

MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON THURSDAY, MAY 20, 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, Theodore Baker, Township Solicitor, Teresa Warburton, Recording Secretary, Brian Murphy, Township Engineer, David Rogers, Streets and Recreation Supervisor and John Karkocha, Buildings and Grounds Supervisor.

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 Bruce Peterson.

James Crilley, Chairman called for the approval of minutes for the Regular Meeting of May 6, 2010 and Special Meeting of May 17, 2010. On motion of Bruce Peterson, seconded by John Daddario, to dispense with the reading of the minutes, unanimously carried. On motion of John Daddario, seconded by John O'Neill, Sr. to accept the minutes as received, and unanimously approved 5-0.

James Crilley, Chairman called for a resolution entitled Authorizing the Reading of the 2010 Municipal Budget and 2010 Utility Budget by title. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by John O'Neill, Sr., to approve and adopt said resolution, unanimously carried 5-0.

#### RESOLUTION 10-102

Mayor James Crilley, called for a public hearing on the 2010 Municipal Budget and 2010 Utility Budget. On motion of Bruce Peterson, seconded by John Daddario to open the meeting for a public hearing on the proposed 2010 budget, and was unanimously carried. Mayor Crilley explained that the budget maintains a zero local purpose tax rate this year by using additional surplus, but does not know how much longer that can be maintained into the future. The total budget increased by \$685,000 which consists of an increase of \$334,511 in grants, \$20,000 for Capital Improvements, \$260,000 for the Reserve for Uncollected Taxes and \$70,466 for the Operating Budget. The budget for 2010 consists of \$1,068,000 in grant funding. Chairman Crilley added that the Utility Budget is actually \$3,000 less than the 2007 Utility Budget. Auditor Nick Petroni was present to answer any questions from the public. There being no public comments on the budget, on motion of Bruce Peterson, seconded by Scott Smith to close the public hearing, and unanimously carried.

James Crilley, Chairman called for a resolution entitled Amending 2010 Municipal Budget. The Clerk read the resolution by title. Auditor Nick Petroni stated the amendment is adding additional grant money to the budget that was not known at the time of the budget introduction. On motion of John Daddario, seconded by John O'Neill, Sr. to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-103

James Crilley, Chairman called for a resolution entitled Confirming Compliance with Self Examination of the 2010 Municipal Budget. 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 10-104

James Crilley, Chairman called for a resolution entitled Adoption of the 2010 Municipal Budget and 2010 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.

#### RESOLUTION 10-105

James Crilley, Chairman called for a resolution entitled Chapter 159 – Inclusion of Department of Community Affairs Shared Service Grant to the 2010 General Budget.. The Clerk read the resolution by title. Auditor Nick Petroni stated this resolution is adding additional grant money to the budget that was not known at the time of the budget introduction. On motion of Bruce Peterson, seconded by John O'Neill, Sr. to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-106

#### PUBLIC COMMENT:

Judy Hussla of 1211 First Avenue spoke about the letter she received requiring hooking up to the water system by July 6<sup>th</sup> and the need to have more time to get funds together. Chairman Crilley commented that the Seabrook Water System was forced on the Township by the State and he gave an overview of the required upgrades to the Seabrook Water Corporation System and the Townships efforts to seek grant funding to minimize user fee increases. Mr. Crilley spoke of the Townships research into seeking methods of helping homeowners with funding options for those homeowners who may qualify. Brian Murphy noted that every home is unique, and that timing concerns may be modified by the Township Committee. Roy Spoltore reported that recaptured funds from the home rehabilitation revolving fund may be available, homeowners would need to be income eligible and the loan would be repaid through an added assessment on the homeowners utility bill over a period of time. Ted Baker gave an overview of the added assessment stating it was previously done for residential sewer hook ups. Ms. Hussla stated that a number of homeowners are on limited incomes. Mr. Baker commented that the Township knew there would be financial problems which is why the Township is trying to find financial solutions. The Committee agreed additional time may be allowed to hook up but the system has to be replaced due to the amount of water that is being lost due to the age of the existing water lines. Mr. Murphy noted that the construction office is preparing a list of prospective plumbers who have expressed an interest to be contacted. He added that the Township cannot due work on private property and the Township would be subjected to paying prevailing wages. Chairman Crilley added that the Township

hopes to find an option that will allow the homeowners to pay over a period of time and that the Committee has agreed to waive any plumbing permit fees for the hook up. Bruce Peterson commented that residents need to understand that the Township is investing a significant amount of funds into this neighborhood.

Kathy Rush of 1202 First Avenue commented that the water issues have been going on for a number of years and her household has been purchasing bottled water to drink. Mr. Peterson informed Ms. Rush that the Township did not own the water system until recently. Previously the Township was requesting the private water company to upgrade their water system before the State instituted a Small Water Take Over Act which required the Township to purchase the private water system. He added that the Township has secured millions of dollars in grant funding to increase the quality of life for the neighborhood and no other area of the Township has seen this kind of financial commitment.

Robert Eichmann of 1101 First Avenue asked the Committee if water is not connected by a certain date will their Certificate of Occupancy be revoked? Mr. Murphy commented that the Township Committee will work with everyone to help get the old system changed over to the new water lines so that the Township can get the old water mains turned off which have leaks and are costing all the water utility users. Mr. Peterson commented that homeowners should get together to see if they can get a group rate. Mayor Crilley offered the Municipal Building as a meeting place for the homeowners if they needed a location to gather.

Robert Saunders of 1215 First Avenue commented that the new pipe installed by the Township's contractor in his front yard is broken and he has asked three different people working on the system to fix the problem. Mr. Murphy will get this problem addressed before the contractor can get their final payment from the Township. On motion of Bruce Peterson, seconded by John O'Neill, Sr. to close the public portion of the meeting, and unanimously carried 5-0.

James Crilley, Chairman called for a resolution entitled a Resolution Authorizing the Tax Collector to Adjust Taxes. 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 10-107

James Crilley, Chairman called for a resolution entitled Authorizing Execution of a Modified Operating Agreement Between Water Remediation Technology, LLC and the Township of Upper Deerfield. The Clerk read the resolution by title. Mr. Baker explained that this agreement will allow for the operation and maintenance of the radium removal treatment facilities at Love Lane and Seabrook. On motion of John Daddario, seconded by John O'Neill, Sr. to approve and adopt said resolution, unanimously carried 5-0.

#### RESOLUTION 10-108

James Crilley, Chairman called for a resolution entitled A Resolution Approval of Change Order # 1 – Small Cities - Fox. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by John O'Neill, Sr., to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-109

James Crilley, Chairman called for a resolution entitled A Resolution Approval of Change Order # 1 – Small Cities - Eichmann. The Clerk read the resolution by title. On motion of John Daddario, seconded by Bruce Peterson to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-110

James Crilley, Chairman called for a resolution entitled Awarding Bid for Class A Urban Interface Pumping Engine With Mounted and Loose Equipment to Kovatch Mobile Equipment Corporation T/A KME Fire Apparatus. The Clerk read the resolution by title. John Daddario noted this fire truck will be able to get into smaller confined areas and Mr. O'Neill added this will be replacing a 32 year old fire truck. On motion of John Daddario, seconded by Scott Smith to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-111

James Crilley, Chairman called for a resolution entitled Supplying and Delivering VOC-Compliant High Performance Cold Patch Through a Cooperative Price Contract with the 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.

#### RESOLUTION 10-112

James Crilley, Chairman called for a resolution entitled Supplying and Delivering Office Supplies Through a Cooperative Price Contract with the County of Cumberland. The Clerk read the resolution by title. On motion of John Daddario, seconded by Bruce Peterson to approve and adopt said resolution, unanimously carried 5-0.

#### RESOLUTION 10-113

James Crilley, Chairman called for a resolution entitled Providing Vehicle Repair Services Through a Cooperative Price Contract with the County of Cumberland. The Clerk read the resolution by title. On motion of John O'Neill, Sr., seconded by Scott Smith to approve and adopt said resolution, unanimously carried 5-0.

#### RESOLUTION 10-114

James Crilley, Chairman called for a resolution entitled Approval of Change Order #2 – West Village Water & Sewer Main Replacement. The Clerk read the resolution by title. Mr. Murphy explained that the change order was necessary due to the number of unmarked and mismarked utility lines and structures that were inadvertently hit by the contractor during the construction. On motion of Bruce Peterson, seconded by John Daddario to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-115

James Crilley, Chairman called for a resolution entitled Approval of Change Order #3 – West Village Water & Sewer Main Replacement. The Clerk read the resolution by title. Mr. Murphy explained that this change order will enable the school village area on the east side of Highway 77 to have their water lines

replaced under the unit prices bid by the contractor for West Village and remain within the State bid guidelines. On motion of John Daddario, seconded by Bruce Peterson to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-116

James Crilley, Chairman called for a resolution entitled Payment of Bills in the amount of \$867,587.65. On motion of John O'Neill, Sr., seconded by John Daddario to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

#### RESOLUTION 10-117

### COMMITTEE REPORTS

John Daddario commented that Station 32 and EMS held a vehicle crash drill at Don Rogers pit, Bianco Brothers donated vehicles to use. Mr. Daddario thanked Don Rogers and Biancos for their assistance. Scott Smith commented that Little League had its Chicken BBQ which was completely sold out.

Bruce Peterson commented that he is pleased that the Township received a grant for a shared service study. Mr. Peterson also commented that we need to address the foreclosures and high grass issues throughout the Township to see if we can get those properties cleaned up and put liens on the properties for the expense. Mr. Peterson also noted the recent passing of former Mayor of Bridgeton, John Lorenzetti who was instrumental in the creation of CDC.

John O'Neill, Sr. submitted a CEU class for Ed Fleetwood with a cost of \$155.00. On motion of John O'Neill Sr., seconded by Scott Smith, and unanimously approved 5-0.

James Crilley commented on that the primary purpose for the shared services grant will be to review personnel, code services, public works equipment, cooperative pricing and waste hauling that with the other CDC municipalities. Mr. Crilley also received the monthly report from the County Health Department. Saturday at 8 am is the ribbon cutting for the Tractor Supply Co.

### ADMINISTRATOR'S REPORT

Mr. Spoltore commented that the monthly departmental reports are in the packets including a new animal control report. Mr. Crilley will reach out to the Cumberland County Health Department to see what suggestions they have regarding the feral cat problem in the Township. A NJLM letter regarding issues with the proposed 2 ½ % cap was included in the packet. Cumberland County's Paris Grant has consultants who will review record retention in the municipalities as to what can be saved and destroyed. The Township records are in good shape except for the Planning Board and Construction Office mapping retention and storage that needs to be addressed. John Karkocha has requested quotes on map drawers to be placed in the attic for storage of the maps. A&M Industrial submitted a price of \$1,730.00, Best Office Furniture- \$3,136.00, Office Depot - \$4,839.96 and Staples - \$4,799.96 for supplying 4 map drawers. On a motion of John O'Neill, Sr., seconded by Bruce Peterson to Award A&M Industrial the contract to purchase four map drawers, unanimously carried 5-0 on a roll call vote. The Township received a peddler's license request for Joseph Nicosia, on motion of John O'Neill, Sr., seconded by John Daddario to approve license and waive fee since he is a veteran, unanimously approved. Mr. Spoltore noted that the

Minutes of Meeting

Housing office sent out letters regarding high grass issues on May 6<sup>th</sup> to approximately 10 property owners, which allows them 20 days to maintain their property before the Township can maintain the property and put a lien against the property for the expense. Ted Baker has also sent a letter to the Bank who is representing Signature Homes Development to address the removal of the sales trailers, installation of silt fencing and maintaining the grass.

DEPARTMENTAL MONTHLY REPORTS: April 2010

Animal Control and Dog Registrar Monthly Report
Clerks Monthly Report
Construction Office Monthly Report
Housing and Zoning
Municipal Court Monthly Report
Tax Collectors Report
Vital Statistics
Fire Official

TREASURERS REPORT

The Treasurer's report as of April 30, 2010 shows the balance of the Township accounts is \$7,528,546.29.

ENGINEERS REPORT

Bryan Murphy reported that the Love Lane water project should be ready to start in approximately one week. The Seabrook facility should begin in the next couple of weeks. West Village is going well with the water and sewer line installation. Mr. Murphy presented Bob Nocentino, owner of Thoroughbred Estates and Wayne Souders, excavating contractor stating that he has informed Mr. Nocentino that the Township Committee is unhappy with the amount of work that has been done at the site. Mr. Nocentino was shocked to hear of the Committee's unhappiness as he noted that repairing the drainage basins is a process and the weather has not been cooperative. Mr. Daddario commented that he is shocked that Mr. Nocentino is shocked and stated the Committee wants the site cleaned up. Mr. Souders commented that he has been running pumps to keep the basins dry as it takes about a week to a week and half for the basins to be completely dry before they can get any equipment into the basin to replace the clay base with a sand trench. Mr. Souders added the south basin is completely done and is working. Mr. Daddario stated he wants to see the project succeed but the Committee is receiving complaints from angry neighbors about the lack of work being done and the condition of the site. He asked what progress has been done over the last 9-10 months. Mr. Souders commented that the south basin was 100 % complete and the first week of July 2009, they started construction of the north basin. Mr. Souders continued by stating that the unusual weather conditions from September through the winter have prevented things from being done on the basin construction. Mr. Souders is proposing to reconstruct the basin in phases by creating berms to do a 500 to 600 foot section at a time. The excavator stated that they have only brought sand to the site and they have not taken any topsoil away. Mr. Daddario stated Mr. Nocentino had stated the site would be cleaned up by April 15<sup>th</sup>. Mr. Souders pointed out that wet spring conditions have prevented work from being accomplished as they are constantly pumping out the basins in the hope that they have time to dry. He added that the piles of fill material have not been removed because they cannot find anyone who will accept the fill material and they have brought contractors to the site to show them the material. Tom Dubois of Centerton Road commented that there has not been a concerted effort to clean up this site at all, the mosquito's will be

back, the neighbors are not happy with the aesthetics of the site and the potential decrease in value of their properties. Mr. Murphy requested a better communication line to show progress, and an email if they cannot work and why. Mr. Murphy added that the contractor needs to address the aesthetics of the property by removing the dirt piles, landscaping front, planting grass concentrating on the view from Centerton Road. Mr. Nocentino stated that the trees will be in place by fall and he will also get the gravel pile moved because he will be putting up a sample home on the first lot off of Centerton Road. Mr. Souder hopes to have the north basin construction done in approximately two months. The Committee requested that they see substantial work to be done and a much better communication line in place or they will have no other alternative but to pull the bond and get the project improvements completed. Mr. Crilley requested a weekly report of progress be done and forwarded to Brian Murphy. Mr. Souders commented that he will make cleaning up the front a priority. Mr. Dubois thanked the Committee for standing up for the residents of the neighborhood.

At this time James Crilley, Chairman opened the meeting for additional public comments. No one present had any additional public comments.

James Crilley, Chairman called for a resolution Authorizing Closed Session for litigation and personnel. The Clerk read the resolution by title. On motion of John Daddario, seconded by Scott Smith, to approve and adopt resolution, unanimously carried 5-0.

#### RESOLUTION 10-118

#### REOPEN TO PUBLIC SESSION

The Township Committee reconvened the public meeting on a motion by John Daddario, seconded by Bruce Peterson unanimously approved. The Committee authorized the hiring of Jonathan Taylor and Josh Garrison as temporary summer employees for public works not to exceed 40 hour per week with Jonathan Taylor continuing to work approximately 12 hours per week as municipal building custodian, on motion by John O'Neill, seconded by John Daddario and unanimously approve.

#### RESOLUTION 10-119

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

Respectfully submitted,

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Teresa L. Warburton  
Recording Secretary

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Roy J. Spoltore  
Township Clerk