

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON
THURSDAY, SEPTEMBER 1, 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, Brian Murphy, Township Engineer and David J. Rogers, Supervisor Streets and 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 September 1, 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.

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

Diane Capofferi of E. Finley Road explained that there is a flooding issue due to the drainage basins overflowing at Thoroughbred Estates and flooding the residences down East Finley Road including residences on Franmar Drive. The August 14th storm they received 4” of water in our basement and were unable to use their septic system. When Hurricane Irene came along they received 8” of water in their basement, they utilized 2 sump pumps and 2 shop vacs to remove water. 8 or 10 homes have been affected by the runoff from Thoroughbred Estates. Chairman Crilley thanked everyone for coming out and informed the public that the Township Committee is aware of the problems and has required the developer to meet and maintain deadlines. The Committee will continue to hold the developer accountable and work to get the basins functioning properly. Brian Murphy reported that he has met with the developer a number of times and is inspecting the site at least once a week. Mr. Murphy noted that the basins were dry prior to Aug 14th storm and the developer was in the process of constructing sand filters on the Finley Road basin. Mr. Murphy explained that the developer has to first pump the water out of the basins, next the silt has to be removed from the sand filter portion of the basins which will allow water to percolate down instead of running off site. Mr. Murphy added that the developer had to post a bond to do the site improvements including the drainage basins. It is in the developer’s best interest to do the site improvements otherwise the Township can pull his bond and the Township can do the required improvements with the developer’s bond money. Mrs. Capofferi asked if the basins need to have any fencing around them. Mr. Murphy stated that if the basin holds more that 2 feet of water they are normally required. Mr. Murphy added that there is also a County drainage problem in the area and that not all of the water issues are attributed to Thoroughbred Estates.

Lynn Houck of Franmar Drive stated that the storm drain in front of her property was pumping out water instead of allowing the rain water to drain which caused flooding of her home as well. Ms. Houck asked why the Thoroughbred basins were not being pumped prior to the hurricane.

Susan Wdzieczkowski of E. Finley Road stated that the basins at Thoroughbred Estates are running off onto her property. She noted that there has absolutely been an abnormal amount of rainfall; however the basins are not working properly and should be required to be addressed in order to get the issue resolved.

Melissa Bradway Griffie of Centerton Road asked what the procedure is for a developer to go through. Mr. Baker explained that every developer posts a performance guarantee to construct the required site improvements and then posts a maintenance guarantee to warranty the site improvement construction for a two year period after the release of the performance guarantee. The Committee will not hesitate to call a guarantee if the developer is not constructing the improvements.

Ron Capofferi of E. Finley Road stated that he has resided in his home for 24 years and the only times his septic system has failed to function was during the last two storms due to the flooding of his property. He added that since the County raised the roadway on Finley Road it has caused drainage issues as well. Mr. Murphy suggested that the County engineer be contacted about the roadway drainage issues.

Gary Woodward of Abbey Road added that his aunt has lived on Franmar Drive for the past 50 years and has never had any water in her basement until these past two storms. He noted that the basins are filling up and overflowing and running off onto the neighboring properties instead of staying on site.

Rebecca Kolva of E. Finley Road resides next to the horse farm and had to park in their driveway at the horse farm for three days since they could not access their property. Ms. Kolva stated that she has three small children and had to carry them inside and could not even take their dog out because of the amount of water in her yard.

John Daddario stated that the developer better make sure the water is being pumped on a daily basis and not just before Township meetings. The basins need to be functioning properly.

There being no other public comments James Crilley, Chairman called for the approval of minutes for the Meeting of August 18, 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 5-0.

James Crilley, Chairman called for a public hearing on 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. 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. Mr. Baker gave an overview of how this takes the State's Pay to Play Law a little bit further than the Best Practices policies. There being no public comments, on motion of Bruce Peterson, seconded by Scott Smith to close the public hearing, and unanimously carried. On motion of Bruce Peterson, seconded by John Daddario 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 Authorizing the Expenditure of Capital Reserve Funds for Farmland Preservation and Open Space. The Clerk read the proposed Ordinance by title. 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. Mr. Spoltore stated that this permits the Township to provide a 5% match under the Township's Planning Incentive Grant for farmland preservation. There being no 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 John Daddario, seconded by Scott Smith to approve and adopt proposed ordinance, unanimously carried 5-0 on a roll call vote

INSERT ORDINANCE

Chairman Crilley called for Resolutions 11-208 through 11-212 to be combined as a consent agenda and voted upon as one item. Motion by Mr. Peterson, seconded by Mr. Smith, to adopt the consent agenda for Resolutions 11-208 to 11-212. 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. Smith and unanimously approved, Resolutions 11-208 to 11-212 were approved on a roll call vote 5-0.

Resolution 11-208 entitled To Purchase Ice Control Sand Through a Cooperative Price Contract with the County of Cumberland.

INSERT RESOLUTION

Resolution 11-209 entitled To Purchase Rock Salt Through a Cooperative Price Contract with the County of Cumberland.

INSERT RESOLUTION

Resolution 11-210 entitled To Provide Collision Repair and Vehicle Painting Services Through a Cooperative Price Contract with the County of Cumberland.

INSERT RESOLUTION

Resolution 11-211 entitled To Provide Testing Services for Superpave Hot Mix Asphalt, Concrete, Soil Testing, Etc. Through a Cooperative Price Contract with the County of Cumberland

INSERT RESOLUTION

Resolution 11-212 entitled To Provide Roadside Tire (Flat Tire) Services Through a Cooperative Price Contract with the County of Cumberland

INSERT RESOLUTION

James Crilley, Chairman called for a resolution entitled, Awarding Bid to South State, Inc. for the Reconstruction of Martin, Lewis and Davis Drives. 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

The Committee placed two resolutions scheduled for discussion and possible adoption on the agenda for September 15th. The resolutions were to submit trust fund grant applications to the NJ DOT for roads in the Township. The Committee requested that David J. Rogers and Brian Murphy review roadways in the Township and submit their recommendations for the next meeting.

James Crilley, Chairman called for a resolution entitled Payment of Bills in the amount of \$82,583.00. 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

COMMITTEE COMMENTS

John Daddario stated that during the hurricane he recently had an opportunity to work with all three fire departments, Public Works and EMS, explaining that the Township is lucky to have the people we have to help the residents. On motion of John Daddario, seconded by Bruce Peterson, to purchase three sets of turnout gear for Fire Company #3 in the amount of \$4,200.00 from Jersey Fire and Safety, unanimously approved 5-0. Quotes were received from other companies in the amount of \$4,800 and \$6,000.

Scott Smith thanked the three Fire Companies, EMS and Public Works for a job well done with the recent hurricane.

John T. O'Neill, Sr. reported that there are quotes to replace the front carpet in the Senior Center. Bids were received from Highland Carpet in the amount of \$3,665.00, Mainline Carpet in the amount of \$4,264.62, National Restoration in the amount of \$3,241.45, Orr's flooring in the amount of \$2,489.00, Pantarelli Homes, Inc. in the amount of \$2,539.00, and Start to Finish Builders and Remodelers, LLC in the amount of \$2,896.00. On motion of John T. O'Neill, Sr., seconded by Scott Smith, to approve Orr's Flooring in the amount of \$2,489.00 unanimously carried. Amy Colaneri, has requested to continue taking CFO certification classes which will be on Tuesday's and Thursday's in New Brunswick, she will work until 3:30 pm, and the leave for her CFO Classes, price to be paid upon completion \$949, unanimously approved 5-0 on a roll call vote. Mr. O'Neill thanked all three of the Fire Departments, EMS and Public Works for all their hard work during the recent hurricane.

Bruce Peterson thanked all three of the Fire Departments, EMS and Public Works for all their hard work during the recent hurricane. Mr. Peterson reported that the flood gate was opened the day before the storm so Bostwick Lake was able to drop a foot prior to the hurricane. The parking lot area sustained more damage during the recent hurricane. Quotes were received to replace the flooring in the lower level of the Municipal Building for the Construction Office, Housing Office and Museum from the following vendors: Highland Carpet in the amount of \$24,188.00, Mainline Carpet in the amount of \$21,693.73, National Restoration in the amount of

\$18,316.99, Orr's flooring in the amount of \$14,640.04, Panterelli Homes, Inc. in the amount of \$19,861.00 and Start to Finish Builders and Remodelers, LLC in the amount of \$15,303.64. On motion of Bruce Peterson, seconded by Scott Smith and unanimously carried, to award proposal to Orr's Flooring in the amount of \$14,640.04. Quotes were received to prep and paint from the following: CJ Bernie Home Repair in the amount of \$675.00, Start to Finish Builders in the amount of \$650.00, Pantarelli Homes, Inc. in the amount of \$2,100.00, Turner/Garrison in the amount of \$250.00 and National Restoration in the amount of \$671.17. On motion of Bruce Peterson, seconded by Scott Smith to award bid to Turner/Garrison in the amount of \$250.00, and unanimously carried. Quotes were received for the installation of water resistant drywall at the bottom of cut walls, tape, spackle and sand for painting from the following: CJ Bernie Home Repair in the amount of \$2,285.00, Start to Finish Builders and Remodelers, LLC in the amount of \$1,257.00, Pantarelli Homes, Inc. in the amount of \$3,500.00, Turner/Garrison in the amount of \$1,006.50 and National Restoration in the amount of \$5,518.81. On motion of Bruce Peterson, seconded by Scott Smith, to award bid to Turner/Garrison in the amount of \$1,006.50, and unanimously carried. Quotes were received on installing downspout drainage system by rear basement door from the following: CJ Bernie Home Repair in the amount of \$1,875.00, Start to Finish Builders and Remodelers, LLC in the amount of \$1,029.00, Panterelli Homes, Inc. in the amount of \$1,050.00, TBI Unlimited, LLC in the amount of \$2,683.05, and Tiny's Plumbing, Heating, and A/C LLC in the amount of \$2,200.00. On motion of Bruce Peterson, seconded by Scott Smith to award bid to Start to Finish Builders and Remodelers LLC in the amount of \$1,029.00, and unanimously carried.

James Crilley thanked all the volunteers for their hard work and effort. Mr. Crilley noted that Bruce Harbinson should be recognized for opening the Woodruff School as a secondary shelter location if one was needed. The Cumberland Regional High School served as a shelter for residents from Avalon and other shore communities. On September 24th the City of Bridgeton has asked the any Committee member to take part in their walk along the park. The Township Committee is participating in the 911 memorial that Bruce Riley is putting on at Cumberland Valve on Friday, September 9th from 9-11 am to serve as flag presenters. Also, Saturday, September 10th at 11am Seabrook Fire & Rescue will be doing a dedication of their memorial piece of the 9/11 twin towers and the housing of the new ladder truck, members need to notify Seabrook Volunteer Fire if they are attending.

ADMINISTRATOR'S REPORT

Roy Spoltore explained to the Committee the JIF annual member update for 2011. The Committee reviewed the Best Practice policy spreadsheet for 2011 showing a rating of 96%. A budget request for 2012 from ASAP was received for the Committee to review. The NJLM convention is set for November 15-17, township officials are strongly encouraged to continue to attend work sessions or seminars as part of the best practice policy.

ENGINEER'S REPORT

Brian Murphy stated that Colonial Terrace has a drainage problem at the Cul-de-sac. Mr. Murphy received the drainage plan for the Merlin Drive property this evening, and at a quick glance it appears to be heading in the right direction. The Seabrook system had a successful start up in the manual mode there are still a couple of issues when the system goes on automatic. The permit to

operate should be received tomorrow. The water tower in Seabrook is scheduled to be disinfected tomorrow. Mr. Murphy noted that John Hoogendorn has done an excellent job in working with all the vendors and contractors in getting the system online.

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

Dean Hawk of Merritt Avenue asked about reducing the speed limit on Button Mill Road rather than getting a pedestrian walkway, would it be possible to have the New Jersey State Police monitor the road once a month? Bruce Peterson stated that we need to get the pedestrians out of the road, people will always exceed the limit. Mr. Hawk asked what the logic was in billing water and sewer monthly instead of quarterly? Mr. Crilley and Mr. O'Neill, Sr., explained that monthly billing is more manageable, most utilities are billed monthly, water rates increased dramatically due to the state mandated improvements. They added that in talking with the Tax Office personnel residents are starting to learn what water conservation is all about and from a personal budgeting standpoint a monthly amount is easier to handle.

Diane Capofferi asked if the developer is being issued new building permits. Bruce Peterson stated that no new permits will be issued until the basins are functioning properly.

With no other public comments, James Crilley, Chairman called for a resolution Authorizing Closed Session for pending litigation. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by John Daddario to approve and adopt resolution, unanimously carried 5-0.

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

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,

Teresa L. Warburton
Recording Secretary

Roy J. Spoltore
Township Clerk