

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON THURSDAY,
NOVEMBER 17, 2011, AT 7:00 P.M. IN THE MUNICIPAL BUILDING, HIGHWAY 77,
SEABROOK, NEW JERSEY, PURSUANT TO NOTICE**

Present were: 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; and Teresa Warburton, Recording Secretary. James Crilley was unable to attend the meeting.

The meeting was called to order by Vice Chairman Bruce Peterson 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 November 17, 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.

Bruce Peterson asked for a moment of silence followed by the flag salute led by John Daddario.

At this time Bruce Peterson, Vice Chairman opened the meeting for public comment.

Tom Connelly, Irving Avenue thanked everyone that was involved in having the appropriate lighting installed at Dollar General. Mr. Connelly presented a handout on the different types of wall mounted lighting that showed good lighting fixtures versus bad lighting.

Bob Nocentino developer of Thoroughbred Estates stated that he had made significant progress at the development. Mr. Peterson read an email from Brian Murphy which confirmed that progress was being made on the retention basins at the site. Mr. Murphy noted that three additional items needed to be completed at the site consisting of seeding, silt fencing and basin shaping but he recommended that a partial permit for the footing and foundation could be authorized based on the work that was done. The committee unanimously authorized issuing one partial permit for the footing and foundation, no other permits for the new home will be issued unless Brian Murphy is satisfied that the developer has completed all drainage work.

James Truett of Finley Road stated that the residents on Finley Road between Highway 77 and Centerton Roads are having issues with speeding vehicles and trucks utilizing jake brakes. Mr. Truett requested that someone contact the County to see if they would post no Jake brake signs and reduce the speed limit on this section of road. The Committee will send a letter to the County addressing the concerns.

There being no further public comments Bruce Peterson, Vice Chairman called for the approval of minutes for the meeting of November 3, 2011. On motion of John T. O'Neill, Sr., seconded by Scott Smith, to dispense with the reading of the minutes, unanimously carried. On motion of John Daddario, seconded by Scott Smith, to accept the minutes as received and unanimously approved 4-0.

Bruce Peterson, Vice Chairman called for a public hearing on an ordinance entitled, Ordinance Amending Chapter § 12-1 of the Municipal Code of the Township of Upper Deerfield. The Clerk read the proposed Ordinance by title. On motion of John T. O'Neill, Sr., 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. Dean Hawk asked how many municipalities are involved in the joint court. Nancy Ridgeway asked how the money will be divided. She added that since Fairfield and Downe Townships combined courts they have lost money. Ms. Ridgeway also asked if the Township has factored in the wear and tear of our building since we will be serving as the host court. Members of the Committee explained that there are eight municipalities involved, the municipality where the ticket is written will receive the revenue from the fine, state police courts will always lose money since about two-thirds of all fines are returned to the State, the joint court will reduce the losses by approximately \$150,000 and there is a 3% indirect cost of total expenditures to cover indirect costs for the host municipality. There being no further public comments, on motion of Scott Smith, seconded by John Daddario 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 4-0 on a roll call vote.

INSERT ORDINANCE

Bruce Peterson, Vice Chairman called for a resolution entitled, 2011 Budget Transfer #1. The Clerk read the resolution by title. On motion of John Daddario, seconded by John T. O'Neill, Sr., to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

Bruce Peterson, Vice Chairman called for a resolution entitled, Imposing Lien on Block 502, Lot 4 – 17 Northville Road. The Clerk read the resolution by title. On motion of John T. O'Neill, Sr., seconded by Scott Smith, to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

Bruce Peterson, Vice Chairman called for a resolution entitled, Imposing Lien on Block 604, Lot 9 – 180 Northville Road. The Clerk read the resolution by title. On motion of John Daddario, seconded by Scott Smith, to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

Bruce Peterson, Vice Chairman called for a resolution entitled, authorizing the Tax Collector to Adjust Taxes for Veterans Disability. The Clerk read the resolution by title. On motion of John T. O'Neill, Sr., seconded by Scott Smith, to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

Bruce Peterson, Vice Chairman called for a resolution entitled, Tax Payments to be refunded. The Clerk read the resolution by title. On motion of John Daddario, seconded by Scott Smith, to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

Bruce Peterson, Vice Chairman called for a resolution entitled Payment of Bills in the amount of \$1,029,761.80. On motion of John T. O'Neill, Sr., 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 stated that he keeps receiving phone calls regarding the EMS service and how great of a job they are doing for the Township.

Scott Smith reported that the recent Planning Board meeting had a good presentation on a combination residential and 10 megawatt solar project, and all went well.

John T. O'Neill, Sr. reported that the Senior Center needs a dedicated internet service. Quotes were received in the amount of \$4451.00 from Phoenix Communications and \$5325.00 from Coleman Electric to hard wire a line from the municipal building. Comcast would provide internet service for approximately \$65 per month. On motion of John O'Neill, Sr., seconded by Scott Smith, and unanimously carried 4-0 on a roll call vote to award the installation of internet service to Comcast provided that Verizon does not offer service at a lower monthly cost.

Bruce Peterson reported that Bostwick Lake Commission is preparing a budget for 2012 and that Ted Baker was present at the last meeting to discuss insurance issues for the Commission.

ADMINISTRATOR'S REPORT

Roy Spoltore informed the committee that the court will hold four, four hour sessions a month, and all of the municipalities have introduced the joint court ordinance. The solid waste hauling proposals are due on November 29, 2011, court professional RFP's are due on November 23, 2011, banking proposals are due on November 28, 2011 and Township professional RFP's bids are due on December 1, 2011. Current budget balances and the monthly departmental reports are in your packets for review. 2012 budgets will be permitted to increase appropriations by 3.5 percent. There were a number of interesting sessions at the League Convention including one session where proposed legislative changes were discussed regarding the Open Public Meetings Act.

Ted Baker explained the current situation regarding the calculation of the Sewer Capital Expense DCU Fee for the Adult Day Care Center on Highway 77. Brian Murphy calculated 4 DCU's would be required based on the State calculation that is utilized for a school without a cafeteria and showers. The developers are disputing the DCU calculation and are requesting the

postponement of the DCU payment prior to the issuance of a Certificate of Occupancy so that the calculation can be further reviewed. The developer has already tapped into the water and sewer lines without approval or authorization from the Township. The Committee discussed the situation, felt the calculation was appropriate and unanimously decided that DCU's should be paid now and if the developer wishes to contest the calculation of the DCU's they may do so after the payment has been paid. The Committee also agreed to have the Construction Official issue a Stop Construction order if the Sewer Capital Expense DCU Fee and building permit fees are not paid within the next day after the solicitor contacts the developers attorney to inform him of the Committee's decision.

At this time Bruce Peterson, Vice Chairman opened the meeting for additional public comments.

Dean Hawk asked about the status of the Old State Police Barracks on Highway 77. Mr. Baker explained that previously it had been inspected by township officials and found to be structurally sound. At the request of the Committee, the Construction Official and Brian Murphy will inspect the Old State Police Barracks on Highway 77 again.

There being no further business to come before the Committee, on motion of John Daddario, seconded by John T. O'Neill, Sr., to adjourn, unanimously carried.

Respectfully submitted,

Teresa L. Warburton
Recording Secretary

Roy J. Spoltore
Township Clerk