

Minutes of the Agenda/Workshop meeting of the Township Committee of the Township of Commercial, held on June 15, 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 Sealey	Solicitor
Hannah E. Nichols	Township Clerk
Edward Dennis	Engineer
Clint Miller	Public Works Supervisor

Mayor Moore presided and called the meeting to order with the announcement that the meeting had been advertised, that it was being electronically recorded and being held in full Compliance of the Open Public Meeting Act.

Mayor Moore said we'll go right to the engineer's report since we do not have any officials present this evening.

Mr. Dennis said he has submitted Letters of Intent for the special funding available for hazard mitigation, he has submitted for eight various projects for total of \$81,773.900.00 he has no progress to report at this time. He said township received a grant \$170,000 for Doris Drive in Laurel Lake, and Maurice Street in Port Norris and that the field survey in progress. Mr. Dennis said the Laurel Lake Drainage Phase II is in progress from Small Cities Block Grant in the amount of \$380,000. He stated Raymond Drive Phase II construction has been completed, final restoration is in progress. He said he is closing out the grant for Millr, Ogden and Berry Avenues. Mr. Dennis said on the Bivalve Station they are coordinating permits with NJDEP, final design in progress, monies from Bureau of Coastal Engineering \$75,000, FEMA Hazard Mitigation Grant Program \$40,050.00 and New Jersey State Police funding \$38,350.00 approved. Mr. Dennis said still trying to close out the USDA Library Grant, they have requested additional documentation. He said he is closing out the Laurel Lake Drainage Phase I Project with FEMA \$180,000 funding and \$511,163.00 from NJDOT. He said he is also closing out the Berry Avenue Flood Control Structure, funding from \$70,000 NJ Waterfowl Stamp Advisory Committee, and FEMA Hazard Mitigation \$180,000. He stated he has gotten the information that he needed from the school to see if a joint solar project would be feasible between township and school. He said on church 7501 Battle Lane he is waiting on township for survey. He said work is in progress for the USDA Port Norris Wastewater Disposal Feasibility Study, \$30,000 Search Grant.

Mayor Moore said when you go out to bid for Doris and Maurice. He said I talked with the property owner down there on Maurice and he's concerned about the road in front of his house. He asked Mr. Dennis if the plan was to do all of Maurice Street or to cut out the one section.

Mr. Dennis said the grant was to do the whole road between Main Street and Brown.

Mayor Moore said will you do that as an alternate to Doris.

Mr. Dennis said we can look at the alternate bid just to make sure that we get Doris done, we can break it up that way.

Mayor Moore said on Doris it will be from Buckshutem because there are some bad spots out there

Mr. Dennis said we will do an overlay from Buckshutem to Crocus and reconstruction from Crocus to Fern.

Mayor Moore said on the Laurel Lake Drainage Clint had a positive comment regarding the drainage project which is rare. He also asked Mr. Dennis to stay on top of the solar project with the school.

Mayor called upon Thomas Seeley, Solicitor, for his report.

Mr. Seeley said he is still in contact with JP Morgan Chase regarding lawsuit and protecting Bayshore Housing funding. He said on the Wells Fargo land donation that is just about finalized, township needs to do a title search and have construction official do an inspection with determination of what has to be done to bring property up to code, he said along with the property we will also get \$10,000 for tax title and additional fees to finalize the donation. Mr. Seeley said on the Talbot In Rem, people have until June 19<sup>th</sup> to redeem. Two TSC were redeemed TSC #11-00039 and TSC #11-00116. He said he has been in contact with Eric Bowler on a new proposal on negotiating a new tower lease. Mr. Seeley said on tax appeals, Jack King's Seafood, that he offered a good faith offer of \$5,000. He said on the Sunset Management Group, this will go through the courts, they request \$100,000 assessment decrease. He said the contract for the Jehovah Witness facility has been completed, we will need to certify the septic, well, termite inspection, etc. prior to closing.

Mayor Moore said on this Wednesday, I've made appointments with the septic service which is English and I called QC Lab and both are going to meet the realtor there at 2:00 P.M., He asked Mr. Miller to attend that meeting and he said we can't use Shepherd for termite so he asked Heather to contact Elich and see if he can do the termite inspection. He said he would also like to have David Dean do an inspection and he forgot to tell him. See if Dave can be there at 2:00 P.M. also.

Mr. Seeley said he would like to recommend that they do an inspection of the basement for water. He said he never has water in the basement but with all the rain he does have some now.

Mayor said try to coordinate everything with everybody to be there on Wednesday at 2:00 P.M., the realtor will unlock the premises, I talked with QC Lab and wanted them to test everything but since that cost was going to be over a thousand dollars I changed that to doing the basics and that is around \$300. He said English will have to drain the tank to test the septic and their cost is about \$800.00, that's pumping it, looking at all of the pipes.

Mayor said we have the following correspondence. He said we have a letter from Senator Van Drew which is in response to my letter to him, or actually to the commissioner for support of the Family Success Center. Leah Tonge is trying to get additional funding so they can have a full time staff at the Laurel Lake facility. He said we have received a letter from the City of Vineland and they are supporting our efforts for Preservation of Farmland to include Recreation and Historic Sites.

Mayor Moore said these were points of interest that he wanted to bring to the committee and that they could be removed from the agenda.

Mayor said we have received notification from League of Municipalities that the league conference will be held on November 17, 18, 19. Clerk has requested if the committee is going to allow the employees to attend and stay over night.

Committeeman Jamison and Committeeman Sutton both felt conference is worthwhile and that they enjoy the conference as well as the employees.

Mayor Moore said this also gives the employee an opportunity to attend classes that they need CEU's for their recertification. He said also the league floor has many beneficial

programs that can be useful to the municipalities. He said to put on the agenda for regular meeting.

Mayor Moore said we have several items for discussion. He said American Tower had sent him a letter they want to re-negotiate a new contract for the land the cell tower sits on. He said they are proposing a 30 year lease and that is not uncommon for towers. Mayor asked the committee if they would want Eric Bowler to attend a workshop meeting or have himself and Tom negotiate with them.

Committeeman Sutton and Committeeman Jamison said they didn't have a problem with the mayor and solicitor handling the re-negotiations and reporting back to them.

Mayor Moore said put that on the agenda for vote at the regular meeting.

Mayor Moore asked the committee what were their ideas regarding the donation of 221 Olive Road, which has a house and land.

Committeeman Sutton said he would like to see the township put it up for sale now and get some of the money that we're going to need to bring Jehovah Witness property up to code. He said they should review six or seven properties and put them on the market.

Committeeman Jamison said he didn't have problem with selling the property. He said he thought we were going to have a land sale this year.

Clerk said she would like to have one the end of September.

Mayor Moore said put on the agenda of the regular meeting to have a land sale of six or seven properties, which would include 221 Olive and 7501, 7507 Battle Lane.

Mayor Moore said he would like to get Forss Painting to paint the interior of the Senior Center.

Committeeman Jamison and Committeeman Sutton said they felt this should be held off until they figure out what the cost will be for the Family Success Center Facility.

Mayor Moore said remove from the agenda at this time.

Mayor Moore asked the committee how they felt about purchasing a drone.

Committeeman Sutton and Committeeman Jamison both felt a very bad idea at this time.

Mayor Moore said remove from the agenda.

Mayor Moore said a resident had given him a sample ordinance from City of Millville regarding regulating firearms and fireworks.

Committeeman Sutton said Millville has a police force that deals with people who have, use and discharge firearms and we in Commercial Township do not have a local police department but we have the New Jersey State Police who anyone discharging firearms, would fall under their regulations, he said it would be the same with resident setting off fireworks, you have to obtain a permit for the New Jersey Bureau of Fire Safety in order to set off fireworks. Anyone setting off fireworks without a permit is in violation.

Committeeman Jamison said he had to agree with Committeeman Sutton that we do not have a local police force to enforce such an ordinance.

Mayor Moore said to remove ordinance from the agenda.

Mayor Moore said last month the committee voted to allow the Family Success Center the use of the kitchen at the Charles Sheppard Community Center for cooking classes. Upon investigation with Cindy Tawes it was determined that the approval for the use of the kitchen would have to come from the Cumberland County Department of Health. That basically the kitchen is not qualified for cooking on premises but a catering company that has health department approval can qualify to use the kitchen.

Committee determined that approval must be obtained by the Cumberland County Health Department before any food preparation is done and that everything be done through Cindy Tawes.

Mayor Moore said we have received notification that Judge Casarow will be retiring as of December 31, 2015. He asked the committee what are their feelings regarding this position. Mayor said Judge Casarow said he would put some feelers out and give the committee a list of judges that might be interested.

Committeeman Sutton said he would like to see the position advertised and that the salary be recalculated.

Committeeman Jamison said he didn't have a problem with that, the salary had gotten to the \$18,000 for two courts a month because Judge Kienzle had held that position for 25 years. He said someone new coming in should start at a lesser amount, maybe we should contact other municipalities and see what their judges are being paid.

Mayor said put on the agenda that once we accept Judge Casarow's resignation that we advertise the position and see what we get. He said also we will have to check and see if union is involved.

Mayor Moore said I have several items that I would like the committee to approve under motion.

1. Awarding contract to Roger Forss for painting interior baseboards, door jams In Main Court Room, Foyer, Hall, remove wallpaper in meeting room and prepare walls for paint in the amount of \$2,630.00

Committeeman Sutton said he didn't believe Forss would do all of that for \$2,630. He said that quote is from last year, Forss' prices might have increased since then, that the Mayor should contact Forss and see what the same work will cost at this time.

Committee said hold off until the mayor can see if Forss is willing to do the job at the same price, or had it increased since 2014.

Mayor Moore said remove from the agenda at this time.

2. Mayor said he would like to see Yock Wock Road stripped, it is difficult to see at night on that road. He asked Engineer, Ed Dennis, to get price from Zone Stripping. Mayor said he would like it stripped from North Avenue and Yock Wock to in front of Ray O'Briens

Committeeman Jamison said he is all for stripping of Yock Wock Road.

Committeeman Sutton said why not take it all the way down to Strawberry Avenue.

Mayor said the cost would be a lot higher.

Committeeman Sutton said get two prices, all the way to Strawberry and one to O'Briens.

Mayor said place on the agenda for the regular meeting to award contract to Zone Stripping.

3. Mayor Moore said the church they purchased at 7501 Battle Lane he feels should be torn down.

Committeeman Sutton and Committeeman Jamison felt that it should be put in the land sale and sold as is. The committee felt that it should be sold in a special land sale along with the 221 Olive Road property and the money could be used for the Jehovah Witness Building.

Mayor Moore said to add 7501 Battle to the land sale list.

4. Mayor Moore said he would still like to build the tot lot behind the church.

Committeeman Sutton said in good conscience he could not vote to put a tot lot on Battle Lane, the amount of traffic on that road, the rate of speed people travel, he would be afraid for the kids. He said you would probably have kids running across the street to go to the park and what will happen if one of them gets hit going to the park. No, he in all good conscience could not vote for a park there. He said that lot should be sold along with the church, the people that bought the church will need it for a septic system.

Committeeman Jamison said he didn't have the same fears that Committeeman Sutton had. He thought that it would be a good site for a park, that it should be fenced in though.

Mayor Moore said at this time he would remove the request for a park for the kids at 7507 Battle Lane at this time. Remove from the agenda.

Mayor Moore said we will have one ordinance for second reading and several for introduction, those being:

Second reading and public hearing:  
BOND ORDINANCE APPROPRIATING \$120,000 AND  
AUTHORIZING ISSUANCE OF \$114,000 BONDS OR NOTES

Introduction:

AN ORDINANCE CLOSING CERTAIN ROADWAYS TO TRUCK TRAFFIC

AN ORDINANCE OF THE TOWNSHIP OF COMMERCIAL TO PROTECT,  
PRESERVE PRIVATE AND PUBLIC PROPERTY FROM DAMAGING  
SPREAD OF BAMBOO GRASSES AND PLANTS

AMENDING ORDINANCE 2007-487 COMMERCIAL TOWNSHIP  
DEVELOPMENT REGULATION ORDINANCE, SECTION 8.11; SIGNS

Mayor Moore said he would like to see an ordinance for street openings be introduced. That businesses like the gas company who dig up our roads to install gas services file an application and pay a fee for tearing up the street, he said he talked with a lady from the gas company and asked her what the fee other township's are paying and she didn't respond so he told her that we could start at a \$1,000. He said she wasn't receptive to that. Mayor said Ed Dennis is aware of municipalities that charge and once the application is filed it goes to the engineer for review and depending on what is being installed, or repaired a fee is charged. Mr. Dennis said he would get sample ordinances from other municipalities for the committee to review.

Mayor Moore said we have several resolutions for regular meeting:

Resolution: Authorizing Township Solicitor To Proceed With In Rem Foreclosure

Resolution: Approving Mauricetown Gunning Club Liquor License

Resolution: Budget Insertion \$25,520.00 PetSmart Grant

Resolution: Re-Establish Commercial Court

Mayor Moore said Solicitor should contact Carol Cummings, Court Administrator's Office, State of New Jersey and get the correct working for the resolution to dissolve the Downe and Commercial Township Joint Court System.

Resolution: Requesting US Silica Not To Run Plan After 10:00 P.M.

Mayor asked for committee's decision.

Committeeman Jamison and Committeeman Sutton were in favor of first four being on the agenda of the regular meeting, but questioned the fifth resolution of having US Silica close down operations at 10:00 P.M.

Mayor Moore said he had a complaint from a resident and that there is a loud whining noise the pumps make and he called the plant manager at about 11:45 p.m., and the plant manager was very cordial toward him, so he said he would like to hold off and remove that from the agenda.

Committeeman Jamison and Committeeman Sutton agreed.

Mayor Moore asked if the committee had any reports, he said he has a couple of items, one being turning all of their street lights into LED lights. He said I don't know how we're going to do it just yet, I'm crunching the numbers but I told Atlantic Electric that he would get back to them next month. He said he is working with the county engineer in slowing the truck traffic down through the by-pass road and they are going to put up additional signs. He asked if Committeeman Jamison or Committeeman Sutton wanted to attend a freeholders meeting with him tomorrow night at 6:00 P.M., they are going to discuss the Open space referendum is on for November election and about the truck ordinance.

Committeeman Jamison asked if it was televised.

Solicitor Seeley told Mr. Moore that he didn't recommend either of the other two committeeman go.

Mayor Moore said we won't be making any decision.

Mr. Seeley said if you are talking then you're discussing township business.

Mayor Moore said I thought that it was only because a decision was going to be made.

Mr. Seeley said if you are in the same room and you discuss township business, it violates the sunshine law.

Mayor Moore said he felt that he had a successful EMS meeting last Tuesday, fourteen people showed up at the community center, I gave them some sheets with some statistics of cost and there is some interest in. He said I told the committee that I was going to do it. I went against what you told me to do but there is a need in this township and Mauricetown and Port Norris are open to it, we put out a concept of putting up a building at the community center which is centrally located and we just through out some ideas. They all want to come back next July.

Committeeman Sutton said you had a drawing at the meeting, I'd like to see it.

Mayor Moore said I don't have copy with me right now, but I'll get you a copy of it, Manders and Merighi's five hundred bucks out of my department. Mayor Moore reminded Committeeman Jamison that it took seventeen minutes for Millville to get down here on an EMS call, it takes twelve minutes to Laurel Lake and after hours there have been times that Laurel Lake hasn't been able to respond in a quick manner and it's only because it's volunteers, no one is pointing the finger at no one.

Committeeman Jamison asked doesn't Laurel Lake have a paid service.

Mayor Moore said they have a paid service during the day and one of the concepts was instead of going to a full 24 hour program where I'm suggesting that the township contribute to this to make it worthwhile, we would have to bring it to the tax payers because there would be a tax increase.

Committeeman Sutton said Millville is an all paid service and if you listen to the radio they still have trouble getting out on time, Laurel Lake is partially paid and they still have a problem getting out on time and Laurel Lake had two ambulances down at the same time and they had Bellplain cover the whole thing and this is going to happen, just because want to put a township building up, township hours with township employees doing it, you are still going to have the same problems just like everybody else has, you are not going to correct the problem.

Mayor Moore said there is going to be times when there is going to be a problem when there's a call in Laurel Lake and then we get a call in Port Norris at the same time or you have a multiple car accident and you need four or five ambulances, that happens now, Ron, but we gotta look to the tax payers and say hey how can we help these people, first response is great, we do well but

Committeeman Sutton said you can't keep burdening the tax payers, they can't afford their taxes now, you're talking about something that is very, very expensive. We already have it, help them out, help them run it.

Mayor Moore said the concept was to contract to Laurel Lake and let them run it, let them oversee it, we provide the building and supplement them somehow.

Committeeman Sutton asked why do they need a building they have a building.

Mayor Moore said it is to far away from Port Norris.

Committeeman Sutton said Laurel Lake, right now they're coming from Millville.

Mayor Moore said you saying just like they're saying that would be a lot better, I'd like to make this the best that we could.

Committeeman Sutton said they have paid why can't they hang out in Mauricetown Fire Hall, or Port Norris Fire Hall, rotate it around.

Mayor Moore said we'll make it central so that it is fair to everybody.

Committeeman Sutton said they can utilize buildings that are already here, you don't need to build a building, we have so many buildings now Juddy, we don't need another building. You know I went along with you on this Jehovah Witness building and you know before that I told you that we are building poor. I didn't go along with you on the one on Battle Lane, I went along with this but now you want another building before you know it we're going to own the entire township.

Mayor Moore said the concept was a 40X40 building, you don't need septic, you don't need well.

Committeeman Sutton said you know you're going to have to have a bathroom for them.

Mayor Moore said I do, it's at the community center, they can have use of the bathroom, the kitchen.

Committeeman Sutton said you said \$60,000, you're not going to get anything for \$60,000, just getting a pole barn can cost that much.

Committeeman Jamison said so what are they going to be doing just sitting in this rescue squad, no bathroom, no nothing.

Mayor Moore said they'll have use of the bathroom in the community center, the kitchen and they'll need just a little office space.

Committeeman Sutton said Millville was housed at Mauricetown, they came in their they watched the television, they turned the heat on, they were cold so they turned it up higher. We went in there three days later and all that time they had not been there.

Mayor Moore said I said at the community center because it will be a centrally located place, all I ask is that you have an open mind, that's all I ask. He said they can have this up in three days.

Committeeman Sutton said and we have to pay prevailing wage, \$60,000.

Mayor Moore it can't be much, it will be up in three days and \$60,000 is on the high side.

Mayor Moore asked for motion to open meeting to the public and it was moved.

Mr. Russell Stormes said at the food pantry today we had someone from Susan B. Kholman, Cancer Society and the Cumberland County Health Department and we're going to start, at the food pantry on the 27<sup>th</sup>, we're going to have two registered nurses and they are going to offer free emergent tetanus shots and the HIV van will be parked outside for anyone that wants to get an HIV test. They will have table full of information pamphlets. Mr. Stormes said he is working on a few additional things for the pantry, number one, he is trying to get social services to come back, he said our pantry is the only one social services have ever stepped foot into, but I would like to have them come and register people that might qualify for food stamps and don't know it. Mr. Stormes said there are some other county programs that he would like to initiate. He said food pantries are hurting, the state is cutting back funding and last month we ran out of food and I had to tell the people. He said he is doing a paper on food pantries and he has learned that 18 per cent of our township is at poverty level, the low to moderate income is per family at \$19,000 and for moderate it is \$32,000, so our residents are hurting. Mr. Stormes invited the committee to stop by the pantry on the 27<sup>th</sup> and see what is going on. Mr. Stormes said he hoped the committee would adopt the no truck traffic in Laurel Lake, Battle Lane because there are four, five, six trucks in a row coming past his house, instead of going down Buckshutem, these are sand trucks triaxle dump. He said the county at one time, closed Battle Lane to that kind of truck traffic, he said that was when they were redoing the bridge and they reopened it when they finished the bridge. Mr. Stormes also thanked the committee for 35 mile speed zone for Battle Lane.

Mrs. Carol Hickman asked where do we go from here with the pet grant.

Mayor Moore said he talked with them at petsmart and the only thing they will need is the final report once the money's has been spent. Mayor said they wrote the contract up because I told him that the problem was in Laurel Lake, but it was written for the entire

township and the amount of grant \$25,520. He said we'll have to come up with a plan regarding expenditures. We'll need several quotes from various vets, your Cape May Alliance, We'll need an agreement of understanding say, you're going to take the cats from the township, your going to charge \$50.00 bucks a cat, one or three, you will give us a monthly invoice and Pam will send then a purchase order and you will sign off on the voucher as the coordinator of the grant, you have to approve that there were 20 cats taken in during that month and then we will pay the vets every month accordingly. Pam will keep a running total and we'll keep track of it on a spread sheet.

Mrs. Hickman said that she can get them spayed for \$75.00 and that includes a rabies and distemper shots.

Mayor Moore said this is a township wide grant, it can't be just a Carol's Cats thing. It has to be open to everybody and if they contact the township, give your number to Hannah, she'll have them contact you and if they are willing to take their own cat to the vet and get it done, let them do it.

Mrs. Hickman said individual contacting the vets on their own will not get their cats cone for the cheaper amount of money. It will have to be through the vets that we contract with.

Mayor Moore said this does not include administrative fees, it doesn't include gasoline, we're not responsible for someone getting into an accident going over there. All we are paying for is getting the cat spayed. We're not responsible if the cat dies. We will have to have a Hold Harmless Agreement.

Solicitor said you give me the particulars that you want included in the Hold Harmless Agreement and I will incorporate it into the agreement.

Committeeman Sutton said if the cat dies during treatment, or from rabies or distemper shots, during transportation, or from accident.

Mayor asked for additional comments and being none asked for motion to close public portion and to adjourn the meeting.

---

Hannah E. Nichols, Township Clerk