

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON
THURSDAY, APRIL 7, 2011, AT 7:00 P.M. IN THE MUNICIPAL BUILDING,
HIGHWAY 77, SEABROOK, NEW JERSEY, PURSUANT TO NOTICE**

Present were: James Crilley, Bruce Peterson, John Daddario, John T. O'Neill, Sr. and Scott Smith all being members of the Township Committee. Also present were: Theodore Baker, Solicitor; Roy Spoltore, Township Administrator/Clerk; Teresa Warburton, Recording Secretary, Brian Murphy, Township Engineer and David J. Rogers, Supervisor Streets & Recreation.

The meeting was called to order by Chairman James Crilley and he read the following public meeting announcement.

“This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of April 7, 2011 was included in a list of meetings notice sent to The News of Cumberland County, on January 11, 2011 and the Press, Cumberland County Edition on January 12, 2011 and advertised in said newspapers on January 13, and January 15, 2011, posted on the bulletin board in the Municipal Building on January 7, 2011 and has remained continuously posted as required notices under the Statue. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

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.

Tom Connelly – Irving Avenue – asked the committee about the lighting at the new Seabrook Water facility as it appears that the lighting is very bright and the wall mounted lights do not appear to be shielded. Brian Murphy stated that with a public drinking water supply the township falls under Homeland Security guidelines. Mr. Murphy will look into the matter and see if there are any other arrangements that can be made to the site.

Doug Zirkle, Assistant Chief of Station 32 reported that the fire company recently purchased a 1988 Pierce Squirt 60' ladder truck from Forest Grove Volunteer Fire Company. The company has copies of all the service records for this truck, which only has 16,000 miles. A letter was read from the Forest Grove Volunteer Fire Chief. The fire company is willing to sell the truck to the Township for \$1.00, if they would be willing to tag, insure, and help with annual certifications. Mr. Zirkle added that it is a versatile truck and may lower the Township's ISO ratings. Mr. Daddario commented that this is a unique circumstance and would help out with the fire fighting efforts for the Township. The only thing is that the Fire Company would like to have a note of record that when the truck is no longer in service that it would be returned back to Seabrook Fire and Rescue Station 32 for a \$1.

Dean Hawk – Merritt Avenue asked the committee to clarify the collective bargaining agreement with UAW local 2327. Mr. Peterson commented that it would be 2% for 2 years with 1 ½% back for the employee's health benefits package contribution. Mr. Spoltore also noted that the agreement also provides for the health benefits package to change from NJ Direct 10 to NJ Direct 15 which will save the Township nearly \$11,000.

There being no further public comments James Crilley, Chairman called for the approval of minutes for the Meeting of March 17, 2011. On motion of Bruce Peterson, seconded by Scott Smith, to dispense with the reading of the minutes, unanimously carried. On motion of John T. O'Neill, Sr., seconded by Bruce Peterson, to accept the minutes as received, and unanimously approved 5-0.

James Crilley, Chairman called for a public hearing on an ordinance entitled, Calendar Year 2011 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 explained that the ordinance would allow the Township to create a tax bank for an extra 1.5% of the previous years appropriation. On motion of John T. O'Neill, Sr., seconded by John Daddario 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. There being no public comments, on motion of John T. O'Neill, Sr., seconded by John Daddario to close the public hearing, and unanimously carried. On motion of John T. O'Neill, Sr., seconded by John Daddario to approve and adopt proposed ordinance, unanimously carried 5-0 on a roll call vote

INSERT ORDINANCE

James Crilley, Chairman called for a public hearing on an ordinance entitled, Ordinance Adopting Rules and Regulations for the Fire Companies of the Township of Upper Deerfield. The Clerk read the proposed Ordinance by title. On motion of John T. O'Neill, Sr., 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. John Daddario thanked Teresa Warburton, Don Sims, Roy Spoltore and the fire chiefs for their help and input in creating this Standard Operating Procedure for the three volunteer fire companies. There being no other public comments, on motion of Bruce Peterson, seconded by John T. O'Neill, Sr. to close the public hearing, and unanimously carried. On motion of John Daddario, seconded by Scott Smith to approve and adopt proposed ordinance, unanimously carried 5-0 on a roll call vote

INSERT ORDINANCE

James Crilley, Chairman called for a discussion and introduction of an ordinance entitled, An Ordinance Amending the Zoning Map of the Township of Upper Deerfield. The Clerk read the proposed Ordinance by title. Mr. Spoltore commented that this would be a colorization showing lot lines of parcels of the previous black and white version. On motion of Bruce Peterson, seconded by Scott Smith to approve and adopt proposed ordinance on first reading and setting the date for public hearing on May 5, 2011 at 7:00 pm and was unanimously carried 5-0 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

James Crilley, Chairman called for a discussion and introduction of an ordinance entitled, An Ordinance Authorizing an Agreement with Alloway Township and Hopewell Township regarding Bostwick Lake. 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 April 21, 2011 at 7:00 pm and was unanimously carried 5-0 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

James Crilley, Chairman called for a resolution entitled, Authorizing Awarding Contract for Providing Repairs to Various Fences within the Township. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by John Daddario 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, Authorizing Awarding Contract for Repairs and Services to Generators within The Township. The Clerk read the resolution by title. On motion of John T. O'Neill, Sr., seconded by Bruce Peterson .to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

Chairman Crilley called for Resolutions 11-97 through 11-107 to be combined as a consent agenda and voted upon as one item. Motion by Mr. Peterson, seconded by Mr. Smith, to adopt the consent agenda for Resolutions 11-97 to 11-107. On a motion by Mr. Peterson, seconded by Mr. Smith, and unanimously approved, Roy Spoltore, Clerk then read each resolution by title. On a motion by Mr. Peterson seconded by Mr. Daddario and unanimously approved, Resolutions 11-97 to 11-107 were approved on a roll call vote 5-0.

Resolution 11-97 entitled Release of Maintenance Bond For English Sewage Disposal.

INSERT RESOLUTION

Resolution 11-98 entitled Release of Maintenance Bond for KMT Properties, LLC.

INSERT RESOLUTION

Resolution 11-99 entitled Release of Maintenance Bond for Landis Links, LLC.

INSERT RESOLUTION

Resolution 11-100 entitled Release of Maintenance Bond for Robert G. Rone, LLC Laurel

INSERT RESOLUTION

Resolution 11-101 entitled Release of Maintenance Bond for Star Mini Storage.

INSERT RESOLUTION

Resolution 11-102 entitled Release of Maintenance Bond for Susquehanna Bank DV

INSERT RESOLUTION

Resolution 11-103 entitled Resolution Authorizing Release of Performance and Maintenance Guarantees regarding Block 1901, Lot 8 & 9 on the tax map of the Township of Upper Deerfield – Laurel Plaza.

INSERT RESOLUTION

Resolution 11-104 entitled Resolution Authorizing Release of Performance and Maintenance Guarantees regarding Block 1901, Lot 4.03 on the tax map of the Township of Upper Deerfield – McDonald’s Corporation.

INSERT RESOLUTION

Resolution 11-105 entitled Resolution Authorizing Release of Performance Guarantee– H.M. Deangelis.

INSERT RESOLUTION

Resolution 11-106 entitled Resolution Authorizing Release of Performance Guarantee– Christopher H. Vernon T/A Upper Deerfield Estates.

INSERT RESOLUTION

Resolution 11-107 entitled Resolution Authorizing Release of Performance and Maintenance Guarantees regarding Block 1903, Lots 3.01, 3.02, 3.03, 4 and 4.01 on the tax map of the Township of Upper Deerfield – Bridgeton Realty – Walgreens

INSERT RESOLUTION

Chairman Crilley called for Resolutions 11-108 through 11-112 to be combined as a consent agenda and voted upon as one item. Motion by Mr. Peterson, seconded by Mr. Smith to adopt consent agenda for Resolutions 11-108 to 11-112. On a motion by Mr. Peterson, seconded by Mr. Smith, and unanimously approved, Roy Spoltore, Clerk then read each resolution by title. On a motion by Mr. Smith seconded by Mr. Daddario and unanimously approved Resolutions 11-108 to 11-112 were approved on a roll call vote 5-0.

Resolution 11-108 entitled Approval of Change Order #4 – West Village Water & Sewer Main Replacement.

INSERT RESOLUTION

Resolution 11-109 entitled Approval of Change Order #7 – Construction Of New Seabrook Water Treatment Facility.

INSERT RESOLUTION

Resolution 11-110 entitled Approval of Change Order #8 – Construction Of New Seabrook Water Treatment Facility.

INSERT RESOLUTION

Resolution 11-111 entitled Awarding Bid to Ricky Slade Construction, Inc. for the Reconstruction of West Village First, Second, Third, Fourth, West End and Central Avenues.

INSERT RESOLUTION

Resolution 11-112 entitled Amending Professional Service Contracts for USDA Program for The Seabrook Water Treatment Plant.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Amending the 2011 Temporary Utilities Budget of the Township of Upper Deerfield #1. The Clerk read the resolution by title. On motion of Mr. Peterson, seconded by Mr. Smith, 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 Authorizing Execution of Collective Bargaining Agreement with UAW Local 2327. The Clerk read the resolution by title. On motion of Mr. Peterson., seconded by Mr. 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 \$418,267. On motion of Bruce Peterson, seconded by John Daddario to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

COMMITTEE COMMENTS

John Daddario reported that Fire Co. #3 needs to purchase jugs of foam. On motion of Mr. Daddario, seconded by Scott Smith to purchase 4 jugs of foam at \$75.00 per jug for a total of \$300.00, unanimously carried. Mr. Daddario reported that Bostwick Lake cleanup went well and they filled a 30 yard dumpster. The clean up crew consisted of approximately 10 kids, and their parents and neighbors in the area. On motion of Mr. Daddario, seconded by Mr. Peterson to accept the fire truck from Station 32 Fire Department and note that when the truck is no longer in service that it would be returned to Station 32, unanimously carried 5-0 on a roll call vote.

Scott Smith – No report.

John T. O'Neill, Sr. reported that Station 33 Fire Department was able to work out a deal with KME for the first annual full service of the new fire truck. Mr. O'Neill, Sr. added that Fire Company #33 has spent \$9,930.00 of their funds for additional items for the new truck.

Bruce Peterson – No Report.

Mayor Crilley stated that recently he and Mr. Peterson attended a meeting with the Deveruex Foundation and neighborhood residents to open up a new line of communication to deal with the concerns of the neighbors. Chairman Crilley added that it appears the final decision has been made on the inspection station and unfortunately it may not be reversed due to the low usage numbers. The Economic Development Committee is putting together a business summit for local businesses on May 18, 2011 on how to reduce expenses through alternate energy savings and utilizing social networking.

ADMINISTRATOR'S REPORT

Roy Spoltore reminded the Committee that Community Day is on April 30, 2011 and everything is moving along well. A meeting on the County wastewater management plan with DEP representatives was held at the 4-H center. DEP was trying to have two parcels in the redevelopment area designated as a non sewer service area. A handout was given to DEP representatives showing why they should remain as a sewer service area. Kathy Stewart from Senator Sweeny's office was in attendance and was very helpful. The Township has provided its data on the natural gas usage to the County to be included in their cooperative purchasing for delivery of natural gas. Mr. Spoltore added that the financial disclosure forms are due on April 30th. The Newsletter is completed and will be mailed out tomorrow. A copy of the directory of Township officials is contained in the Committee's packet.

ENGINEER'S REPORT

Brian Murphy stated that Nocentino Homes on Thoroughbred Estates has been moving the dirt piles, approximately 1 ½ piles of dirt have been removed. Mr. Nocentino reported to Mr. Murphy that two more lots are under negotiations. The south basin is functioning and the road has

been patched. The north basin is being pumped and excavating equipment is on site. The Seabrook Water Facility is nearing completion focusing now on the final punchlist items. The State will be taking additional water tests. The water tower has been inspected and needs to be disinfected before putting it into service. WRT is scheduled to be loading the zealite into the water filters. Mr. Murphy will contact the mosquito commission to have them spray the Thoroughbred basins so that the residents in the vicinity of Thoroughbred Estates will not have problems with mosquitoes. Ted Baker added that the mayor has the authority to call the letter of credit if the developer does not continue fixing the issues at the development.

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

Dean Hawk asked the committee about the 1 ½% of the budget cap increase. Mr. Hawk stated that at the various meetings that he attends it appears that everyone is doing the same increase. Mr. Peterson stated that most municipalities will approve the increase to keep up with the budget increases for staff, benefits, insurance and utilities. Mr. Hawk informed the committee that there is still a sign up for camping near Bostwick Lake which should be removed.

Nancy Ridgeway, Irving Avenue, questioned the committee on the billing of escrows and fees for the Planning Board. Ted Baker explained that escrow fees require the developer to cover the costs of their application and approval. For minor subdivision or accessory use variances there typically is not an escrow required as the Township does not want to burden a resident with additional expenses for minor applications.

Matt Callahan thanked Mr. Daddario and his crew for the clean up of Bostwick Lake.

With no other public comments, James Crilley, Chairman called for a resolution Authorizing Closed Session for personnel. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by John T. O'Neill, Sr. to approve and adopt resolution, unanimously carried 5-0.

On a motion by Mr. Peterson, seconded by Mr. Daddario, the meeting was reopened to the public, and unanimously approved.

James Crilley, Chairman called for a discussion and introduction of an ordinance entitled, An Ordinance Fixing Salaries of Certain Officials of the Township of Upper Deerfield in the County of Cumberland, Providing the Terms of Payment Thereof and Repealing Ordinances Inconsistent Therewith. The Clerk read the proposed Ordinance by title. On motion of Bruce Peterson, seconded by Scott Smith to approve and adopt proposed ordinance on first reading and setting the date for public hearing on April 21, 2011 at 7:00 pm and was unanimously carried 5-0 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

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

Respectfully submitted,

Teresa L. Warburton
Recording Secretary

Roy J. Spoltore
Township Clerk