

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON  
THURSDAY, DECEMBER 19, 2013, 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., Bruce Peterson, John Daddario and Scott Smith all being members of the Township Committee. Also present were: Rocco Tedesco, Solicitor, Roy Spoltore, Township Administrator/Clerk; Teresa Warburton, Recording Secretary, David J. Rogers, Streets and Recreation Supervisor and Chad Ott, Chief of EMS.

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 December 19, 2013 was included in a list of meetings notice sent to The South Jersey Times and the Press, Cumberland County Edition and advertised in said newspapers on January 15, 2013, posted on the bulletin board in the Municipal Building on January 4, 2013 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 T' O'Neill, Sr.

Mayor Crilley noted that there appeared to be citizens in attendance who may want to talk about a proposal that is coming before the Township Planning Board in January and he yielded the floor to Township Solicitor Rocco Tedesco. Mr. Tedesco stated that it was his opinion that the Township Committee could not hear comments pertaining to the development proposal prior to it being heard by the Township Planning Board. The Solicitor did not want to see the planning board process tainted or prejudiced by residents comments or opinions that may be stated at this public meeting. Joe Lacotte of Centerton Road informed the Committee that he has been an advocate for safety at the intersection of Big Oak Road and Centerton Roads since 1987. He stated he has witnessed many horrible accidents and also near misses which are not recorded. In July 2013, this intersection was made a 4 way stop which has been a positive improvement. He felt the County should consider adopting a no passing zone north of the intersection on Centerton Road as drivers are accelerating rapidly to pass other vehicles as they take off from the stop sign. The Committee suggested that he write the letter to the county engineer, copying the township committee, county solicitor and county public works supervisor. Once the Committee receives the letter they will follow up with the County.

There being no other public comments, Chairman James Crilley called for the approval of minutes for the meeting of December 5, 2013. On motion of Bruce Peterson, seconded by John O'Neill, Sr., to dispense with the reading of the minutes, and unanimously carried. On motion of John T. O'Neill, Sr., seconded by Scott Smith, to accept the minutes as received, and unanimously approved 5-0.

Chairman James Crilley called for a resolution entitled Authorizing Professional Service Agreement with Scheule Planning Solutions, LLC for Planning Services. 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 James Crilley called for a resolution entitled To Purchase Rock Salt Through A Cooperative Price Contract with The County of Cumberland. The Clerk read the resolution by title. On

motion of Scott Smith, seconded by John Daddario to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

Chairman James Crilley called for a resolution entitled 2013 Budget Transfer. 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.

INSERT RESOLUTION

Chairman James Crilley called for a resolution entitled Charging 2013 Capital Budget Line Items and Turning them over to the General Capital Account. 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

Chairman James Crilley called for a resolution entitled Charging 2013 Capital Budget Line Items and Turning them over to the Utility Capital Account. 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 5-0 on a roll call vote.

INSERT RESOLUTION

Chairman James Crilley called for a resolution entitled Abatement for Improvement, Conversion or Construction of Property – Clement Pappas & Co., Inc. 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

Chairman James Crilley called for a resolution entitled Resolution Authorizing Release of Performance Bond Clement Pappas & Co., Inc. 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.

INSERT RESOLUTION

Chairman James Crilley called for a resolution entitled Authorizing Awarding Contract for Township Employee and Volunteers Physicals to RSP Medical, LLC. 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

Chairman James Crilley called for a resolution entitled Canceling Certain Outstanding Checks for Upper Deerfield Current Fund. 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

Chairman James Crilley called for a resolution entitled Canceling Certain Outstanding Checks for Upper Deerfield Municipal Court. The Clerk read the resolution by title. On motion of Scott Smith, seconded by Bruce Peterson to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

Chairman James Crilley called for a resolution entitled Canceling Certain Outstanding Checks for Upper Deerfield Municipal Court Bail Account. 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

Chairman James Crilley called for a resolution entitled Awarding Bid to Ricky Slade Construction, Inc. for the Reconstruction of a portion of Love Lane. The Clerk read the resolution by title. Rocco Tedesco disqualified himself from the discussions and review of this resolution. Assistant Solicitor Rebecca Bertram has handled the review of the project bids, along with Fralinger Engineering and Township Engineer Brian Murphy. 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

Chairman James Crilley called for a resolution entitled Tax Payments to be Refunded. The Clerk read the resolution by title. On motion of John Daddario, 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 \$539,080.06. On motion of Bruce Peterson, seconded by Scott Smith to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote with John Daddario abstained on JEM Print payment.

INSERT RESOLUTION

COMMITTEE COMMENTS

John Daddario reported that leaf pick up resumed yesterday after the weather issues subsided. The EMS Building has been slowed due to the snow, they need 4 good days to close in the roof and then get really moving along with the interior. So far they are still on schedule for the February completion date.

Scott Smith thanked the public works department for taking care of the surprise snow storm. Mr. Smith presented information for a chipper that he and David Rogers obtained. Funding for the chipper will be reviewed.

Bruce Peterson reported that the future expansion of the Convenience Center has been getting cleared. Mr. Peterson noted that the Cumberland County Improvement Authority is going to single stream recycling in the early part of 2014. It should make it easier for Upper Deerfield Township residents to recycle. Quotes were received for the demolition of the old steel building at the convenience center from Miletta Bros in the amount of \$6,500.00, Tony Brago Excavating in the amount of \$3,800.00 and David B. Gates in the amount of \$3,500.00. On motion of Bruce Peterson, seconded by John T. O'Neill, Sr. and unanimously approved 5-0 on a roll call vote, to award proposal to David B. Gates in the amount of \$3,500.00. Roy Spoltore will coordinate with David B. Gates to do at the end of February or beginning of March 2014 to start the demolition work which will take about two weeks.

John T. O'Neill, Sr. stated he was happy that we would not be re-skinning the building at the Convenience Center and pleased with the proposals received for the Love Lane Road project and the contractor who will perform the work.

Mayor Crilley stated that the Committee is beginning the process of closing out the 2013 budget. At our final meeting on December 30<sup>th</sup> at 3 pm the Committee will continue to finalize transfers and reserve accounts. Bruce Peterson added that the Township Engineer prepared a cost estimate for a twenty year road improvement program which would require approximately \$417,000 per year being set aside in the budget to implement the program. Mayor Crilley added that the JIF Elected Officials meeting was cancelled due to snow and road conditions and will be re-scheduled.

#### ADMINISTRATOR'S REPORT

Roy Spoltore informed the Committee that in their packets is a spreadsheet showing the remainder of the 2013 budget balances, monthly departmental reports and NJLM advisories. A FEMA Firefighter's assistance grant in the amount of around \$300,000.00 for new air packs and a cascade system was submitted. Woodruff School sent a letter requesting support for the upcoming year's Kids Run against Drugs held in May. The Committee unanimously agreed to support the program. Mr. Spoltore informed the Committee that the Cumberland County Utilities Authority has submitted a revised resolution to consider pertaining to the 2012 User Agreement. The document will be reviewed and discussed at a future meeting in January. Additional professional proposals were requested for the topographical surveys for the driveways and front parking lot of the municipal building and the old landfill.

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

Shane Godshall from the American Littoral Society stated that in Idaho a governing body can address concerns/appeals on a planning board application and asked when it would be appropriate to address concerns before the township committee on the application before the Planning Board? Mr. Tedesco stated that he is familiar with New Jersey Law and there is case law pertaining to procedures a governing body must adhere to prior to the local Land Use Board or Zoning Board conducting a public hearing on an application. The Solicitor once again explained that he does not want public comments at a public meeting tainting the pending application before the Planning Board. The Planning Board will be holding a public hearing on the application, at which time the public may make any comments for the record. Mayor Crilley added that the Township Committee welcomes public comment but does not want to hear comments pertaining to the application that might taint or prejudice the planning process.

Nancy Ridgway resident of Irving Avenue stated that she will be at the Planning Board meeting to hear the public's comments. She wished everyone a Merry Christmas!

Nicholas Dorowolski of Fourth Avenue stated that the Public Works department is doing a good job with the leaves this year. He concurred that the Convenience Center building has outlived its use. He added that it is good to put up stop signs, speed limits for enforcement but in general people do not obey all the signs.

With no other public comments, James Crilley, Chairman called for a resolution Authorizing Closed Session to update the Committee on pending litigation, contracts, personnel and Attorney Client privileged confidential communications. 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 roll call vote. No action will be taken after closed session meeting.

#### INSERT RESOLUTION

The Committee reopened the public portion of the meeting on a motion of Bruce Peterson, seconded by John Daddario and unanimously carried.

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