

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

Present were: James Crilley, Bruce Peterson, John T. O'Neill, Sr., Scott Smith and John Daddario all being members of the Township Committee. Also present were: Theodore Baker, Solicitor; Roy Spoltore, Township Administrator/Clerk; Teresa Warburton, Recording Secretary, Brian Murphy, Township Engineer and David J. Rogers, Supervisor Streets & Recreation.

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 July 7, 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.

Jim Crilley, Chairman asked Bob Nocentino who was in the audience to give a status update on his project at Thoroughbred Estates. Bob Nocentino reported that they excavated a trench down to the sand in the northeast basin and the basin began to drain right away. Once the basin dries, he intends on constructing the sand trench for that basin. Mr. Nocentino added they intend to remove the silt on a regular basis so that the basin will continue to drain. Mr. Nocentino also stated that he has hired a backup excavator so that there will not be any problems going into the future. Mr. Nocentino also provided the committee with a copy of his proposed work schedule going forward, he plans to seed the basins in September. Chairman Crilley asked about the neighbors concerns of mosquito's breeding. Mr. Nocentino replied that a neighbor had called the County Mosquito Commission and they came out and treated the basins. Chairman Crilley reminded Mr. Nocentino that it was imperative that he stays within the work schedule he has presented. Mr. Daddario added that there would be no new construction permits issued until the basins are dry and functioning properly.

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

There being no public comments James Crilley, Chairman called for the approval of minutes for the Meeting of June 16, 2011. On motion of Bruce Peterson, seconded by John T. O'Neill, Sr., to dispense with the reading of the minutes, unanimously carried. On motion of John T. O'Neill, Sr., seconded by Bruce Peterson, to accept the minutes as received, and unanimously approved 3-0 with Scott Smith and John Daddario abstaining.

James Crilley, Chairman called for a public hearing on an ordinance entitled, An Ordinance Amending Chapter 405 Zoning and Development of the Code of the Township of Upper Deerfield With Respect to Article XIII Fees. The Clerk read the proposed Ordinance by title and explained that this ordinance will modify the planning board fee schedule for development applications. On

motion of Bruce Peterson, seconded by Scott Smith to open the meeting for a public hearing on the proposed ordinance and was unanimously carried. The Chairman instructed the Clerk to distribute copies to those present. There being no public comments, on motion of Bruce Peterson, seconded by John Daddario to close the public hearing, and unanimously carried. On motion of Bruce Peterson, 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, An Ordinance Amending Chapter 405 Zoning and Development of the Code of the Township of Upper Deerfield with respect to Landscape Requirements. The Clerk read the proposed Ordinance by title and explained that this ordinance is the culmination of a report the Township Planner did in conjunction with the Township Planning Board in order to bring consistency to landscape requirements throughout the Township Ordinances and has been deemed consistent with the Township Master Plan. 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 was unanimously carried. The Chairman instructed the Clerk to distribute copies to those present. There being no public comments, on motion of Bruce Peterson, seconded by John Daddario to close the public hearing, and unanimously carried. 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, An Ordinance Amending Chapter 405 Zoning and Development of the Code of the Township of Upper Deerfield with respect to Parking Requirements. The Clerk read the proposed Ordinance by title and explained that the Planning Board has been reviewing the parking requirements for commercial development and has been deemed consistent with the Township Master Plan. On motion of Scott Smith, seconded by John T. O'Neill, Sr. to open the meeting for a public hearing on the proposed ordinance and was unanimously carried. The Chairman instructed the Clerk to distribute copies to those present. Chairman Crilley stated that this has been an ongoing issue and should help resolve some of those issues. Dean Hawk asked if this would effect any applications that have already passed or if it would only apply to new applications going forward? Mr. Baker responded that it would only pertain to new applications going forward. There being no further public comments, on motion of Bruce Peterson, seconded by John Daddario to close the public hearing, and unanimously carried. On motion of John Daddario, 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 discussion and introduction of an ordinance entitled, An Ordinance to Amend Chapter 165 of the Code of the Township of Upper Deerfield Entitled: "Construction Code Enforcement," Setting Fees for Construction Permits. The Clerk read the proposed Ordinance by title and explained that this will bring the Township more in line with what

the State Fees are for the Construction Office. 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 July 21, 2011 at 7:00 pm and was carried 4-0 on a roll call vote with Bruce Peterson abstaining. The Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law. Copies to be made available upon request.

INSERT ORDINANCE

James Crilley, Chairman called for a resolution entitled, The Annual Report of Audit for the Year 2010. The Clerk read the resolution by title. Chairman Crilley stated that the audit report with no recommendations is a testimony to the staff that everyone in the Township is doing a good job. On a 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, Adopting a Multi-Jurisdictional Hazard Mitigation Plan for the Township of Upper Deerfield. The Clerk read the resolution by title. On a motion of Bruce Peterson, seconded by Scott Smith, to approve and adopt said resolution, unanimously carried 5-0.

INSERT RESOLUTION

Chairman Crilley called for Resolutions 11-165 through 11-178 to be combined as a consent agenda and voted upon as one item. Mr. Peterson made a motion, seconded by Mr. O'Neill, Sr., to combine Resolutions 11-165 to 11-178 as a consent agenda. On a motion by Mr. Peterson, seconded by Mr. Daddario, and unanimously approved, Roy Spoltore, Clerk then read each resolution by title. On a motion by Mr. Peterson seconded by Mr. Daddario and unanimously approved, Resolutions 11-165 to 11-178 were approved on a roll call vote 5-0.

**Resolution 11-165** entitled Imposing Lien on Block 1110.01, Lot 8 – 4 Krysta Court.

INSERT RESOLUTION

**Resolution 11-166** entitled Imposing Lien on Block 1504, Lot 17 – 12 Hood Drive.

INSERT RESOLUTION

**Resolution 11-167** entitled Imposing Lien on Block 402, Lot 21 – 43 West Deerfield Road.

INSERT RESOLUTION

**Resolution 11-168** entitled Imposing Lien on Block 1501, Lot 11 – 88 West Dawson Drive.

INSERT RESOLUTION

**Resolution 11-169** entitled Imposing Lien on Block 1504, Lot 11 – 205 Old Deerfield Pike.

INSERT RESOLUTION

**Resolution 11-170** entitled Imposing Lien on Block 2501, Lot 90 – 179 Landis Avenue.

INSERT RESOLUTION

**Resolution 11-171** entitled Imposing Lien on Block 2703, Lot 14 – 67 Victory Road.

INSERT RESOLUTION

**Resolution 11-172** entitled Imposing Lien on Block 1405, Lot 9 – 1 Concord Court.

INSERT RESOLUTION

**Resolution 11-173** entitled Imposing Lien on Block 1202, Lot 7 – 1241 State Highway 77.

INSERT RESOLUTION

**Resolution 11-174** entitled Imposing Lien on Block 914, Lot 3 – 1818 Fourth Avenue.

INSERT RESOLUTION

**Resolution 11-175** entitled Imposing Lien on Block 913, Lot 13 – 1612 Third Avenue.

INSERT RESOLUTION

**Resolution 11-176** entitled Imposing Lien on Block 910, Lot 1 – 1520 Third Avenue.

INSERT RESOLUTION

**Resolution 11-177** entitled Imposing Lien on Block 911, Lot 20 – 1405 Second Avenue.

INSERT RESOLUTION

**Resolution 11-178** entitled Imposing Lien on Block 911, Lot 24 – 1401 Second Avenue.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, Authorizing Awarding Contract for Providing Pest Control to the Ambulance Building, Municipal Building and the Recycling Center Located in Upper Deerfield Township. 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

James Crilley, Chairman called for a resolution entitled, Appointing Individual for Part Time Custodial Position for Public Works Employment. The Clerk read the resolution by title. Mr. O'Neill noted that the Township is replacing a recently vacated convenience center position and made a motion, seconded by Bruce Peterson 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 \$159,924.11. 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 reported that Station 34 is looking to change the billing fees for the Ambulance to be more consistent with neighboring squads and is recommending that the ordinance amendment be placed on the agenda at the next meeting. On a personal note, Mr. Daddario expressed his appreciation to the EMS & Fire Companies for their involvement at his niece's funeral, who was a member of Station 34.

Scott Smith had no report this evening.

John T. O'Neill, Sr. reported that he attended the Environmental Commission meeting and they are preparing their thoughts on the applications before the Planning Board. Mr. O'Neill also commented that the complaint about a business on Landis Avenue should be handled with the Housing Officer, Fire Marshal, and State Police all in attendance at the time of inspection.

Bruce Peterson added that he also attended the Environmental Commission Meeting and that the Bostwick Lake Commission is scheduled to meet again next week as they have a couple of issues to address. Mr. Peterson noted that one of the cabin tenants has moved out.

James Crilley reported that he received a thank you note from Courtney Birdsall for the humanitarian award she received at graduation. A notice was received that the Senior Adult Day Care center will be having a ribbon cutting ceremony soon, the Chairman will inform everyone of the exact date and time if they are able to attend. A letter was received from the Starr's who reside on Laurel Heights Drive requesting that the County Engineer take steps to make the entire length of the roadway become a no passing zone. Mr. Crilley asked Mr. Spoltore to send a letter to County Officials in support of the resident's request, recommending a no passing zone and to limit the size

of trucks on the roadway. Mr. Crilley attended a shared services study meeting with Mr. O'Neill, Sr. and he reported that the study is almost complete. It is now up to the municipalities to develop shared service opportunities based on the compiled data from the study.

#### ADMINISTRATOR'S REPORT

Roy Spoltore informed the committee that the first monthly utility bills have been sent out and have not received any complaints yet. First thru Fourth Avenues road reconstruction is moving along at a good pace. The tax sale was two weeks ago and the township ended up with about 15 liens on properties that received no bids. Three NJLM updates and notices are in your packets for review. The Revaluation is underway and only one complaint has been received so far. Andrea Penny, tax collector wanted to know if a senior had to come into the building and register to get the senior discount for water service or can she utilize the PTR's, and Senior Deductions to use as a base in establishing reduced billing rates for the Seniors aged 65 and older. The Committee authorized using the PTR's, and Senior Deductions to establish her initial billing base. The Committee will have a resolution placed on the next agenda showing the estimated cost sharing breakdown between State, County and Local match for the acquisition of the development easement for the Garton farmland on Old Burlington Road.

#### ENGINEER'S REPORT

Brian Murphy stated that the Seabrook Water Facility is nearly complete. Tomorrow, John will continue to flush the whole system, have the water testing done. If the results come back clean, the state will be informed and await their direction, before putting the system on line the Seabrook tower will need to be disinfected. If all goes as planned the facility should be up and running by the end of the month. A.C. Schultes has replaced the well column in well #15 at their expense, as it appeared that the coating on the first column was dissolving oxides causing bad water reads. The Silver Lake Dam seems that the County was instrumental in constructing and maintaining through the years and they will be a partner in resolving issues identified by the State.

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

Dean Hawk asked why there is a fee for paying taxes with a check? It was explained that the check fee is only for payments made online, not if someone comes into the building or mails their check to the building. Mr. Hawk also questioned what the committee would have done with the money that the county received for Shared services studies? It was explained that additional agencies and organizations would have been included and the areas studied would have increased.

Tom Connelly stated that at the bend and pond on Irving Avenue there is a u shaped lane where you can not see traffic coming out to get on the road due to some evergreens that need to be cutback. Mr. Connelly was directed to contact the County as it is a County road.

With no other public comments, James Crilley, Chairman called for a resolution Authorizing Closed Session for potential litigation. The Clerk read the resolution by title. On a motion of Bruce Peterson, seconded by John T. O'Neill, Sr., to approve and adopt resolution, unanimously carried 5-0.

On a motion by Bruce Peterson, seconded by Scott Smith, the meeting was reopened to the public, and unanimously approved.

On a motion by Bruce Peterson, seconded by John Daddario, the committee agreed to have the Township serve as lead agency through the ACMJIF, in order to maintain liability and property insurance for the Bostwick Lake Commission, and unanimously approved.

There being no further business to come before the Committee, on motion of John Daddario, 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