipalities are underserved and lack modern and reliable telecommunications service and are being left behind, it is not getting better, it has only gotten worse; and

WHEREAS, Cumberland County's decision to file a petition with the BPU is a great opportunity for towns and municipalities to get together and resolve this serious issue for two reasons:

1. First this is an extremely cost effective way to resolve these issues. The Cost will vary between \$1000 to \$2000 each. If 20 municipalities participate The cost will be \$1250 each.
2. Second this is a great opportunity to get Trenton and Verizon to listen to our needs of our residents particularly after the severe weather last month in regards to the telecommunications in particular with many residents being without service because of outdated/poor service which harms our residents and local economies. They deserve better.

THEREFORE BE IT RESOLVED by the Township Committee of the Township of Commercial that they are supporting Cumberland County's filing a petition with the BPU regarding Telecommunication issues in Southern Jersey; and

BE IT FURTHER RESOLVED, The Township Committee support the appointment of Theodore Baker, Esq., Counsel for the County of Cumberland in taking the lead for the municipalities participating.

Mayor Moore asked for a motion to adopt Resolutions 2015-96 thru 2015-104.

Committeeman Sutton said I will make a motion to adopt Resolution 2015-96, Resolution 2015-98 through 2015-104, not 2015-97.

Mayor Moore asked Committeeman Sutton for his reasoning for not wanting to adopt Resolution 2015-97, \$3000 Community Forestry Grant.

Committeeman Sutton said this is a matching grant, that means that we have to come up with \$3,000 to match and right now we don't have enough money to pay all of our bills.

Mayor Moore said we do our matching with inkind services that are going to be supplied by our environmental commission. There is no money involved from the township.

Committeeman Sutton and Committeeman Jamison both stated that mayor had originally said it is a matching grant and township will have to come up with \$3,000.

Mayor expressed, no money, inkind services.

Committeeman Sutton said then I'll approve Resolution 2015-97 too.

Mayor Moore said I'll second the vote to adopt Resolutions 2015-96 through 2015-104.

Mayor asked for reports.

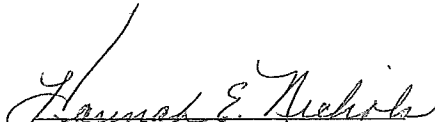
Committeeman Sutton said the county has made Hogbin and Buckshutem Roads a four way stop and he agrees that it should be but he feels that the township committee should send a letter to the County Freeholders to install a four way stop light at the corner of Hogbin Road and Buckshutem Road.

Committeeman Jamison said he feels that a light would be a benefit in getting people to be aware that it is a four-way stop.

Mayor Moore said for the clerk to prepare a letter and send it to the county freeholders regarding a four way-stop light at Hogbin and Buckshutem Roads.

Mayor Moore said on next year's ballot the county will have a question on the ballot regarding the funds from Open Space Tax that all municipalities pay, can funds be used for recreational programs and historic sites. Mayor felt township committee is going to have to work hard to get it approved, farmers are not in favor of some of the money being used for recreation. Mayor said he has a meeting with Elliot Lewis and Solid Waste if anyone wants to join him.

Mayor asked for motion to open meeting to the public and with no input asked for motion to close the meeting. It was so moved.


Hannah E. Nichols, Township Clerk