

MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON THURSDAY, MAY 6, 2010 AT 7:00 P.M. IN THE MUNICIPAL BUILDING, HIGHWAY 77, SEABROOK, NEW JERSEY, PURSUANT TO NOTICE.

Present were: James Crilley, Chairman, Bruce Peterson, Vice Chairman, John Daddario, John O'Neill, Sr. and Scott Smith all being members of the Township Committee. Also present were: Roy Spoltore, Township Clerk/Administrator, Ted Baker, Township Solicitor, Teresa Warburton, Recording Secretary, Brian Murphy, Township Engineer and David J. Rogers, Streets and Recreation Supervisor.

The meeting was called to order with a public announcement statement read by James Crilley, Chairman.

“In compliance with the Open Public Meetings Act a schedule of regular meetings containing the location and the time and date of each meeting was approved at the Annual Organization meeting of the Township Committee, and within seven days following the Annual Organization meeting, a copy of such schedule of regular meetings was posted in the Municipal Building, at Seabrook, NJ., which Notice has remained so posted throughout the year, and copies of the schedule of regular meetings have been mailed to The News and the Press, Cumberland County Edition, and filed with the Township Clerk in compliance with said Act.” In compliance with State Fire Safety Statutes the Mayor instructed those present how to exit the room in an emergency.

Jim Crilley gave invocation followed by the flag salute led by Bruce Peterson.

At this time James Crilley, Chairman opened the meeting for public comment.

Ann Marie Johnson – Quail Ridge resident - read a letter that she wrote to the School Boards as well as the Township Committee regarding the defeated budgets for the schools and offered her suggestions on various forms of shared services in order to reduce costs to help save teacher positions and programs. Ms. Johnson asked what the next steps would be for the defeated budgets. Chairman Crilley explained that it is a difficult time due to funding abilities of the State. The Township Committee will have discussions with the local Board and meet with representatives from the six other districts to discuss Regional's budget. The Committee continues to listen to the residents as resolutions will be prepared that will make suggestions to reduce spending for both defeated budgets. Mr. Baker added that the Committee makes recommendations and it is up to each school board to accept the Township's reduction recommendations, or accept the tax levy reduction and make different line item reductions or appeal the Township's recommendation to the State Education Commissioner.

Char Birdsall – Concord Court resident – read a letter that she wrote and submitted to the School Boards and Township Committees to reduce administration costs and consider the children's education and what these cuts will do to our future.

Eileen Clark – Old Deerfield Pike resident – addressed the breakdown of taxes for the schools and the county since the Township does not have a local purpose tax. She suggested that the Township consider cutting sports programs rather than reducing education programs and staff.

Nancy Ridgeway – Irving Avenue resident – commented that everyone will need to look outside the box to reduce costs and suggested that older grade students should have the ability to learn on line outside of a school setting rather than attending classes in school.

There being no further public comments James Crilley, Chairman called for the approval of minutes for the Meeting of April 15, 2010. On motion of John O'Neill, seconded by Bruce Peterson, to dispense with the reading of the minutes, unanimously carried. On motion of Bruce Peterson, seconded by John Daddario to accept the minutes as received and approved unanimously 5-0.

Mayor James Crilley, called for a public hearing on an ordinance entitled, Calendar Year 2010 Ordinance to Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank (N.J.S.A. 40a:4-45.14). The Clerk read the proposed Ordinance by title, and on motion of Bruce Peterson, seconded by Scott Smith to open the meeting for a public hearing on the proposed ordinance and was unanimously carried. The Chairman instructed the Clerk to distribute copies to those present. Roy Spoltore explained that a municipal budget's appropriations can be increased up to 3.5% each year to cover increases in salaries, benefits and utility costs. Mr. Spoltore added that the Township needed to utilize \$37,500 of the approximate \$108,000 increase to provide for tax assessor costs that were outside of the cap in previous budgets due to a shared service agreement with Elk Township that was canceled by Elk Township which requires those costs to be moved inside the budget cap. There being no public comments, on motion of John Daddario, seconded by John T. O'Neill, Sr. to close the public hearing, and unanimously carried. On motion of John Daddario, seconded by John T. O'Neill, Sr., to approve and adopt proposed ordinance on roll call vote, unanimously carried 5-0 on a roll call vote.

#### ORDINANCE 655

James Crilley, Chairman called for a resolution entitled Appointing Emergency Medical Technician of the Township of Upper Deerfield. The Clerk read the resolution by title. On motion of John T. O'Neill, Sr., seconded by Scott Smith to approve and adopt said resolution, and unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-92

James Crilley, Chairman called for a resolution entitled Approval of Change Order #1 Small Cities - Baldwin. The Clerk read the resolution by title and explained the necessity for the change order. On motion of Bruce Peterson., seconded by John Daddario to approve and adopt said resolution, and unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-93

James Crilley, Chairman called for a resolution entitled Authorizing the Refund of a Portion of the Development Fees to US Homes/Lennar Corporation. The Clerk read the resolution by title. Ted Baker explained that the refund has been directed by a court order as the Township was not authorized by the court master to charge the full amount allowable. On motion of John Daddario., seconded by Bruce Peterson, to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-94

James Crilley, Chairman called for a resolution entitled Tax Payment To Be Refunded for a permanent veteran's disability. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by Scott Smith, to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-95

James Crilley, Chairman called for a resolution entitled Amending Professional Service Agreement with MV Engineering for Engineering Services for the New Utility Distribution Lines within Seabrook Village. The Clerk read the resolution by title and explained that the Small Cities grants allowed for the amended amount of Engineering services to be included and due to unforeseen circumstances of replacing water and sewer lines in Seabrook where there were not accurate as built drawings of the old distribution lines, additional funding is required for engineering services. On motion of Bruce Peterson, seconded by John T. O'Neill, Sr. to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-96

James Crilley, Chairman called for a resolution entitled Payment of Bills in the amount of \$2,362,189.03. On motion of Bruce Peterson, seconded by Scott Smith to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-97

#### COMMITTEE REPORTS

John Daddario asked about extending temporary help for public works. Mr. Baker will need to review the agreement before extending temporary employment. Mr. Daddario reported that a meeting with the fire companies and EMS took place and everything is going well. Mr. Daddario, as the local school board liaison, reported he has been in constant contact and discussions with the Upper Deerfield School Board President regarding the defeated school budget. He added that the Committee is listening to everyone's comments and will take into account what is best for the kids and concerns of the taxpayers.

Scott Smith reported that there are over 300 children signed up for Little League and over 160 soccer teams are expected for the Cohansey Soccer Leagues Tournament on the weekend of June 12 & 13. The Soccer League intends to add two additional fields this year. At the Shade Tree Committee meeting 4 additional people showed up to express their interest in becoming members. Mr. Smith recommended that Dale Cline and Ron Moore be appointed as regular members of the Shade Tree for the balance of the year, seconded by Mr. Peterson and unanimously approved. After a clarification from Mr. Baker the Committee authorized adding two alternate positions to the Shade Tree Committee, on a motion by Mr. Smith, seconded by Mr. O'Neill and unanimously approved. Mr. Smith made a motion, seconded by Mr. Peterson to appoint Dale Cline and Michael Coan as alternates to the Shade Tree Committee for the balance of the year, unanimously approved. Mr. Smith reported that David Rogers received quotes to winterize all the irrigation systems for the year and to install a backflow preventer on a system. Four companies were solicited with two responding. TBI was awarded the contract to activate and winterize the irrigation systems in the Township with a total price of \$794 on a motion by Mr. Smith, seconded by Mr. Peterson and unanimously approved, compared to a price of \$2,250 from Rainbow Sprinklers. Rainbow Sprinklers was awarded the contract to install a backflow preventer at the Municipal Building system with a price of \$271 compared to a price of \$320 from TBI on a motion by Mr. Smith, seconded by Mr. Daddario and unanimously approved.

John O'Neill, Sr. reported that the Environmental Commission is scheduling their seminars for this year. Mr. O'Neill made a motion to approve Ed Fleetwood's attendance for CEU's at a free Rutgers seminar in Vineland, seconded by Mr. Daddario and unanimously approved. Mr. O'Neill noted that due to the

current level of state funding for school and municipal budgets and the economic conditions times are very difficult. He added there are no simple solutions and that everyone involved in the process must try to make the most intelligent decisions after reviewing all of the information available.

Bruce Peterson commented that Community Day was excellent. Mr. Peterson reported that he and Chairman Crilley met with Cumberland Regional representatives to go over the procedures in dealing with the defeated budget. He added that the Township Committee and the School Boards care about our community and children and difficult decisions will need to be made. The Upper Deerfield School staff was asked to reduce their percentage raise for this coming school year by half and they were not willing to make that concession. This will make decisions difficult going forward as everyone is suffering. This economic situation did not happen overnight, everyone needs to be involved in the solution and it needs to be fixed. The Township budget is also feeling the impact of the state funding issues even though we have not discussed this tonight.

James Crilley reported that the municipal budget will maintain a zero local purpose tax this year by utilizing additional surplus money. He added that the Township has been very prudent in their spending and holding surplus funds for a rainy day. Chairman Crilley noted that the Township is heading for tough times and the surplus will not be able to sustain a zero local purpose tax rate much longer. Mr. Crilley read a letter from the County Tax Board informing the Township that that they are not in compliance with valuation ratios and that the Township should be proceeding with entering into a contract with a re-evaluation company to start the process. He reported that Atlantic Electric has sold their generation facility in the Township, Tractor Supply is having their grand opening on May 22 and Seeley Road is scheduled to be paved in mid June.

#### ADMINISTRATOR'S REPORT

Roy Spoltore informed the Committee that the e-mail server is up and ready to go, each of the E-mail accounts need to have the individuals submit their personal password and the Committee's e-mail should be functioning next week. He added that contained in the Committees packets is the income statement for Community Day and information from the NJLM regarding state issues. Mr. Spoltore informed the Committee that Green Acres is accepting applications until July 30, 2010, the Township received \$13,253.18 for 2010 Clean Communities Program, insurance claim money was received from the JIF for the water damage caused by the broken pipe in the court room in February and that the Fire Truck bids were received and Fire Company #3 is reviewing the proposals. A peddler's permit for the sale of food at 8 Landis Avenue was tabled by the Committee so that additional information can be obtained regarding the application.

#### ENGINEERS REPORT

Brian Murphy reported that he spoke with Kathy Stewart from Senator Sweeney's office regarding the Silver Lake Dam issue. One of her solutions was to eliminate the dam which would relieve the Township of any responsibility. The problem is that there are 3 entities involved with the dam but the Township is the only one that is responding to the state's notices. Mr. Murphy reported that Thoroughbred Estates has pumped the basins dry and the developer has gone back to the original engineer, Adams, Rahman and Haggen, and they anticipate planting vegetation around the basins once they have been reconstructed. Mr. Murphy has requested that the dirt mounds be removed. Mr. Daddario requested that Mr. Murphy stay on top of this situation until the problem has been rectified. Mr. Peterson requested that a drop dead date be determined to have the issues resolved or the Township will pull the

bond. Mr. Murphy stated that the project is now moving in the right direction but that he will request a deadline with a timeline by the next meeting. Mr. Murphy informed the Committee that he went to Mr. Scippio' property to look at the drainage issues on his property that he had complained about a previous meeting. The County Mosquito Commission sent a letter stating that Mr. Scippio does have drainage issues on his property that need to be repaired, but they are backed up and will get to it as soon as possible. In the interim, the County has sprayed and treated the water retention areas on his property for mosquitoes. The West Village water distribution project is going well; Love Lane is about 95% complete, radium media treatment should be installed in approximately 1 ½ weeks and hope to have the system running in approximately 3 weeks. Seabrook water treatment facility is having a pre-construction meeting next week. A letter is in your packet that was prepared for the homeowners on First and Second Avenues advising them of the need to tie into the new water lines. The Committee suggested that the deadline to tie into the new water lines be extended to July 6<sup>th</sup>. The Township Committee agreed to waive the plumbing permit fee to tie into the water lines. At the request of the committee, Brian Murphy or Ted Baker will contact the responsible party for the removal of the trailers at Signature Homes, since they are no longer using as a sales office and the property is not being maintained. John O'Neill suggested that Mr. Baker review the Township Ordinances regarding ownership and maintenance of recharge basins.

At this time James Crilley, Chairman opened the meeting for additional public comments.

Eileen Clark – Old Deerfield Pike commended the Committee on their position they have taken regarding Thoroughbred Estates. Ms. Clark suggested the Township should look into incorporating a build out of the township to include in the re-examination of the Master Plan.

Tom Connelly – Irving Avenue, commented that after the adoption of the lighting ordinance, how can the Township have conforming and non-conforming lights in new construction areas such as Burger King and Tractor Supply? Teresa Warburton will have the construction code official review the plans.

Char Birdsall – Concord Court – suggested that Township Committee and residents should send letters to all elected officials and the Department of Education.

Nancy Ridgeway - Irving Avenue - questioned why a disabled veteran is entitled to an exemption of property taxes as every other resident would be responsible to make up for their exemption. It was stated that in order to receive an exemption there are certain military and state criteria that has to be met before an exemption can be processed. Ms. Ridgeway also suggested that parents should get more involved with their children and the school system.

With no further public comments, James Crilley, Chairman called for a resolution Authorizing Closed Session for discussion of possible litigation. The Clerk read the resolution by title. On motion of John O'Neill, Sr., seconded by John Daddario to approve and adopt resolution, unanimously carried.

#### RESOLUTION 10-98

#### REOPEN TO PUBLIC SESSION

The Township Committee reconvened the public meeting on a motion by John O'Neill, seconded by Bruce Peterson unanimously approved. The Committee discussed a reduction equivalent to 2.8 cents for the local school and a need to reduce Cumberland Regional's budget, but they would need to see how the other municipalities felt about the issue and the amount.

On motion by John O'Neill, seconded by John Daddario and unanimously approve to hire Wayne Post as a part time custodian for the Senior Center working about 12 hours per week.

RESOLUTION 10-99

There being no further business to come before the Committee, on motion of Bruce Peterson, seconded by Scott Smith to adjourn, unanimously carried.

Respectfully submitted,

---

Teresa L. Warburton  
Recording Secretary

---

Roy J. Spoltore  
Township Clerk