

MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON THURSDAY, MARCH 4, 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 Daddario, John O'Neill, Sr. and Scott Smith all being members of the Township Committee. Also present were: Roy Spoltore, Township Clerk/Administrator, Ted Baker, Township Solicitor Teresa Warburton, Recording Secretary and Brian Murphy, Township Engineer.

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.

Greg Peterson – Member of the Upper Deerfield Township Board of Education introduced himself as the new liaison to the Township Committee for the Board of Education. He thanked the Township for all their help with the snow removal from the past storms. He also mentioned that it is budget time for the school and they are waiting to see what state funding they will receive this year. It has been mentioned that they will receive somewhere between flat funding up to a reduction of 15% in aid. John Daddario thought it was good to have a liaison in order to keep open good lines of communication.

Eileen Clark of Old Deerfield Pike, was at a recent freeholders meeting where discussions took place regarding the County Open Space Plan. The plan may evolve over a two year period. Earnest Holt of Husted Station Road, commented that the residents of Husted Station Road are requesting a letter be sent to Hopewell Nursery and other businesses in the vicinity asking that large commercial trucks utilize Route 540 rather than Husted Station Road. James Crilley asked Roy Spoltore to send another letter to Hopewell Nursery and the other businesses to address this situation.

There being no further public comments James Crilley, Chairman called for the approval of minutes for the Meeting of February 18, 2010. On motion of Bruce Peterson, seconded by Scott Smith, to dispense with the reading of the minutes, unanimously carried. On motion of Bruce Peterson, seconded by John Daddario to accept minutes as received, and unanimously approved 5-0.

Mayor James Crilley, called for a public hearing on an ordinance entitled, Bond Ordinance Providing For The Construction of A Radionuclide Treatment Plant and Related Improvements to the Water System In and By The Township Of Upper Deerfield, In the County of Cumberland, New Jersey, Appropriating \$3,000,000 therefor and authorizing the issuance of \$3,000,000 Bonds or Notes of the

Township for Financing the Cost Thereof. On motion of John Daddario, seconded by John T. O'Neill Sr., for the Clerk to read the proposed ordinance by title, and unanimously carried. On motion of Bruce Peterson, and seconded by John O'Neill to open meeting for public hearing, instructing the Clerk to distribute copies to those present, unanimously carried. Dean Hawk questioned if people who have their own water well will be required to pay on the bonds and will the Utility be profitable in the long term. The Chairman stated that only the users of the system are charged and the new bonding will require the Township to adjust the user rates since they have not been adjusted since 1993. John O'Neill commented that if the utility became a profitable project the Township would need to adjust rates to reflect any revenue or expenditure changes. Mr. Hawk asked about radionuclide's and if they in private wells. Mr. Murphy stated that they are naturally occurring in the ground and that homeowners may have them in their wells but are not required to test for them on a regular basis. However, public water systems are held to a higher standard and are tested quarterly. Chairman Crilley added that USDA has been very helpful in providing a partial grant and low interest loans for the projects. Mr. Crilley noted that Township officials recently met with Federal and State USDA representatives and both sides are happy with the progress of the Love Lane and Seabrook projects. Nancy Ridgeway of Irving Avenue thanked the committee for working diligently to minimize the long term capital expenses for the state mandated improvements to the water system for the users of the Utility System. With 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 Bruce Peterson, seconded by John T. O'Neill, Sr., to approve and adopt proposed ordinance on roll call vote, unanimously carried 5-0.

ORDINANCE 652

Jim Crilley, Chairman called for a discussion and introduction of an ordinance entitled, Ordinance Repealing Section 98-106 of the Code of the Township of Upper Deerfield. On motion of Bruce Peterson, seconded by John O'Neill for the Clerk to read the proposed ordinance by title, and unanimously carried. Ted Baker gave an overview of the two proposed ordinance changes. Mr. Baker noted that this ordinance is consistent with the laws of the 1980's where use variances appeals were heard by the Township Committee. Currently most appeals are sent directly to the Superior Courts where they are better equipped to handle the hearing procedure. The next proposed ordinance repeals the fee for a use variance appeal before the Township. Mr. Baker recommends both ordinance changes be adopted. With no public comments on motion of Bruce Peterson, seconded by John O' Neill, to approve and adopt proposed ordinance on first reading, setting date for public hearing on April 1, 2010 at 7:00 PM., instructing the Clerk to advertise said ordinance and have copies available upon request, unanimously carried, 5-0 on a roll call vote.

Jim Crilley, Chairman called for a discussion and introduction of an ordinance entitled, Ordinance Repealing Section 98-93D of the Code of the Township of Upper Deerfield. On motion of Bruce Peterson, seconded by John Daddario for the Clerk to read the proposed ordinance by title, and unanimously carried. With no public comments on motion of Bruce Peterson, seconded by John O' Neill, to approve and adopt proposed ordinance on first reading, setting date for public hearing on April 1, 2010 at 7:00 PM., instructing the Clerk to advertise said ordinance and have copies available upon request, unanimously carried, 5-0 on a roll call vote.

INSERT ORDINANCE

James Crilley, Chairman called for a resolution entitled Approval of Change Order #2 – Love Lane Well Facility Radium Removal System Containment Building. Bryan Murphy, Engineer informed Committee that this change order would provide for a change from liquid chlorine to a tablet system. 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.

RESOLUTION 10-68

James Crilley, Chairman called for a resolution entitled Awarding Bid to South State, Inc. for the resurfacing of Griens Lane. 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.

RESOLUTION 10-69

James Crilley, Chairman called for a resolution entitled Authorizing Award of Bid to Clyde Lattimer & Son Construction Co., Inc. The Clerk read the resolution by title. Bryan Murphy, Engineer reported that the project contained the construction of a new water treatment plant, radionuclide treatment building and a new well. The operating system for radionuclides will be the same as Love Lane and the bids came in lower than the original estimate. On motion of Scott Smith., seconded by Bruce Peterson to approve and adopt said resolution, and unanimously carried 5-0 on a roll call vote.

RESOLUTION 10-70

James Crilley, Chairman called for a resolution entitled Payment of Bills in the amount of \$158,538.56. 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.

RESOLUTION 10-71

COMMITTEE REPORTS

John Daddario – No report this evening.

Scott Smith reported that Little League had 243 children sign up for this season, soccer fields are too wet and behind schedule due to weather.

John O'Neill, Sr. commented that it was a real pleasure to meet with USDA officials yesterday with regards to the water projects and they were pleased with the efforts of the Township. He also noted that he had an application for a CEU class for Darlene Campbell for tax assessment licensing at a cost of \$20. On a motion of John O'Neill, Sr., seconded by Bruce Peterson to accept application for Darlene Campbell to attend the class, and unanimously approved 5-0.

Bruce Peterson commented that it was very nice to see USDA, a Federal Agency, make sure that they were providing an efficient and effective service to the municipality. USDA considers the Township projects as a model to show off statewide.

James Crilley commented on workshop hosted by Environmental Commission, "Where Rivers are Born" and how it really addresses water concerns. Mr. Crilley also commented that he read a letter

recently from Atlantic City Electric commending the Township for its snow removal. Chairman Crilley recommended that Layne Ball and Steve Smith be appointed on the Shade Tree Committee for a 1 year appointment. On motion of Bruce Peterson, seconded by John Daddario for Shade Tree Committee appointments, unanimously carried 5-0. Mr. Crilley also attended a CDC meeting last week where the South Jersey Region representative from the Governor's office was present to hear local comments. Chairman Crilley introduced Ralph Brownlee, who is contracted to do Human Resources work for the Township with regards to job descriptions, personnel policies and an employee evaluation process. Ralph Brownlee commented that he is looking forward to working with the Township and the three projects should be completed within 120 days. Mr. Brownlee intends to meet with the supervisors and administrator through the process. Dean Hawk commented that this project is a good idea, but what procedures will be in place to continually update the information after the initial project is complete? Ralph Brownlee commented that he will make a recommendation at the end of the project for how to continue the advancement and updates of the policies into the future. Bruce Peterson stated that the Township has a lot of policies and procedures but there is always room for improvement. Ted Baker added that this will bring an overview of all the Township policies and take them to the next level.

ADMINISTRATOR'S REPORT

Roy Spoltore informed the Committee that John Karkocha is currently working on the new recycling stickers for this June and asked the Committee what procedure should be used to distribute the new stickers. Previously the Township would mail them out, but the last renewal everyone had to come in and update their vehicle and residence information. The Committee agreed that the residents would need to come in or mail an application to the building in order to receive their July 2010 to June 2012 sticker. Mr. Spoltore stated that one year Utility Bond anticipation notes were recently sold and they have an APR of 1.11%. The spring newsletter should be out by the end of March beginning of April.

ENGINEERS REPORT

Brian Murphy reported that Love Lane construction project is going well despite the weather and the April 4th deadline with the State is still a possibility. Mr. Murphy received an email from USDA thanking the Township for taking their time to meet with USDA officials. Seabrook Water Facility with the awarding of the bid is now ready to start moving forward once USDA approves the contracts. West Village water and sewer distribution project is underway and have only had a few surprises along the way. Thoroughbred Estates developer, Bob Nocentino is here to address the Committee with his aggressive plan of action to deal with the areas of concerns at the site. Mr. Nocentino stated that he recently changed to a local realtor, Century 21 Turner Dean, and has also prepared a written detailed plan of how and when he will take care of the problems with the drainage basins. It is estimated that the basins should be functional by April. Mr. Nocentino intends to clean out the silt from the basins. Chairman Crilley asked what will prevent the basins from being clogged again. John Daddario expressed that the dirt piles need to be removed as the project is unsightly. Bruce Peterson noted that the silting problems will continue unless the developer stabilizes the site. Mr. Peterson added that the Township will call the bond if the project does not get fixed. Mr. Crilley stated the Township wants to work with him, but he needs to comply in fixing the problems in a timely manner. Mr. Nocentino assured the Committee that he will be able to stick to the schedule he prepared and the site will be cleaned. Mr. Murphy will continue to update the Committee on the projects progress.

At this time James Crilley, Chairman opened the meeting for additional public comments. With no further public comments, James Crilley, Chairman called for a resolution Authorizing Closed Session for litigation, personnel and potential land purchase. The Clerk read the resolution by title. On motion of John O'Neill, Sr., seconded by Bruce Peterson to approve and adopt resolution, unanimously carried.

RESOLUTION 10-72

REOPEN TO PUBLIC SESSION

The Township Committee reconvened the public meeting on a motion by Bruce Peterson, seconded by John Daddario unanimously approved.

The Committee authorized three comp days for David J. Rogers and two comp days for John Karkocha due to the extenuating circumstances and number of hours they provided during the past snow storms in February. On a motion by Bruce Peterson, seconded by Scott Smith and unanimously approved

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

Respectfully submitted,

Teresa L. Warburton
Recording Secretary

Roy J. Spoltore
Township Clerk