

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON  
THURSDAY, AUGUST 18, 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 Daddario, John T. O'Neill, Sr. 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, and Brian Murphy, Township Engineer.

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 August 18, 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.

Flag salute led by Scott Smith.

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

Michael Everly of Eugene Court asked why an escrow was required for his Merlin Drive property at the time of the CO being issued. Brian Murphy explained that he met with Mr. Everly on Tuesday and reviewed the issues with his property and adjacent properties. Brian Murphy asked for the topography plans prior to the construction of the development and after the construction, so he can determine if there was an existing problem or if the development created a problem. Two Committee members will meet with Brian Murphy and Michael Everly on Tuesday to take a look at the site.

There being no further public comments James Crilley, Chairman called for the approval of minutes for the Meeting of August 4, 2011. On motion of Bruce Peterson, seconded by Scott Smith, 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 4-0, with James Crilley abstaining.

James Crilley, Chairman called for a public hearing on an ordinance entitled, Ordinance Authorizing Acceptance and Dedication of Public Roadway. The Clerk read the proposed Ordinance by title. On motion of Bruce Peterson, seconded by John Daddario, 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 John T. O'Neill, Sr., seconded by Scott Smith 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, Ordinance Establishing that a Business Entity Which Makes Political Contributions To Municipal Candidates And Municipal And County Political Parties In Excess Of Certain Thresholds Shall Be Limited In Its Ability to Receive Public Contracts From The Township Of Upper Deerfield. The Clerk read the proposed Ordinance by title. Ted Baker explained that the pay to play ordinance is part of the State best practice policy and he gave an overview of the concept of the ordinance which is intended to curb political contribution abuses in larger municipalities. Bruce Peterson stated he was glad the Township was addressing the issue. On motion of Bruce Peterson, seconded by John T. O'Neill, Sr., to approve and adopt proposed ordinance on first reading and setting the date for public hearing on September 1, 2011 at 7:00 pm and was carried 5-0 on a roll call vote. The Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law with copies to be made available upon request.

INSERT ORDINANCE

James Crilley, Chairman called for a discussion and introduction of an ordinance entitled, An Ordinance Authorizing the Expenditure of Capital Reserve Funds for Farmland Preservation and Open Space. The Clerk read the proposed Ordinance by title and explained that this would provide the funding necessary to cover the Township's 5% contribution for the Farmland Plan Incentive Grant for four parcels that have been approved in the Township. On motion of John T. O'Neill, Sr., seconded by John Daddario, to approve and adopt proposed ordinance on first reading and setting the date for public hearing on September 1, 2011 at 7:00 pm and was carried 5-0 on a roll call vote. The Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law with copies to be made available upon request.

INSERT ORDINANCE

James Crilley, Chairman called for a discussion and introduction of an ordinance entitled, An Ordinance Vacating a Portion of Deerfield Drive. The Clerk read the proposed Ordinance by title. Ted Baker explained that this would clear up site plan issues at Countryside, but there are a couple of items that are necessary to be provided by Vesta Corporation to the Township before the ordinance will be published for a public hearing. On motion of Scott Smith, seconded by John Daddario, to approve and adopt proposed ordinance on first reading and setting the date for public hearing on September 15, 2011 at 7:00 pm and was carried 5-0 on a roll call vote. The Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law with copies to be made available upon request.

INSERT ORDINANCE

James Crilley, Chairman called for a resolution entitled, Patriot Day a Day of Remembrance September 11, 2011. The Clerk read the resolution by title. On a motion of Bruce Peterson, seconded by John T. O'Neill, Sr., to approve and adopt said resolution, unanimously carried 5-0.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, Honoring John N. Fuyume. 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 11-193 through 11-199 to be combined as a consent agenda and voted upon as one item on a motion by Mr. Peterson, seconded by Mr. Smith, to adopt the consent agenda for Resolutions 11-193 to 11-199. On a motion by Mr. Peterson, seconded by Mr. Smith, and unanimously approved, Roy Spoltore, Clerk then read each resolution by title. On a motion by Mr. Peterson seconded by Mr. O'Neill, Sr. and unanimously approved, Resolutions 11-193 to 11-199 were approved on a roll call vote 5-0.

**Resolution 11-193** entitled Small Cities Facilities Grant to Carry out Sewer, Storm water, Roadway and Sidewalk Improvements in the School Village Area of Seabrook.

INSERT RESOLUTION

**Resolution 11-194** entitled Approving Small Cities Public Facilities Grant Management Plan.

INSERT RESOLUTION

**Resolution 11-195** entitled Small Cities Grant to Provide Rehabilitation Loans to Low and Moderate Income Homeowners to Repair their Homes throughout Upper Deerfield Township.

INSERT RESOLUTION

**Resolution 11-196** entitled Approving Small Cities Housing Rehabilitation Grant Management Plan.

INSERT RESOLUTION

**Resolution 11-197** entitled Adopting Policies and Procedures Manual for The Housing Rehabilitation Project for 2012.

INSERT RESOLUTION

**Resolution 11-198** entitled Adoption of State Model Citizen Participation Plan for DCA Small Cities Program.

INSERT RESOLUTION

**Resolution 11-199** entitled Identifying Small Cities Fair Housing and Equal Opportunity Officer.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, a Resolution Granting Final Approval of the Overstreet/Chiari Application to Sell Development Easement. The Clerk read the resolution by title. On a motion of John T. O'Neill, Sr., seconded by John Daddario, to approve and adopt said resolution, unanimously carried 5-0.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, Amending Professional Service Contract to Blauer Associates. The Clerk read the resolution by title. On a 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, Resolution Authorizing Modification of Use Agreement between Township of Upper Deerfield and T-Mobile Northeast, LLC. The Clerk read the resolution by title. Ted Baker explained that this is an at will installation and not a lease and the resolution asks T-Mobile to verify that their equipment is grounded. On a 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, Awarding Contract for Providing Overhead Door Repairs and Maintenance. 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 on a roll call vote.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, Awarding Services for Providing Snow Removal for the Upcoming Season to Various Roads within Upper Deerfield Township. 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 on a roll call vote.

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, Awarding Contract to Aramark for Supplying Public Works Employees Uniforms. The Clerk read the resolution by title. On a 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

James Crilley, Chairman called for a resolution entitled Payment of Bills in the amount of \$1,654,081.10. On motion of Bruce Peterson, seconded by Scott Smith to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

#### INSERT RESOLUTION

#### COMMITTEE COMMENTS

John Daddario thanked the Fire Companies & EMS for helping people with water rescues and service calls to remove water from their basements during the past storm. Mr. Daddario added that people need to read signs and not go around barriers that as they create more work for the Emergency personnel when they need help. Fire Company #3 had an infrared camera damaged in a past fire that was not reported to the JIF. Mr. Daddario made a motion to purchase five 100' lengths of 4" hose at a cost of \$2,675.00 from Public Safety Outfitters that were damaged by the Water Department in bringing the Seabrook water facility on line, seconded by Scott Smith and unanimously carried 5-0 on a roll call vote. Proposals were also received in the amount of \$2,740 and \$3,900.

Scott Smith thanked the Fire Companies, EMS and the Public Works Department for a job well done during the storm.

John T. O'Neill, Sr. thanked the Fire Companies, EMS and the Public Works Department for their outstanding effort. CEU credits for Patty Adams in the amount of \$65.00 and one day off from work on September 16, 2011 and for Ed Fleetwood in the amount of \$30.00 and two days off from work on October 5, 2011 and November 3, 2011 were unanimously approved on motion of John T. O'Neill, Sr., seconded by Bruce Peterson and unanimously carried 5-0 on a roll call vote. Mr. O'Neill presented proposals to replace the heat pump and air conditioning unit at the Love Lane facility from A.J. Petrunis, Inc. in the amount of \$15,070.00, Barretta Plumbing, Heating & Cooling in the amount of \$13,485.00, Dorrington CJ Commercial, no bid received, Laury Heating in the amount of \$8,472.00, and Tiny's Plumbing, Heating & A/C LLC in the amount of \$10,980.00. On motion of John T. O'Neill, Sr., seconded by Scott Smith to award bid to Laury Heating in the amount of \$8,472.00, unanimously carried 5-0 on a roll call vote.

Bruce Peterson reported that the Bostwick Lake Commission meeting was held last evening, and the property sustained some damage but the dam did hold and the Commission is currently assessing the extent of the damages. Annual bills have been sent to the three municipalities. The Commission has some other issues that it needs to address. Mr. Peterson thanked the emergency service squads and was thankful that there was no loss of life from the storm. Mr. Peterson explained that there is a Senate bill that will realign the State Housing Code for multi-family dwellings requiring inspections every five years by the state. Municipalities will not be allowed to charge registration fees for multi-family dwellings and can only inspect at time of a new Certificate of Occupancy. Suggested that the CDC get involved along with the League of Municipalities to oppose legislation.

James Crilley stated that the revaluation is proceeding nicely and have not received any negative comments. The chairman encouraged residents to allow them into your home, otherwise the

assessment may be higher if they have to guess what is in your home. Chairman Crilley noted the Township is getting closer with some new shared service agreements. Seabrook Fire and Rescue is housing the 911 memorabilia received from the Towers on September 10, 2011 at 11 am, please RSVP if you plan on attending. The volunteer squads did a great job with the storm and rescues. Roy Spoltore, Brian Murphy and James Crilley drove around the Township assessing the damages caused from the storm. Please review the finance procedures for purchasing so that they can be discussed and finalized at the next meeting. Scott Smith, John T. O'Neill, Sr., Roy Spoltore and Chairman Crilley attended a meeting on the Upper Cohansey River Watershed.

#### ADMINISTRATOR'S REPORT

Roy Spoltore informed the Committee that the tax bills went out today and the grace period payment was extended till September 15, 2011. Staff was informed to direct residents to the County's website to fill out a storm damage report. In the Committee packet copies of the Bostwick Lake Commission minutes, letter from Hopewell Township pertaining to Bostwick Lake, 2011 best practice spreadsheet, tax appeal update on the police and fireman retirement property, two newspaper articles on renewable energy and reduction of the SRECS for your review. The County is sending out daily updates on road closures that will be forwarded to the Committee. The 2011 tax abatement has been calculated using this year's tax rate, please note that there will only be two properties on next year's schedule. The Restoration Company finished cleaning up the basement from the damage done by the storm yesterday, the fans and dehumidifiers are to be removed Friday. Currently getting quotes to repair drywall, paint and replace floor in the basement. Monthly Departmental reports are attached for your review.

#### DEPARTMENTAL MONTHLY REPORTS: July 2011

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 Marshall

#### ENGINEER'S REPORT

Brian Murphy stated that he received a proposal from Pennoni & Associates to inspect Silver Lake Dam and the roadway in the amount of \$3,120.00. The Committee agreed to review its options including contacting the County and owner of the lake. The Seabrook Water Facility had some problems ramping up during the initial start-up of the new facility. Mr. Murphy anticipates having the water operation permit in hand in order to put the Seabrook system on line by next week.

## TREASURERS REPORT

The Treasurer's report as of July 30, 2011 shows the balance of all Township accounts as \$5,573,393.57.

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

Dean Hawk of Merritt Avenue suggested creating a walk or bike path along Button Mill Road area instead of sidewalks. There was concern that the roads do not have enough right-of-way for safe passage.

With no other public comments, James Crilley, Chairman called for a resolution Authorizing Closed Session for personnel, pending litigation and contracts. 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.

Bruce Peterson made a motion, seconded by John O'Neill, Sr. and unanimously approved 5-0 to reopen the Township Committee meeting to the public.

On motion of John T. O'Neill, Sr., seconded by Bruce Peterson, and unanimously approved to appoint Bill Waterman as an alternate to the Environmental Commission filling Whitney Kings position.

On motion of Bruce Peterson, seconded by John Daddario, and unanimously approved to appoint Bob Comer as the fourth alternate to the Planning Board filling Robert Whitesalls term.

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