

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON THURSDAY,  
OCTOBER 6, 2011, AT 7:00 P.M. IN THE MUNICIPAL BUILDING, HIGHWAY 77,  
SEABROOK, NEW JERSEY, PURSUANT TO NOTICE**

Present were: James Crilley, 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, and Brian Murphy, Township Engineer.

Members Absent: Bruce Peterson, Township Committee and David J. Rogers, Streets and Recreation Supervisor were unable to attend.

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 October 6, 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 Scott Smith.

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

Victoria Fannon an Attorney from Parker McKay, representing Wal-Mart asked what the status of the review guidelines were for the redevelopment area. Ted Baker stated that the Committee has received a report from Louis Joyce on the matter and are currently reviewing and familiarizing themselves with the recommendations. The intent is to have a subcommittee meet with Planner Lou Joyce, and the solicitor to review his recommendation. After the Township Committee completes its review, the recommendations will be submitted to the Planning Board for their recommendation and then a public hearing will be held by the Township Committee.

Winnie Pusey of First Avenue wanted to see if security cameras could be placed in the neighborhood because of fighting in the area. He added that the State Police have increased their patrolling in the area. Chairman Crilley stated that the Committee is concerned, but that there would be no one to monitor cameras if they were installed. Mr. Crilley suggested that the neighbors create a community watch program which would establish a direct line to the NJSP. Mr. Pusey added that some people are afraid to get involved. He also stated that there are drugs issues in the neighborhood. Chairman Crilley offered the Township's support in starting a neighborhood watch and encouraged the neighbors to develop a grass roots program, but warned them not to confront individuals on their own.

Judy Hussla of First Avenue stated that the biggest problem is when the kids get dropped off in the afternoon from the Regional High School. Ms Hussla added that she has confronted some individuals about the fighting and has asked the children she knows who may be involved to go to

their homes. John Daddario suggested that the School have the bus make more than one drop off for the neighborhood children.

Lynn Houck of Franmar Drive asked the status of the Thoroughbred Estate drainage basin issues. Mr. Murphy reported that the developer has pumped the basins down as much as he can. Mr. Murphy will be obtaining a schedule from the developer about how he when he will be fixing the basins. Ms. Houck asked when it should be completed. Mr. Murphy stated it is a big job to fix and should be completed by the winter. Mr. Murphy added that the County has some drainage problems in the area; he intends to stay on top of both situations.

Ron Capoferri of Finley Road wanted to know if there is any way to keep the pressure on the developer of Thoroughbred Estates. Chairman Crilley stated that no new Construction Permits will be issued until the basins are functioning properly. Mr. Capoferri asked how can one stop silt run-off from being a problem in the future. Mr. Murphy stated the basins have never been installed properly which would include proper seeding around and in the basins which will stop a majority of the silt run-off.

James Crilley, Chairman called for a resolution Authorizing Closed Session for contracts. The Clerk read the resolution by title. On motion of Scott Smith, seconded by John Daddario to approve and adopt resolution, unanimously carried 4-0.

#### INSERT RESOLUTION

#### REOPEN TO PUBLIC SESSION

The Township Committee reconvened the public meeting on a motion by Scott Smith, seconded by John T. O'Neill, Sr. unanimously approved.

There being no further public comments James Crilley, Chairman called for the approval of minutes for the Meeting of September 15, 2011. On motion of John Daddario, seconded by Scott Smith, to dispense with the reading of the minutes, unanimously carried. On a motion of John T. O'Neill, Sr., seconded by Scott Smith, to accept the minutes as received, and unanimously approved 4-0.

James Crilley, Chairman called for a discussion and introduction of an ordinance entitled, Ordinance Vacating a portion of Deerfield Drive between Pearson Road and Ichisaka Way within the Township of Upper Deerfield. The Clerk read the proposed Ordinance by title. Ted Baker explained that a portion of the old roadway needs to be vacated as the new configuration of units at Countryside Village infringes on the roadway. The as built drawings for the utilities have been received by the Township Engineer as requested. The tax appeal on Phase III that should not have been filed, has been withdrawn. 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 November 3, 2011 at 7:00 pm and was 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 and copies to be made available upon request.

INSERT ORDINANCE

James Crilley, Chairman called for a resolution entitled, Honoring Anthony Cusano. The Clerk read the resolution by title. On motion of John Daddario, seconded by Scott Smith, to approve and adopt said resolution, unanimously carried 4-0.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, Honoring Bruce and Debby Riley. The Clerk read the resolution by title. On motion of Scott Smith, seconded by John Daddario, to approve and adopt said resolution, unanimously carried 4-0.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, providing for the Insertion of a Special Item of Revenue in the Budget Pursuant to NJSA 40a:4-87/Energy Efficiency. 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, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, providing for the Insertion of a Special Item of Revenue in the Budget Pursuant to NJSA 40a:4-87/Clean Communities. 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, Resolution Authorizing Extension of Cellular Use Agreement between Township of Upper Deerfield and T-Mobile Northeast, LLC. The Clerk read the resolution by title. Ted Baker explained that T-Mobile agreed to two five year incremental increases of 18% each term for placing their cellular antennas on the Love Lane water tower. On motion of John T. O'Neill, Sr., seconded by John Daddario, 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 the Cancellation of 2010 & 2011 Taxes per State Court Judgment. The Clerk read the resolution by title. On motion of Scott Smith, seconded by John Daddario 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, Tax Payment to be refunded – Police & Fireman’s System for 2009 Unpaid Taxes.. The Clerk read the resolution by title. Ted Baker commented that the tax court deemed that the taxes have to be refunded. On motion of John Daddario, 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, Tax Payment to be refunded – Core Logic. 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, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, Tax Payment to be refunded – Ford-Storms. The Clerk read the resolution by title. On motion of John Daddario, seconded by Scott Smith, 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, Resolution Awarding Bid for Home Rehabilitation Contract 2011-02. 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, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, Resolution Awarding Pittsgrove Township Court Shared Services Contract. The Clerk read the resolution by title. On motion of John T. O’Neill, Sr., seconded by John Daddario, 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 Payment of Bills in the amount of \$247,346.90. On motion of John T. O’Neill, Sr., seconded by John Daddario, to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

COMMITTEE COMMENTS

John Daddario asked Brian Murphy if he had a chance to check out the trees across from Jim Burgman’s house where the branches are hanging over the roadway. Mr. Murphy reported that there are dead branches that pose no eminent danger to a home, but they should be removed. Mr.

Murphy will contact David Rogers and have the vendor awarded tree trimming contract remove those dead branches. Fire Prevention quotes were received from Alert All in the amount of \$2,263.00, Foremost Promotions for \$2,358.00, and Positive Promotions for \$2,436.00. On motion of John Daddario, seconded by John T. O'Neill, Sr. to award Alert All the order for the Fire Prevention Kits, unanimously approved 4-0. Mr. Daddario attended a recreation committee meeting where the Committee has recommended replacing Dennis Mooney who has not attended any meetings since the beginning of the year with Amy Colaneri to fill his unexpired term and placing William Ziefle in Ms. Colaneri's alternate position. Mr. Daddario also asked if the administrator could look into finding grant funding to help with the purchase of lighting for the soccer fields.

Scott Smith reported that the Planning Board meetings are getting interesting.

John T. O'Neill, Sr. reported requests for CEU's for Patty Adams in the amount of \$50.00 and two or three days off from work at the League and CEU's for Ed Fleetwood in the amount of \$113.00 and one day off from work. On motion of John T. O'Neill, Sr., seconded by John Daddario to approve the CEU's for both Patty Adams and Ed Fleetwood, unanimously carried 4-0 on a roll call vote. Mr. O'Neill stated that the temporary shared court agreement with Pittsgrove Township was a pleasure to complete as both sides were straight forward and details were very easy to work out.

James Crilley also thanked officials from Pittsgrove Township on the ease in developing the temporary Shared Court Agreement. The Chairman added that the biggest deterrents with shared service agreements are individual egos and home rule issues; agreements have to be mutually beneficial for all involved. Mr. Crilley added that he has been working with Ed Fleetwood on some housing issues where human occupancy of units are questionable. Mr. Crilley noted that there are trees on the north side of the municipal building complex that need to be trimmed for emergency service vehicles.

#### ADMINISTRATOR'S REPORT

Roy Spoltore informed the committee that the two properties on Highway 77 owned by Wenger and Ench have now been included in the State sewer service area map as of September 23<sup>rd</sup>. Chad Ott reviewed various companies' proposals that provide Background checks on volunteers and is recommending the company called A Check. The cost would be approximately \$18.00 per person for criminal and sexual searches and a driver's abstract could be added for \$2.00 more. On motion of John Daddario, seconded by Scott Smith, to award A Check for the background checks for criminal, sexual and driver's abstract in the amount of \$20.00 per person. Additional information was included in the Committees packets consisted of: a list of DCA sponsored courses at the NJLM, resolution opposing senate bill 2887, update on abolishing COAH, and a resolution from the League requesting full funding to municipalities for Energy Receipt Taxes.

#### ENGINEER'S REPORT

Brian Murphy stated that spoke with Pennoni Associates regarding Silver Lake Dam and received a quote of \$3,120.00 to assess the damage caused by the two storms in August. Mr. Murphy forwarded the information to Dan Orr, County Engineer and has not heard back from him. Mr. Daddario stated that the county is holding up the opening of Love Lane by not assessing damage done to dam.

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

Nancy Ridgeway of Irving Avenue described details a County document pertaining to development standards found in Appendix G. The County has determined future right-of-way road designations in this document that will be used when new developments come before the County Planning Board. There will be a public hearing on October 25<sup>th</sup> by the Cumberland County Board of Chosen Freeholders at their 6 pm meeting on these right of way changes.

Linda Dubois the Mayor of Pittsgrove Township thanked the Committee for the comments and stated that Pittsgrove is looking forward to working with Upper Deerfield. She added that it is always better to pick who you work with rather than being forced to do something.

With no other public comments, James Crilley, Chairman called for a resolution Authorizing Closed Session for pending litigation, public safety and contracts. The Clerk read the resolution by title. On motion of Scott Smith, seconded by John T. O'Neill, Sr., to approve and adopt resolution, unanimously carried 4-0.

#### REOPEN TO PUBLIC SESSION

The Township Committee reconvened the public meeting on a motion by John Daddario, seconded by John T. O'Neill, Sr. and unanimously approved.

On motion of John T. O'Neill, Sr., seconded by Scott Smith to approve Andrea Penny's request for attending the Leagues Convention, unanimously carried 4-0 on a roll call vote.

On motion of John Daddario, seconded by Scott Smith to forgive the interest charges of approximately \$49.45 caused by the mortgage company delayed payment for the Trexler's at 9 Concord Court, unanimously carried 4-0 to forgive the interest charges on a roll call vote.

On motion of John T. O'Neill, Sr., seconded by Scott Smith a resolution endorsing the Township entering into an agreement, that will allow for language changes, with other municipalities as a participant in a regional municipal court, unanimously carried 4-0 on a roll call vote.

#### INSERT RESOLUTION

There being no further business to come before the Committee, on motion of John T. O'Neill, Sr., seconded by John Daddario, to adjourn, unanimously carried.

Respectfully submitted,

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Teresa L. Warburton  
Recording Secretary

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Roy J. Spoltore  
Township Clerk