

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON
THURSDAY, APRIL 19, 2012, AT 7:00 P.M. IN THE MUNICIPAL BUILDING,
HIGHWAY 77, SEABROOK, NEW JERSEY, PURSUANT TO NOTICE**

Present were: James Crilley, John T. O'Neill, Sr., John Daddario, Bruce Peterson 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, Chad Ott, Chief of EMS and Amy Colaneri, Treasurer

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 19, 2012 was included in a list of meetings notice sent to The News of Cumberland County and the Press, Cumberland County Edition and advertised in said newspapers on January 11, 2012, posted on the bulletin board in the Municipal Building on January 6, 2012 and has remained continuously posted as the 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. In compliance with the State Fire Safety Statutes, Chairman Crilley instructed those present how to exit the room in an emergency.

James Crilley gave an invocation followed by the flag salute led by John Daddario.

James Crilley, Chairman opened the meeting for public comment.

There being no public comment, James Crilley, Chairman called for the approval of minutes for the Special Meeting of February 23, 2012 and the Meeting of April 5, 2012. On motion of Bruce Peterson, seconded by John Daddario, to dispense with the reading of the minutes, unanimously carried. On a motion of Scott Smith, seconded by John T. O'Neill, Sr., to accept the minutes as received, unanimously approved, 5-0.

James Crilley, Chairman called for a resolution entitled Authorizing the Reading of the 2012 Municipal Budget and 2012 Utility Budget by Title. 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.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Confirming Compliance with N.J.A.C. 5:30-7; Conducting Local Examination of 2012 Annual Municipal Budget Township of Upper Deerfield, County of Cumberland. 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.

INSERT RESOLUTION

James Crilley, Chairman called for a public hearing on an ordinance entitled, 2012 Municipal Budget and 2012 Utility Budget. The Clerk read the proposed Ordinance by title. On motion of Bruce Peterson, seconded by John T. O'Neill, Sr., to open the meeting for a public hearing on the proposed ordinance, and unanimously carried. The Chairman instructed the Clerk to distribute copies of the 2012 budget showing a five year history. Nick Petroni, Township Auditor reported that the Township

financials are stable despite dwindling revenues and the 2012 budget as presented is a good document. He added that this is a self examination year for the Township and the budget does not need review by the State. Dean Hawk, resident, asked if the Committee was able to review longevity pay? Roy Spoltore stated that the Township personnel policy provides \$200 in longevity pay for employees with 20 years of service of which there are two. He added that deleting longevity pay from the policy would require it to be removed through contract negotiations. There being no further public comments, on motion of Bruce Peterson, seconded by Scott Smith to close the public hearing, unanimously carried 5-0.

James Crilley, Chairman called for a resolution entitled Adoption of the 2012 Municipal Budget and 2012 Utility Budget. 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 public hearing on an ordinance entitled, Ordinance Amending Chapter 328-32 of the Code of the Township of Upper Deerfield with Respect to Annual Sewer Unit Rates. 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 unanimously carried. The Chairman instructed the Clerk to distribute copies to those present. Mr. O'Neill, Sr. gave an overview of the ordinance indicating that the sewer rates have not changed since the mid ninety-nineties. Sam Boutros, resident asked if there was any future plans for expansion of water and sewer lines. Mr. Peterson stated there are not any short term plans to expand the water or sewer lines. There being no further public comments, on motion of Bruce Peterson, seconded by John Daddario to close the public hearing, unanimously carried 5-0. On motion of John T. O'Neill, Sr., 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 public hearing on an ordinance entitled, Ordinance Amending Chapter 396-38 and 396-39 of the Code of the Township of Upper Deerfield with Respect to Water Service. The Clerk read the proposed Ordinance by title. On motion of Bruce Peterson, seconded by Scott Smith to open the meeting for a public hearing on the proposed ordinance, and unanimously carried. The Chairman instructed the Clerk to distribute copies to those present. Mr. Spoltore explained that the allocated gallons per month would be reduced from 6,000 to 5,000 gallons and that the capital connection fee would be payable at the time the plumbing permit is issued. There being no public comment, on motion of John Daddario, seconded by Scott Smith to close the public hearing, unanimously carried 5-0. On motion of John T. O'Neill, Sr., seconded by Bruce Peterson 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 Amending Chapter 405-31 of the Code of the Township of Upper Deerfield with Respect to Signs. The Clerk read the proposed Ordinance by title. On motion of John T. O'Neill, Sr., seconded by Bruce Peterson to open the meeting for a public hearing on the proposed ordinance, and unanimously carried. The Chairman instructed the Clerk to distribute copies to those present. Mr. O'Neill, Sr. explained that the Planning Board found the proposed ordinance consistent with the master plan goals and the Township planner felt the Board could review in the future the impact of this ordinance for businesses in strip malls. Mayor Crilley added that business owners have asked that feather flags be permitted during recent

business retention visits by Township officials. Dean Hawk asked if this ordinance pertained to a residential property owner. Mr. Baker explained that personal property owners have more protected rights through the first amendment than a businessperson. There being no further public comments, on motion of Bruce Peterson, seconded by Scott Smith to close the public hearing, unanimously carried 5-0. On motion of Scott Smith, 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 Amending Personnel Policy and Procedure Manual of The Township of Upper Deerfield. The Clerk read the proposed Ordinance by title. On motion of John Daddario, seconded by Bruce Peterson to open the meeting for a public hearing on the proposed ordinance, and unanimously carried. The Chairman instructed the Clerk to distribute copies to those present. Mr. Spoltore explained that the ordinance will automatically modify the personnel policy anytime there is a change in state statute or contract negotiation for employee co-pays towards their health benefits. There being no public comments, on motion of John T. O'Neill, Sr., seconded by Bruce Peterson to close the public hearing, unanimously carried 5-0. On motion of Scott Smith, seconded by Bruce Peterson to approve and adopt proposed ordinance, unanimously carried 5-0 on a roll call vote

INSERT ORDINANCE

James Crilley, Chairman called for a resolution entitled Resolution Authorizing Shared Service Agreement with the County of Cumberland: Repair Potholes. The Clerk read the resolution by title. Mayor Crilley noted that this will save the Township money over a period of years. Mr. Peterson added that the patch is not the prettiest but it holds together well. Mr. Daddario stated that the patch is better than a hot or cold asphalt patch. 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 Resolution Authorizing Shared Service Agreement with the County of Cumberland: County's Wash Bay Facility. The Clerk read the resolution by title. Mr. O'Neill, Sr. explained that and rules have changed on how vehicles are permitted to be washed. On motion of Scott Smith, 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 Resolution Authorizing Shared Service Agreement with the Borough of Shiloh: Certified Recycling Coordinator. The Clerk read the resolution by title. Mr. Crilley explained that the Township worked with the CDC to find a Certified Recycling Coordinator to submit the annual recycling tonnage grant. On motion of Bruce Peterson, seconded by Scott 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 Tonnage Grant to the New Jersey Department of Environmental Protection. On motion of Scott Smith, seconded by Bruce Peterson to approve and adopt said resolution, unanimously carried 5-0.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Authorizing Coin Drop for Upper Deerfield Cumberland Midget Football League. On motion of Bruce Peterson, seconded by John Daddario to approve and adopt said resolution, unanimously carried 5-0.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Authorizing Release of Performance Bond – U.S. Home Corporation d/b/a Lennar Homes. Ted Baker explained that the Engineer did an inspection and found there were still issues to be addressed. On motion of Bruce Peterson, seconded by John Daddario to table said resolution until the engineer has signed off on the issues at the development, unanimously carried 5-0.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled Tax Payments to be refunded. On motion of Bruce Peterson, seconded by Scott 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 Payment of Bills in the amount of \$1,080,093.84. On motion of Bruce Peterson, seconded by Scott 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 a Commodity Resale Agreement between the County of Cumberland and The Township of Upper Deerfield for the Sale of Gasoline. 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 requested that a letter be sent to the Bridgeton Journal about the distribution of their weekly newspaper that is littering areas of the Township.

Scott Smith reported that it was nice not to see the Planning Board objecting to the sign ordinance.

Bruce Peterson had no report this evening.

John T. O'Neill, Sr. added it was good to see the Planning Board support the sign ordinances. Mr. O'Neill also stated he was glad to see the two Utility ordinances finalized.

Mayor Crilley stated that the monthly reports are contained in packets. The Township received notice that Patricia Adams has been classified and approved by the Supreme Court as a Certified Court Administrator. The Mayor added that he, John T. O'Neill, Sr., George Joyce visited Bostwick Lake and George Joyce suggested that the Township lock the gate on the Upper Deerfield Township side so that cars cannot get back to the old campground area.

ADMINISTRATOR'S REPORT

Roy Spoltore informed the Committee that in their packets is the NJ Planner, Community Day program and a NJLM Advisories pertaining to energy receipts and court cases. Mary Cary from the auditors' office reviewed the reserve accounts for grants with Ruth and Amy, there will be a future resolution that will authorize the reallocation of the funds. The computer server is still having issues and is being rebuilt, while the website is having issues with the forms functioning properly. Mr. Spoltore is looking into having the Township host the website on go daddy as the current hosting contract will be expiring in May. A copy of the letter sent to businesses pertaining to the sewer issues in the Carlls Corner was included in the packet. Mr. Spoltore reported that Brian Murphy has been having discussions with Garrison Enterprises pertaining to the drainage issues on Parkview Heights.

TREASURERS REPORT

The Treasurer's report as of March 31, 2012 shows the balance of all Township accounts as \$6,680,160.23.

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

Edward Duffy the Prosecutor for the Cumberland/Salem Joint Regional Court thanked the Committee for his appointment. Mr. Duffy explained that he discussed with Mr. Spoltore earlier today the need for an electric outlet for his laptop, reduction of the glare of the sun and a boosting of the wi fi signal in the building. He added that the court has a backlog of cases from the old courts and he did not anticipate that there would be a true reflection of a normal regional case log until August.

Nancy Ridgeway asked if the utility budget had administrative costs included. The Committee informed her that they were included. Ms. Ridgeway asked if the Township considered having a business registration license with a fee. The Committee felt that businesses are registered with the fire official and he does annual inspections of life hazard businesses and he inspects all other businesses in a regular basis.

Sam Buotrous stated that mercantile licenses are required in a number of municipalities. Mr. Daddario is concerned with charging another fee to businesses in these hard economic times.

Tom Connelly expressed his concern that the adult day care center did not have shielded lights on the lights under the canopy of the building and that that the Susquehanna Bank ATM machine area did not have shielded lights.

With no other public comments, James Crilley, Chairman called for resolution Authorizing Closed Session to discuss personnel issues. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by Scott Smith, to approve and adopt resolution, unanimously carried 5-0.

INSERT RESOLUTION

Bruce Peterson made a motion, seconded by Scott Smith, and unanimously approved 5-0 to reopen the Township Committee meeting to the public.

James Crilley, Chairman called for a resolution Authorizing the Hiring of Cindy Kelly for a Part Time Clerical Position in the Court. On motion of John Daddario, seconded by John O'Neill to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

The Committee discussed the components of a settlement agreement with Darlene Campbell. The Committee authorized the Mayor and Clerk to sign a settlement agreement that Ted Baker will prepare that will provide two months of salary plus payment for 8 days of unused vacation and sick time which calculates to 2 work days per week or 4 weeks of pay on a motion of Bruce Peterson, seconded by John Daddario and unanimously approved 5-0 on a roll call vote.

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

Respectfully submitted,

Teresa L. Warburton
Recording Secretary

Roy J. Spoltore
Township Clerk