

MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON THURSDAY, DECEMBER 2, 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 T. O'Neill, Sr., and Scott Smith all being members of the Township Committee. Committeeman John Daddario was not in attendance. 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 John T. O'Neill, Sr.

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

Dean Hawk – Merritt Avenue – stated he is opposed to the County building a Chapel at the Veterans Cemetery and he encouraged the Township Committee to adopt a resolution opposing the construction. Mr. Hawk also suggested that the Township Committee have a member attend County Freeholder meetings on a regular basis in order to have a voice. Mr. Crilley responded by stating that the Committee had previously decided to contact individual Freeholders making them aware of their position on this issue, but Mr. Crilley added that the Committee will continually review the situation.

Nancy Ridgeway – Irving Avenue –agreed with Mr. Hawk wanting to see the Committee get more involved with the Freeholder meetings. Ms. Ridgeway also wanted the Committee to request the Freeholders start making improvements to the 911 centers digital communication mandated upgrades.

There being no other public comments James Crilley, Chairman called for the approval of minutes for the Meeting of November 18, 2010. On motion of Bruce Peterson, seconded by Scott Smith to dispense with the reading of the minutes, and unanimously carried. On motion of John T. O'Neill, Sr., seconded by Bruce Peterson to accept the minutes as received, and unanimously approved 4-0.

Jim Crilley, Chairman called for a discussion and introduction of an ordinance entitled, An Ordinance Deeming Vacancies In Office Due To Certain Events. The Clerk read the proposed Ordinance by title, and on motion of Scott Smith, seconded by Bruce Peterson to approve and adopt proposed ordinance on first reading and setting the date for public hearing on December 16, 2010 at 7:00 pm and was unanimously carried 4-0 on a roll call vote. The Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law.

INSERT ORDINANCE

Jim Crilley, Chairman called for a discussion and introduction of an ordinance entitled, An Ordinance Amending Section 98-40.3 of the Code of the Township of Upper Deerfield. The Clerk read the proposed Ordinance by title. Ernest Holt suggested the language of Section L be amended to include the words “or fraction thereof” at the end of the sentence. The Committee concurred with the modification and on motion of John T. O’Neill, Sr., seconded by Scott Smith to approve and adopt proposed ordinance on first reading and setting the date for public hearing on December 30, 2010 at 3:00 pm and was unanimously carried 3-0 on a roll call vote with Bruce Peterson abstaining as he is a property owner within 200 feet of the redevelopment area. The Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law.

INSERT ORDINANCE

Jim Crilley, Chairman called for a discussion and introduction of an ordinance entitled, Ordinance Amending “Exhibit F” of the Code of the Township of Upper Deerfield Redevelopment Plan. The Clerk read the proposed Ordinance by title, on motion of John T. O’Neill, Sr., seconded by Scott Smith to approve and adopt proposed ordinance on first reading and setting the date for public hearing on December 30, 2010 at 3:00 pm and was unanimously carried 3-0 on a roll call vote with Bruce Peterson abstaining as he is a property owner within 200 feet of the redevelopment area. The Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law.

INSERT ORDINANCE

Jim Crilley, Chairman called for a discussion and introduction of an ordinance entitled, Ordinance Amending The “Upper Deerfield Redevelopment Area Design Guidelines”. The Clerk read the proposed Ordinance by title, and on motion of Scott Smith, seconded by John T. O’Neill, Sr., to approve and adopt proposed ordinance on first reading and setting the date for public hearing on December 30, 2010 at 3:00 pm and was unanimously carried 3-0 on a roll call vote with Bruce Peterson abstaining as he is a property owner within 200 feet of the redevelopment area. The Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law.

INSERT ORDINANCE

Jim Crilley, Chairman called for a discussion and introduction of an ordinance entitled, Ordinance Amending “Exhibit E” of the Code of the Township of Upper Deerfield Redevelopment Plan. The Clerk read the proposed Ordinance by title, on motion of John T. O’Neill, Sr., seconded by Scott Smith to approve and adopt proposed ordinance on first reading and setting the date for public hearing on December 30, 2010 at 3:00 pm and was unanimously carried 3-0 on a roll call vote with Bruce Peterson abstaining as he is a property owner within 200 feet of the redevelopment area. The Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law.

INSERT ORDINANCE

Jim Crilley, Chairman called for a discussion and introduction of an ordinance entitled, Ordinance Amending Section 98-7 of The Zoning And Development Code of the Township of Upper Deerfield. The Clerk read the proposed Ordinance by title. Roy Spoltore explained that this ordinance was modified to pertain only to district zoning schedules within the redevelopment zone and not all zones in the Township. On motion of John T. O’Neill, Sr., seconded by Scott Smith to approve and adopt proposed ordinance on first reading and setting the date for public hearing on December 30, 2010 at 3:00 pm and was

unanimously carried 3-0 on a roll call vote with Bruce Peterson abstaining as he is a property owner within 200 feet of the redevelopment area. The Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law.

#### INSERT ORDINANCE

James Crilley, Chairman called for a resolution entitled Referral To The Upper Deerfield Township Planning Board Pursuant To NJSA 40:55D-64 On The Following Proposed Ordinances: Amending Section 98-40.3 Of the Code Of The Township Of Upper Deerfield, Amending The Upper Deerfield Township Redevelopment Area Design Guidelines, Amending “Exhibit F” Of The Township Of Upper Deerfield Redevelopment Plan, Amending “Exhibit E” Of The ‘Redevelopment Plan’ For The Township Of Upper Deerfield, And Amending Section 98-7 Of The Zoning And Development Code 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 3-0 on a roll call vote with Bruce Peterson abstaining as he is a property owner within 200 feet of the redevelopment area.

#### INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Charging Budget Line Items And Turning Them Over To The General Capital Account. The Clerk read the resolution by title. On motion of Scott Smith, seconded by John T. O’Neill, Sr. to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

#### INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Authorizing Awarding Contract To Aramark For Supplying Public Works Employees Uniforms. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by John T. O’Neill, Sr., to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

#### INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Approval of Change Order #1 – Small Cities – Caine. The Clerk read the resolution by title. 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.

#### INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Payment of Bills in the amount of \$396,424.01. On motion of Bruce Peterson, seconded by Scott Smith to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

#### COMMITTEE REPORTS

Scott Smith – stated that at the Environmental Commission Meeting recently they stated they would like to see the Township pass a resolution in favor of the State maintaining its funding for the

PILOT program for those municipalities that have an excessive amount of dedicated open space land that is owned by non-profit agencies. The Environmental Commission would also like to see more Heritage Trees preserved in the Township. They want to utilize the Shade Tree Committee in helping identify additional trees or by asking if anyone in the Township knows of additional trees worth preserving through the newsletter.

John T. O'Neill, Sr. – stated that he wished there was a way thank all the volunteers for all of their time donated on the various Boards, Committees and Commissions. The Fire Company and OEM would like to purchase an aerial lighting system. Proposals were received from Rental Country - \$2,375, US Uplifters - \$4,019 and Generator Joe - \$3,542.60. On motion of John T. O'Neill, Sr., seconded by Bruce Peterson to accept the proposal from Rental Country in the amount of \$2,375.00, unanimously carried 4-0 on a roll call vote.

Bruce Peterson – presented four proposals for removal of trees along Polk Lane continuing with the removal of dead and diseased trees along the main corridor of the Township. Proposals were received from Sprouse - \$2,145, Young Buck's - \$2,400, Possums Tree - \$6,607.25 and Clarky's - \$3,295. On motion of Bruce Peterson, seconded by Scott Smith to accept the proposal from Sprouse's Tree Service and add one more dead tree on Township property located at Dawson and Acorn Drive which was recently brought to our attention in the amount for an additional \$300.00 bringing the total amount to \$2,445.00, unanimously carried, 4-0 on a roll call vote. Mr. Peterson also presented quotes on repairing the front steps and sidewalk in front of the Municipal Building after receiving a recommendation from the Township Engineer to have the work done. Proposals were received from TBI Unlimited - \$11,679.65, Weldy's Landscaping - \$11,950, Darlington Designs - \$11,960 and David L. Construction - \$21,960. On motion of Bruce Peterson, seconded by John T. O'Neill, Sr., to award proposal to TBI Unlimited in the amount of \$11,679.65, unanimously carried 4-0 on a roll call vote.

James Crilley- read an email that Park Drive Bridge will be reopening on December 3<sup>rd</sup>. A correspondence commending the work of the Public Works Department and a contractor regarding work done on a Township road was read. Chairman Crilley stated that budget preparation is moving forward and there will be a lot of tough decisions coming up with personnel changes from full time to part time status and elimination of some positions for the upcoming year. He added that with the reduction of State Aid, this has been the most difficult budget to prepare and there is no light at the end of the tunnel. Bruce Peterson added that the Committee is reviewing every part of the budget looking at savings of \$5,000 here and \$10,000 there it all adds up and that everyone will be sharing the pain. Chairman Crilley reported that Township officials met with representatives of The Bank who now is in control of Signature Homes development on Love Lane and Button Mill Roads. Areas of concern were pointed to Bank officials and they stated they would move forward on cleaning up the site.

#### ADMINISTRATOR'S REPORT

Roy Spoltore informed the Committee that the second Bond Anticipation Note in the amount of \$3,000,000 for the water projects was awarded to TD Services for one year at a rate of 1.29%. A short term Utility note that was paid down by \$200,000 in 2010, will be purchased by the Township's General Fund in the amount of \$397,702 to take effect on December 9, 2010. This note will be paid in full during the 2012 budget year. A peddler's license for the Pastor of the Seventh Day Adventist Church on Old Deerfield Pike was approved on a motion of Bruce Peterson, seconded by Scott Smith and unanimously approved. Mr. Spoltore reported that School Village development currently has 18 rental units and 4 private homeowners with only one homeowner connecting to the new water system. There is also one home on Second Avenue that has not tied into the new water system. Ted Baker will send out a letter

with deadlines to get all the homes tied in to the new water system or fines and penalties will be enforced, using January 15<sup>th</sup> as a deadline. The public officials meeting with Atlantic County Municipal Joint Insurance Fund is on Tuesday, December 6<sup>th</sup> at Merighi's in Vineland at 6 pm.

#### ENGINEER'S REPORT

Brian Murphy – Seabrook Water System is doing good, Well #17 building is enclosed and Well # 15 building should have the roof on the following week, the project is on schedule. Throughbred Estates Northeast basin is still retaining approximately 25% water, the south basin is dry and the grass has been kept cut and seems to be working fine. Mr. Murphy has reached out to the owner, Mr. Nocentino, but has not received a response back. Mr. Peterson suggested that the Township may have to get involved. Study reports have been received on Silver Lake Dam, a meeting will need to be scheduled between the owner of the lake, the county and the Township to discuss the report.

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

Dean Hawk asked why prime land was being used for the water facility in Seabrook. The Committee stated that the existing permitted well through DEP was located on this parcel and the new well needed to be within 100 feet.

Kim Hemple Miletta –Senior Center Coordinator – knows that the Committee was considering canceling the Older Americans Grant if the terms of the proposal could not be modified. She was concerned that if the Township gives up the grant they may not be able to get the grant again in the future. She believes that the numbers of participants may be lowered to allow the grant to continue and she would do whatever she could to help make it work.

Nancy Ridgeway – stated she heard that the state was going to start taking over the grant money process that currently comes to the County.

With no other public comments, James Crilley, Chairman called for a resolution Authorizing Closed Session for personnel, contracts, and litigation. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by Scott Smith to approve and adopt resolution, unanimously carried.

#### INSERT RESOLUTION

On a motion by Mr. O'Neill, seconded by Mr. Smith, the meeting was reopened to the public, and unanimously approved.

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,

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Teresa L. Warburton  
Recording Secretary

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Roy J. Spoltore  
Township Clerk