

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON  
THURSDAY, JANUARY 5, 2012, 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; Brian Murphy, Township Engineer, Chad Ott, Chief of EMS, David J. Rogers, Streets and Recreation Supervisor and Teresa Warburton, Recording Secretary

The meeting was called to order by Committeeman James Crilley and he read the following public meeting announcement.

"In compliance with the "Open Public Meetings Act", written advance notice of the time, date and place of the meeting, has been given at least forty-eight (48) hours before the meeting by mailing same to the News of Cumberland County and The Press, Cumberland County Edition, by posting the notice in the Municipal Building at Seabrook, New Jersey, and by filing such notice with the Township Clerk, in compliance with said Act." In compliance with State Fire Safety Statutes the Mr. Crilley instructed those present how to exit the room in an emergency.

Invocation was given by Deacon Carmen Bischer, and the flag salute was led by John T. O'Neill, Sr.

Roy J. Spoltore, Township Clerk presented James P. Crilley to be sworn in as a member of the Township Committee for a term of three years to expire December 31, 2014

Mr. Crilley was sworn into his term of office as a Township Committeemen by Cumberland County Freehold Director Carl Kirstein, and assumed his position as a member of the Township Committee..

A motion was made by Mr. Smith, seconded by Mr. O'Neill that the Clerk assume the position as Temporary Chairman for the purpose of selecting a Chairman of the Township Committee. Roy Spoltore, Township Clerk assumed the position as Temporary Chairman and requested nominations for permanent Chairman

On motion of Mr. Daddario and seconded by Mr. Smith that James P. Crilley be selected as Chairman of the Township Committee of Upper Deerfield Township for the year 2012, unanimously carried 4-0 with Mr. Crilley abstaining.

Chairman Crilley assumed the chair, and called for nominations for Vice Chairman.

On motion of Mr. Peterson, seconded by Mr. Daddario, that John T. O'Neill, Sr. serve as Vice-Chairman of the Township Committee and serve as Acting Chairman for the year 2012 during the absence or disability of the Chairman, unanimously carried 4-0 with Mr. O'Neill, Sr. abstaining.

Chairman Crilley called for Resolutions 1 through 43 to be combined as a consent agenda and voted upon as one item. Motion by Mr. Peterson, seconded by Mr. Smith to adopt Consent Agenda for Resolutions 1 to 43. 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 1-43 unanimously carried 5-0 with Mr. Daddario abstaining on resolution 12-09.

## **RESOLUTION 12-01**

### **ADOPTING A TEMPORARY BUDGET - TOWNSHIP**

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40:4-19, it is necessary to make appropriations for the period between the beginning of the budget year and the adoption of the budget, if any contracts, commitments or payments are to be made prior to the adoption of the budget for the new fiscal year; and

**WHEREAS**, a resolution making such temporary appropriations must be adopted not later than the thirtieth, but not prior to the first day of each year; and

**WHEREAS**, the total of the appropriations so made, exclusive of the amount so appropriated for interest and debt redemption charges, and for relief of the poor, shall not exceed 26.25% of the total of the appropriations made for all purposes other than interest and debt redemption charges and for relief of the poor in the budget for the proceeding fiscal year; and

**WHEREAS**, the amounts of all such temporary appropriations shall be included under the correct headings in the amount appropriated in the budget as finally adopted;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, that the following statement of appropriations shall constitute the temporary budget of the Township of Upper Deerfield, effective to the date of the fiscal adoption of the local budget for the fiscal year 2012.

#### 2012 Temporary Budget

(Budget attached and made a part of this Resolution)

## **RESOLUTION 12-02**

### **ADOPTING A TEMPORARY DEDICATED SEWER & WATER UTILITY BUDGET**

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40:4-19, it is necessary to make appropriations for the period between the beginning of the budget year and the adoption of the budget, if any contracts, commitments or payments are to be made prior to the adoption of the budget for the new fiscal year; and

**WHEREAS**, a resolution making such temporary appropriations must be adopted not later than the thirtieth, but not prior to the first day of each year; and

**WHEREAS**, the total of the appropriations so made, exclusive of the amount so appropriated for interest and debt redemption charges, and for relief of the poor, shall not exceed 26.25% of the total of the appropriations made for all purposes other than interest and debt redemption charges and for relief of the poor in the budget for the proceeding fiscal year; and

**WHEREAS**, the amounts of all such temporary appropriations shall be included under the correct headings in the amount appropriated in the budget as finally adopted;

**NOW, THEREFORE, BE IT RESOLVED** By The Township Committee Of The Township Of Upper Deerfield, In The County Of Cumberland, that the following statement of appropriations shall constitute the temporary budget of the Township of Upper Deerfield, effective to the date of the fiscal adoption of the local budget for the fiscal year 2012.

2012 Dedicated Water & Sewer Utility Temporary Budget

(Budget attached and made part of this Resolution)

**RESOLUTION 12-03**

**APPOINTING TOWNSHIP OFFICIALS AND CERTIFYING SALARIES**

**BE IT RESOLVED** that the following officials and employees are hereby appointed to serve the Township during 2012, at the pleasure of the Township Committee of such term as is fixed by law, and not exceeding one year each and the Township Committee wishes to certify for payroll purposes the specific salary or hourly rate amount within the ranges specified by Ordinance No. 668 for the persons holding said job positions:

Assessment Search Clerk	Roy J. Spoltore	
Deputy Administrator	Vicki Vagnarelli	\$42,491.00/yr
Construction Office Manager	Teresa Warburton	\$39,314.00/yr
Administrative Clerk/Typist I	Linda Martin	\$27,400.00/yr
Administrative Clerk/Typist I	Margo Plummer	\$24,112.00/yr
Administrative Clerk/Typist I	Amy Colaneri	\$29,381.00/yr
Planning Board Secretary	Vicki Vagnarelli	\$ 7,447.00/yr
Township Treasurer	Amy Colaneri	\$ 5,304.00/yr
Supervisor Buildings	John Karkocha	\$44,129.00/yr
Custodian of Disposal & Recycling Center	Emmett L. Hall	\$15.93/hr
General Maintenance	David L. Rogers	\$38,516.00/yr
Superintendent Sewer & Water	John Hoogendorn	\$74,174.00/yr
Supervisor Streets & Recreation	David J. Rogers	\$44,129.00/yr
General Maintenance	Nathan Mixner	\$24,000.00/yr
General Maintenance	Brian Miller	\$25,841.00/yr
General Maintenance	Jose Soler	\$28,621.00/yr
General Maintenance-PT	Chad Ott	\$11.54/hr
Utilities and Facilities Foreman	Steve Smith	\$40,418.00/yr
Fire Safety Official	Don Sims	\$ 9,282.00/yr
Recording Secretary	Teresa Warburton	\$ 3,825.00/yr
Court Administrator	Patricia Adams	\$50,000.00/yr
Deputy Court Administrator	Marion Higbee	\$30,000.00/yr
Administrative Clerk Court-PT	Nicole Carozza	\$12.00/hr.
Administrative Clerk Court-PT	Deborah Miller	\$12.00/hr.
Custodian of Disposal & Recycling Center	Sam Cozzubbo	\$ 9.00/hr.
Building Security	Jim Meyers	\$ 9.00/hr
Custodian/Building Security	Wayne Post	\$ 9.00/hr
Tax Search Officer	Andrea Penny	\$ 1,241.00/yr
Secretary Recreation Committee	Amy Colaneri	\$65.00/meeting
Secretary Environmental Commission	Teresa Warburton	\$65.00/meeting
Secretary Historic Commission	Cindy Kakoda	\$65.00/meeting
Secretary Economic Development	Terry Stiles	\$65.00/meeting

Secretary Pride Committee	Kathy King	\$65.00/meeting
Senior Center Nurse	Karen Elwell	\$17.89/hr
Senior Center Coordinator	Kim Hemple-Miletta	\$17.66/hr
EMS Chief	Chad Ott	\$35,000/yr
Emergency Medical Technician	Sharon Campbell	\$13.50/hr
Emergency Medical Technician	Alyce Serlick	\$11.50/hr
Emergency Medical Technician	Kieran McCarthy	\$13.50/hr
Emergency Medical Technician	Christa Ferguson	\$12.50/hr
Emergency Medical Technician	Brian Marks	\$12.00/hr
Emergency Medical Technician	Christopher Morrison	\$11.00/hr
Emergency Medical Technician	Wayne Paollili	\$11.00/hr
Emergency Medical Technician	Joseph Zirkle	\$11.00/hr
Emergency Medical Technician	Eric Hawk	\$11.00/hr

**BE IT FURTHER RESOLVED THAT**, Ordinance No. 668 sets a salary range for various officials of the Township and certain municipal job positions and the Township Committee wishes to certify for payroll purposes the specific salary or hourly rate amount within the ranges specified for the persons holding said job positions as set forth herein are hereby certified as the 2012 salary or hourly wage rate:

Construction Code Official	Jeryl M. Goff	\$38,000.00/yr
Plumbing Sub Code Official	James Grasso	\$11,220.00/yr.
Electrical Sub Code Official	Gary Wallen	\$ 1,500.00/yr.
Fire Sub Code Official	Gary Wallen	\$ 500.00/yr
Emergency Management Director	Michael Weist	\$ 3,500.00/yr
Housing & Zoning Officer	Edward Fleetwood	\$61,696.00/yr
Chief Financial Officer	Ruth Moynihan	\$12,730.00/yr
Tax Assessor	Darlene Campbell	\$37,128.00/yr
Tax Collector	Andrea Penny	\$50,582.00/yr
Municipal Court Judge	Paul Kienzle	\$26,235.00/yr
Municipal Court Prosecutor	Edward Duffy	\$15,275.00/yr
Township Administrator	Roy Spoltore	\$65,570.00/yr
Township Clerk	Roy Spoltore	\$14,892.00/yr
Township Committee Mayor	James Crilley	\$13,498.00/yr
Township Committee Deputy Mayor	John T. O'Neill, Sr.	\$12,374.00/yr
Township Committee	John Daddario	\$11,249.00/yr
Township Committee	Bruce Peterson	\$11,249.00/yr
Township Committee	Scott Smith	\$11,249.00/yr
Vital Statistics Registrar	Amy Colaneri	\$ 2,868.00/yr
Vital Statistics Deputy Registrar	Teresa Warburton	\$ 1,676.00/yr
Vital Statistics Deputy Registrar	Andrea Penny	\$ 1,676.00/yr

**RESOLUTION 12-04**

**APPOINTING TOWNSHIP SOLICITOR – THEODORE E. BAKER**

**WHEREAS**, there exists the need for the “Professional Services” of a TOWNSHIP SOLICITOR, to be retained by the Township for the performance of legal services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Township of Upper Deerfield has advertised Requests for Proposals for the position of Township Solicitor of the Township of Upper Deerfield; and

**WHEREAS**, Theodore E. Baker, Esquire of the firm of Baker, Krell, Haag & Bertram, L.L.C. has submitted a response to the Request for Proposal; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of awarding the Request for Proposal to Theodore E. Baker, Esquire and appointing him as Township Solicitor of the Township of Upper Deerfield pursuant to a Professional Service Contract for the year 2012.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That Theodore E. Baker of Bridgeton, New Jersey, an attorney authorized to practice law by the Supreme Court of the State of New Jersey, be appointed Township Solicitor for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by an attorney, and shall receive compensation in accordance with terms of the contract on file in the clerks office.
3. That the aforesaid contract is awarded pursuant to competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
4. Upon adoption of the 2012 temporary budget, a purchase order in the amount of the annual cost of the retainer will be encumbered and serve as a certification of availability of funds. The prorated amount of potential additional professional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
5. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Theodore E. Baker in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

**RESOLUTION 12-05**

**APPOINTING ASSISTANT TOWNSHIP SOLICITORS  
MARION HAAG AND REBECCA BERTRAM**

**WHEREAS**, there exists the need for the “Professional Services” of a TOWNSHIP SOLICITOR, to be retained by the Township for the performance of legal services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Township of Upper Deerfield has advertised Requests for Proposals for the position of Township Solicitor of the Township of Upper Deerfield; and

**WHEREAS**, Theodore E. Baker, Esquire of the firm of Baker, Krell, Haag & Bertram, L.L.C. has submitted a response to the Request for Proposal; and

**WHEREAS**, Theodore E. Baker, Esquire was appointed Upper Deerfield Township Solicitor for the 2012 year; and

**WHEREAS**, there is a need to appoint Marion Haag and Rebecca Bertram who are attorneys with the firm of Baker, Krell, Haag & Bertram of 56 Fayette Street, Bridgeton, New Jersey as Assistant Township Solicitors to serve in the absence or unavailability of Theodore E. Baker; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That Marion Haag and Rebecca Bertram of Bridgeton, New Jersey, attorneys authorized to practice law by the Supreme Court of the State of New Jersey, be appointed assistant Township Solicitors for Upper Deerfield Township for the year 2012, to perform professional services ordinarily provided by an attorney in the absence or unavailability of Theodore E. Baker and shall receive compensation in accordance with terms of the contract on file in the clerks office..
3. That the aforesaid contract is awarded pursuant to competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
4. The professional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.

5. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Marion Haag and Rebecca Bertram in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield.

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

## **RESOLUTION 12-06**

### **APPOINTING MUNICIPAL ENGINEER & UTILITIES ENGINEER BRIAN J. MURPHY**

**WHEREAS**, there exists the need for the “Professional Services” of a TOWNSHIP ENGINEER AND UTILITIES ENGINEER, to be retained by the Township for the performance of engineering services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Township of Upper Deerfield has advertised Requests for Proposals for the position of Township Engineer and Utilities Engineer of the Township of Upper Deerfield; and

**WHEREAS**, Brian J. Murphy, PE of the firm of MV Engineering has submitted a response to the Request for Proposal; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of awarding the Request for Proposal to Brian J. Murphy, PE and appointing him as Township Engineer and Utilities Engineer of the Township of Upper Deerfield pursuant to a Professional Service Contract for the year 2012;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

6. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
7. That Brian J. Murphy of Cape May Court House, New Jersey, a professional engineer authorized to practice engineering in the State of New Jersey, be appointed Township Engineer and Utilities Engineer for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by an engineer, and shall receive compensation in accordance with terms of the contract on file in the clerks office.

That the aforesaid contract is awarded pursuant to competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person

8. authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
9. Upon adoption of the 2012 temporary budget, a purchase order in the amount of the annual cost of the retainer will be encumbered and serve as a certification of availability of funds. The prorated amount of potential additional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
10. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Brian J. Murphy in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

#### **RESOLUTION 12--07**

#### **APPOINTING TOWNSHIP AUDITOR – NICK L. PETRONI**

**WHEREAS**, there exists the need for the “Professional Services” of a TOWNSHIP AUDITOR, to be retained by the Township for the performance of auditing services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Township of Upper Deerfield has advertised Requests for Proposals for the position of Township Auditor of the Township of Upper Deerfield; and

**WHEREAS**, Nick L. Petroni, CPA, RMA of the firm of Petroni & Associates, has submitted a response to the Request for Proposal; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of awarding the Request for Proposal to Nick L. Petroni, CPA, RMA and appointing him as Township Auditor of the Township of Upper Deerfield pursuant to a Professional Service Contract for the year 2012.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.

2. That Nick L. Petroni of Glassboro, New Jersey, a registered municipal accountant authorized to practice accounting in the State of New Jersey, be appointed Township Auditor for Upper Deerfield Township for the year 2012, to perform professional services ordinarily provided by an auditor, and shall receive compensation in accordance with terms of the contract on file in the clerks office.
3. That the aforesaid contract is awarded pursuant to competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
4. The prorated amount of potential fees contained within the aforementioned contract are included within the temporary budget and the continuation of any other contractual fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
5. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Nick L. Petroni in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

#### **RESOLUTION 12-08**

#### **APPOINTING A COMMISSIONER AND DEPUTY COMMISSIONER TO THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

**BE IT RESOLVED** that Roy J. Spoltore is hereby appointed as Upper Deerfield Township's Commissioner to the Atlantic County Municipal Joint Insurance Fund for a term to expire December 31, 2012.

**BE IT FURTHER RESOLVED** that Vicki Vagnarelli is hereby appointed as Deputy Commissioner for Upper Deerfield Township to the Atlantic County Municipal Joint Insurance Fund for a term to expire December 31, 2012, and said Deputy Commissioner shall represent Upper Deerfield Township in the absence or disability of the Fund Commissioner

#### **RESOLUTION 12-09**

#### **APPOINTMENT OF TOWNSHIP EMERGENCY MANAGEMENT COORDINATOR – MICHAEL WEIST**

**BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield, County of Cumberland, that Michael Weist is hereby appointed Emergency Management Coordinator to fill the unexpired three year term that will expire on December 31, 2013; and

**BE IT FURTHER RESOLVED** that an agreement of such purpose is hereby approved in the form submitted and the Mayor and Township Clerk are authorized to execute the same on behalf of the Township and a copy thereof shall be filed with the Township Clerk and available for public inspection.

## **RESOLUTION 12-10**

### **APPOINTING BOND COUNSEL – EDWARD J. MCMANIMON, III**

**WHEREAS**, there exists the need for the “Professional Services” of BOND COUNSEL, to be retained by the Township to prepare necessary bond ordinances and related documentation for the issuance of bonds for the aforesaid purpose and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A.40A:11-1, et seq. requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and

**WHEREAS**, Edward J. McManimon, III of the firm of McManimon & Scotland has completed and submitted a Business Entity Disclosure Certification which certifies that Edward J. McManimon, III of the firm of McManimon & Scotland, will not make any reportable contributions pursuant to N.J.S.A.19:44A-1 et seq. commencing January 1, 2012 to any political committee or candidate through the term of this contract in excess of reportable limits;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

11. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
12. That Edward J. McManimon, III of the firm of McManimon & Scotland, is a qualified bond counsel authorized to practice in the State of New Jersey, be appointed Township Bond Counsel for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by bond counsel, and he shall receive such compensation as may be reasonable for said services.
13. That the aforesaid contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
14. The Business Entity Disclosure Certification shall be placed on file with this Resolution.
15. All professional fees contained within the aforementioned contract will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.

16. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and subject to the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq., in that the contractor has agreed to execute the Pay to Play exemption certification and has or will certify that the contractor has not during the last 12 months preceding the award of this contract nor during the succeeding 12 months contributed or will contribute campaign contributions in excess of reportable limits in accordance with the aforesaid legislation; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Edward J. McManimon, III in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield.

## **RESOLUTION 12-11**

### **APPOINTMENT OF PUBLIC AGENCY COMPLIANCE OFFICER ROY J. SPOLTRE**

**WHEREAS**, a Public Agency Compliance Officer must be appointed annually in accordance with N.J.A.C. 17:27-3.5;

**NOW, THEREFORE, BE IT RESOLVED** that Roy J. Spoltore, Township Clerk, be appointed Public Agency Compliance Officer for the year 2012.

## **RESOLUTION 12-12**

### **CASH MANAGEMENT PLAN**

**BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield, County of Cumberland, that for the year 2012, the following shall serve as the cash management plan of the Township of Upper Deerfield.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Township of Upper Deerfield's funds.

The following are suitable and authorized investments

- Interest-bearing bank accounts and certificates of deposit in authorized banks, listed below, for deposit of local unit funds.
- Government money market mutual funds as comply with N.J.S.A. 40A:5-15.1(e).
- Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.

- Bonds or other obligations of the local unit or school district of which the local unit is a part.
- Any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments.
- Local government investment pools which comply with N.J.S.A 40A:15.1(e) and conditions set by the Division of Local Government Services.
- New Jersey State Cash Management Fund.

Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A 40A-15.1(e).

The following Government Unit Depository Protection Act approved banks are authorized depositories for deposit of funds.

Newfield National Bank 720 Shiloh Pike Bridgeton, NJ 08302	TD BankNorth 41 Cornwell Drive Bridgeton, NJ 08302	Colonial Bank State Hwy 77 & Big Oak Rd Bridgeton, NJ 08302
Sun National Bank 15 South Laurel Street Bridgeton, NJ 08302	Susquehanna Patriot Bank 950 North Pearl Street Bridgeton, NJ 08302	Fulton Bank 871 Landis Ave Bridgeton, NJ 08302
Bank of America 60 Cornwell Drive Bridgeton, NJ 08302	First National Bank of Elmer P.O. Box 980 Elmer, NJ 08318	Capital Bank 175 S. Main Road Vineland NJ 08360
Sovereign Bank 302 Haddon Ave Westmont, NJ 08108	Harvest Bank 389 Harding Highway Elmer, NJ 08318	Century Savings Bank 53 Cornwell Drive Bridgeton, NJ 08302

The registered principal of any brokerage firm approved above shall be provided with and sign an acknowledgment that they have seen and reviewed the cash management plan.

Each month, the Chief Financial Officer shall prepare a report for the governing body that consists of the following:

- A summary of all investments made or redeemed
- Any and all financial institutions holding local unit funds

The approved cash management policy is an integral part of this document.

Any official involved with the selection of depositories, investments, broker/dealers shall disclose any material business or personal relationship to the governing body and to the Local Finance Board (or local ethics board if applicable).

Any official who in the course of his or her duties deposits or invests in accordance with the plan shall be relieved of any liability for loss of investment.

The following funds shall not be required to be maintained in interest bearing accounts:

1. Change Funds
2. Petty Cash Funds

No Township Funds shall be disbursed by the Treasurer prior to approval by the

Township Committee except for:

1. Payroll Turnover to Agencies
2. Internal Transfers
3. Investments
4. Payroll

## **RESOLUTION 12-13**

### **DESIGNATING DEPOSITORY FOR MUNICIPAL FUNDS**

**BE IT RESOLVED**, that Colonial Bank of Bridgeton, New Jersey, a banking institution of the United States of America, be and it is hereby designated a depository for all Municipal Funds, of the Township of Upper Deerfield, in the County of Cumberland, during the year 2012.

**BE IT FURTHER RESOLVED** that the deposit of funds with Colonial Bank shall be in accordance with and pursuant to the terms and rates as set forth in Colonial Bank response to the Township's request for proposals dated November 28, 2011 regarding deposits of Township funds, and

**BE IT FURTHER RESOLVED** that additional depositories are Newfield National Bank, TD Bank, Sun Bank, Susquehanna Patriot Bank, The Bank, Bank of America, Century Savings Bank, Harvest Bank, Capital Bank, Sovereign Bank and First National Bank of Elmer are designated for the year 2012, and

**BE IT FURTHER RESOLVED** that the following Township Bank accounts will be maintained in the designated financial institution as listed:

## **RESOLUTION 12-14**

### **AUTHORIZING SIGNATORS OF CHECKS FOR GENERAL AND SEWER & WATER UTILITY ACCOUNTS**

**BE IT RESOLVED**, that all checks in payment of approved claims for current and utility accounts shall be signed by the Mayor and Township Clerk and countersigned by the Treasurer, pursuant to N.J.S.A. 40A:5-17 and Ordinance No. 107; and

**BE IT FURTHER RESOLVED**, that in case of the absence or disability of the Mayor, such checks may be signed in his place by the Vice-Chairman and Acting Mayor; and

**BE IT FURTHER RESOLVED**, that the payroll, developers escrow, supplemental insurance, flexible spending and the municipal alliance for substance abuse accounts shall have signatures by the Mayor, Township Clerk and the Treasurer or CFO; and

**BE IT FURTHER RESOLVED**, that the recreation trust, accumulated absences, dog license, public defender, Seabrook tower, donations & bequests - Senior Center and snow removal accounts shall have signatures of two of three officials consisting of the Mayor, Township Clerk and the Treasurer or CFO; and

**BE IT FURTHER RESOLVED**, that the tax title lien account shall have signatures of two of three officials consisting of the Tax Collector and either the Township Clerk or the Treasurer or CFO; and

**BE IT FURTHER RESOLVED**, that the municipal court and court bail accounts shall have signatures of two court officials.

## **RESOLUTION 12-15**

### **RESOLUTION AUTHORIZING THE CLERK'S OFFICE TO MAINTAIN A PETTY CASH FUND IN THE AMOUNT OF \$50.00**

**WHEREAS**, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Treasurer's Office of the Township of Upper Deerfield; and

**WHEREAS**, said Petty Cash Fund was established by resolution dated January 6, 2005, by the Township of Upper Deerfield; and

**WHEREAS**, said Petty Cash Fund received approval from the Director of Local Government Services on February 4, 2005; and

**WHEREAS**, it is the desire of the Township Committee that said fund be continued under the direction of the Clerk funded for the year 2012.

**NOW, THEREFORE, BE IT RESOLVED**, on this 5th day of January, 2012, by the Township Committee of the Township of Upper Deerfield, that:

1. During the year 2012, Roy J. Spoltore, Clerk, be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$50.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.
2. Roy J. Spoltore, Clerk, having custody of the Fund be bonded in an amount not less than \$1,000.00 and will maintain said Fund in accordance with the Laws and regulations governing its operation.
3. The Treasurer and CFO is hereby directed and authorized to fund said petty cash fund account in the amount of \$50.00.

## **RESOLUTION 12-16**

### **DESIGNATING MEETING DATES**

**BE IT RESOLVED** that the Township Committee of the Township of Upper Deerfield in the County of Cumberland will meet in the Court Room of the Municipal Building located at 1325 State Highway 77 in Seabrook New Jersey at 7:00 pm on the dates designated below for the year 2012.

### **REGULAR MEETING DATES**

January 5 & 19, 2012  
February 2 & 16, 2012  
March 1 & 15, 2012  
April 5 & 19, 2012  
May 3 & 17, 2012  
June 7 & 21, 2012

July 5 & 19, 2012  
August 2 & 16, 2012  
September 6 & 20, 2012  
October 4 & 18, 2012  
November 1 & 15, 2012  
December 6 & 20, 2012

The yearend meeting on December 27, 2012 Will be at 3:00 P.M.

**REORGANIZATION MEETING JANUARY 3 2013 AT 7:00 P.M.**

**RESOLUTION 12-17**

**NEWSPAPERS TO RECEIVE NOTICE OF MEETINGS**

**WHEREAS**, the Open Public Meetings Act (P.L. 1975, Chapter 231, Sec. 3d) requires that written notices of meetings be submitted to two newspapers, designated by the public body to receive such notices because they have the greatest likelihood of informing the public within the area of jurisdiction of the area of such meetings, one of which shall be official newspaper; and

**BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, that for the above purpose and until further action of this Committee, the News of Cumberland County and The Press, Cumberland County Edition, are hereby designated to receive all notices of meetings as required under the Open Public Meetings Act.

**RESOLUTION 12-18**

**DESIGNATING OFFICIAL NEWSPAPER  
NEWS OF CUMBERLAND COUNTY**

**BE IT RESOLVED** that the News of Cumberland County, being a newspaper printed in the County of Cumberland and circulating in Upper Deerfield Township, be and the same is hereby designated as the official newspaper of the Township of Upper Deerfield for the year 2012.

**RESOLUTION 12-19**

**SETTING INTEREST AND PENALTY ON PROPERTY TAXES**

**WHEREAS**, under the provisions of N.J.S.A. 54:4-67 the governing body is authorized to fix the rate of discount for prepayment of property taxes or assessments and to fix the rate of interest for non-payment of property taxes or assessments on or before the date when they would become delinquent; and

**WHEREAS**, the aforesaid statute was amended to provide for the assessing of a penalty to be charged to a taxpayer with a delinquency in excess of TEN THOUSAND (\$10,000.00) DOLLARS; and

**WHEREAS**, pursuant to N.J.S.A. 54:4-66, it is provided that property taxes shall be payable in quarterly annual installments with the first installment due on February 1st, the second installment on May 1st, the third installment due on August 1st and the fourth installment due on November 1st, after which dates, if

unpaid, they shall become delinquent, which statute also provides for the manner in which quarterly installments or property taxes shall be determined and received;

**NOW, THEREFORE, BE IT RESOLVED** By the Township Committee of the Township of Upper Deerfield;

A. That no discount be allowed for prepayment of property taxes or assessments.

B. That the rate of interest to be charges for the non-payment of property taxes or assessments on or before the date they would become delinquent, as fixed by statute, shall be Eight (8%) Percent per annum on the first ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS of the delinquency, and Eighteen (18%) Percent per annum on any amount in excess of ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS, to be calculated from the date the tax was payable to the date of actual payment, provided no interest shall be charged if payment of any installments is made on the due date; provided, however, that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same become payable; and

C. In the event there is a delinquency in excess of TEN THOUSAND (\$10,000.00) DOLLARS at the end of the calendar year, then the Tax Collector is authorized to charge a penalty of Six (6%) percent of the amount of the delinquency. The delinquency shall mean the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.

D. That the provision of this resolution shall remain in full force and effect until further action of the Township Committee.

E. That a certified copy of this Resolution be filed with the Collector of Taxes.

## **RESOLUTION 12-20**

### **SETTING INTEREST AND PENALTY ON SEWER & WATER UTILITY CHARGES AND RENTS**

**WHEREAS**, under the provisions of N.J.S.A. 54:4-67 the governing body is authorized to fix the rate of discount for prepayment of sewer and water utility charges and rents or assessments and to fix the rate of interest for non-payment of sewer and water utility charges and rents or assessments on or before the date when they would become delinquent; and

**WHEREAS**, the aforesaid statute was amended to provide for the assessing of a penalty to be charged to a taxpayer with a delinquency in excess of TEN THOUSAND (\$10,000.00) DOLLARS; and

**WHEREAS**, pursuant to N.J.S.A. 54:4-66, it is provided that sewer and water utility charges and rents shall be payable in quarterly annual installments with the first installment due on February 1st, the second installment on May 1st, the third installment due on August 1st and the fourth installment due on November 1st, after which dates, if unpaid, they shall become delinquent, which statute also provides for the manner in which quarterly installments of sewer and water utility taxes shall be determined and received;

**NOW, THEREFORE, BE IT RESOLVED** By the Township Committee of the Township of Upper Deerfield;

A. That no discount be allowed for prepayment of sewer and water utility charges and rents or assessments.

B. That the rate of interest to be charges for the non-payment of sewer and water utility charges and rents or assessments on or before the date they would become delinquent, as fixed by statute, shall be Eight (8%) Percent per annum on the first ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS of the delinquency, and Eighteen (18%) Percent per annum on any amount in excess of ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS, to be calculated from the date the tax was payable to the date of actual payment, provided no interest shall be charged if payment of any installments is made on the due date; provided, however, that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same become payable; and

C. In the event there is a delinquency in excess of TEN THOUSAND (\$10,000.00) DOLLARS at the end of the calendar year, then the Tax Collector is authorized to charge a penalty of Six (6%) percent of the amount of the delinquency. The delinquency shall mean the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.

D. That the provision of this resolution shall remain in full force and effect until further action of the Township Committee.

E. That a certified copy of this Resolution be filed with the Collector of Taxes.

## **RESOLUTION 12-21**

### **AUTHORIZING MAYOR AND TOWNSHIP ENGINEER TO SIGN NJDEP FORMS**

**WHEREAS**, there arises the need, from time to time, for the signing of Statements of Consent with regard to NJDEP applications that are submitted for water and/or sewer projects within the Township; and

**WHEREAS**, all water and sewer projects within the Township are reviewed and approved by the Utilities Subcommittee, the Township Engineer and, if necessary, the Township Committee.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor, James P. Crilley, or Township Engineer, Brian J. Murphy, PE, be and are hereby authorized to sign any NJDEP Statements of Consent on behalf of the Township of Upper Deerfield, County of Cumberland, for the calendar year 2012.

## **RESOLUTION 12-22**

### **AUTHORIZING PROFESSIONAL SERVICE AGREEMENT WITH DM MEDICAL BILLINGS**

**WHEREAS**, there exists a need for professional services to provide third party emergency medical services billing in conjunction with the emergency medical services provided by the Upper Deerfield Township's paid staff; and

**WHEREAS**, DM Medical Billings in Voorhees, New Jersey will assist and guide the Township in preparing all necessary paperwork to establish transport billing procedures for the emergency medical services to be provided; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for professional services without competitive bids, and the contract itself, must be available for public inspection;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield as follows:

1. The Mayor and the Township Clerk are hereby authorized and directed to execute an agreement with DM Medical Billings based on a collection fee of no greater than nine percent of what is collected if

manually transmitted and a fee not greater than seven and one half percent if the data is collected via downloads from hand held computers.

2. This contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law, because said services are to be performed by a person authorized by law to practice a recognized profession.
3. The contract will begin January 5, 2012 and expire on January 4, 2013.
4. A copy of the agreement has been filed with the Township Clerk and is available for public inspection in the office of the Township Clerk during normal business hours.
5. The prorated amount of the professional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
6. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with DM Medical Billings in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

#### **RESOLUTION 12-23**

#### **AUTHORIZING CANCELLATION OF PROPERTY TAX REFUND OR DELINQUENCY OF LESS THAN \$5.00**

**BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, that the Tax Collector is hereby authorized and directed to process without further action of said Township Committee, the cancellation of any property tax refund or delinquency of less than \$5.00, pursuant to N.J.S.A. 40A:5-17.1.

#### **RESOLUTION 12-24**

#### **AUTHORIZING AGREEMENT WITH CUMBERLAND COUNTY SPCA & ANIMAL SHELTER**

**WHEREAS**, the Township of Upper Deerfield is desirous of providing services for sheltering of animals; and

**WHEREAS**, the Township of Upper Deerfield has advertised Requests for Proposals for the sheltering of animals; and

**WHEREAS**, the Cumberland County SPCA & Animal Shelter has submitted a response to the Request for Proposal; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of awarding the Request for Proposal to the Cumberland County SPCA & Animal Shelter and appointing them as animal shelter for the Township of Upper Deerfield pursuant to a Professional Service Contract for the year 2012.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

6. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
7. That the Cumberland County SPCA & Animal Shelter of Vineland, New Jersey, a licensed animal shelter in the State of New Jersey, be appointed animal shelter for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by an animal shelter, and shall receive compensation in accordance with terms of the contract on file in the clerk's office.
8. That the aforesaid contract is awarded pursuant to competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
9. Upon adoption of the 2012 temporary budget, a purchase order in the amount of the annual cost of the retainer will be encumbered and serve as a certification of availability of funds. The prorated amount of potential additional professional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
10. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that the Mayor and Clerk be and are hereby authorized to enter into an agreement for the provision of the sheltering of stray animals as per the terms and conditions of the contract rates for 2012 as provided by the Cumberland County SPCA and Animal Shelter and the same is hereby accepted; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

#### **RESOLUTION # 12-25**

#### **AUTHORIZING CONTRACT FOR ANIMAL CONTROL SERVICES WITH COUNTYWIDE ANIMAL CARE AND CONTROL, LLC**

**WHEREAS**, there exists the need for the "Professional Services" for ANIMAL CONTROL to be retained by the Township for the performance of animal control services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Township of Upper Deerfield has advertised Requests for Proposals for the services of animal control for the Township of Upper Deerfield; and

**WHEREAS**, Countywide Animal Care and Control has submitted a response to the Request for Proposal; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of awarding the Request for Proposal to Countywide Animal Care and Control and appointing them as animal control officials of the Township of Upper Deerfield pursuant to a Professional Service Contract for the year 2012.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

11. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
12. That Countywide Animal Care and Control of Newfield, New Jersey, an animal care and control service licensed to operate in the State of New Jersey, be appointed animal care and control for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by an animal care and control service, and shall receive compensation in accordance with terms of the contract on file in the clerks office.
13. That the aforesaid contract is awarded pursuant to competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
14. Upon adoption of the 2012 temporary budget, a purchase order in the amount of the annual cost of the retainer will be encumbered and serve as a certification of availability of funds. The prorated amount of potential additional professional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
15. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Countywide Animal Care and Control, LLC in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

**A RESOLUTION AUTHORIZING THE TAX ASSESSOR THE AUTHORITY  
TO FILE TAX APPEALS AND TAX COMPLAINTS**

**WHEREAS**, statutory provision is made for review and correction of errors prior to certification of an assessment list, and

**WHEREAS**, provision is also allowed for the discovery and correction of errors after establishment of the tax rate, and

**WHEREAS**, changes in property ownership at times necessitates adjustments in the veterans and/or senior citizens deductions allowed on the assessment list, and

**WHEREAS**, responsibility for maintenance and correction of the assessment list rests with the local assessor, subject to laws and regulations, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, that the assessor, fulfilling the duties and requirements of his office, be authorized, subject to the approval of the Township Committee, to file with the Cumberland County Board of Taxation such appeals as may be necessary to maintain accuracy and equality in the assessment list of Upper Deerfield Township.

**BE IT FURTHER RESOLVED**, that the Tax Assessor is hereby authorized, subject to the approval of the Township Committee, to file with the Cumberland County Board of Taxation, rollback complaints; and

**BE IT FURTHER RESOLVED**, that the assessor is hereby authorized, subject to the approval of the Township Committee, to execute stipulations of settlement on behalf of the Township of Upper Deerfield.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution accompany any appeal filed by the assessor with the Cumberland County Board of Taxation.

**RESOLUTION 12-27**

**AUTHORIZING AGREEMENT BETWEEN COUNTY OF CUMBERLAND AND TOWNSHIP OF  
UPPER DEERFIELD REGARDING THE ALLIANCE FOR SUBSTANCE ABUSE PREVENTION**

**WHEREAS**, the Township of Upper Deerfield has acted as a financial administrator on behalf of the Township of Upper Deerfield and other participating municipalities in the operation of Alliance to Prevent Alcoholism and Drug Abuse Program; and

**WHEREAS**, the Township of Upper Deerfield is a participating member of the consortium of communities participating in the Alliance for Substance Abuse Prevention Program; and

**WHEREAS**, the County of Cumberland has offered grant funds to the Township of Upper Deerfield and the participating consortium of other municipalities for their use in connection with the Alliance for Substance Abuse Prevention (ASAP) in the amount of \$39,000; and

**WHEREAS**, the County of Cumberland and Township of Upper Deerfield have been requested to enter into a letter agreement concerning the administration of funds; and

**WHEREAS**, as agreement between County of Cumberland and Township of Upper Deerfield is exempt from the public bidding requirements of N.J.S.A. 40A:11-1, et seq.;

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield that a Letter of Agreement between the County of Cumberland and the Township of Upper Deerfield, on behalf of the participating consortium of municipalities for the administration of 2012 grant funds in the amount of \$39,000.00 may be entered into between the Township of Upper Deerfield and the County of Cumberland; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that the Mayor and Township Clerk be and are hereby authorized to execute the Letter of Agreement with the County of Cumberland, a copy of which shall remain on file for public inspection in the Clerk's Office of the Township of Upper Deerfield.

### **RESOLUTION 12-28**

#### **AUTHORIZING GRANT AGREEMENT WITH THE CUMBERLAND COUNTY BOARD OF CHOSEN FREEHOLDERS/OFFICE ON AGING AND DISABLED**

**WHEREAS**, the Township of Upper Deerfield desires to enter into a grant agreement with the Cumberland County Board of Chosen Freeholders/Office on Aging and Disabled for funding in the amount of \$4,656.00 to carry out educational and recreational programs for the seniors through the Older Americans Act Title III-B.

**BE IT THEREFORE RESOLVED** by The Township Committee of the Township of Upper Deerfield in the County of Cumberland, that the Township of Upper Deerfield does hereby authorize entering into a grant agreement with the Cumberland County Board of Chosen Freeholders/Office on Aging and Disabled, and does further, upon the execution of such an agreement, authorize the expenditure of such funds pursuant to the terms of said contract between the Township of Upper Deerfield and the Cumberland County Board of Chosen Freeholders.

**BE IT FURTHER RESOLVED** that James P. Crilley, Mayor and/or the Township Clerk, Roy J. Spoltore, be and they are hereby authorized to sign the application, the contract and any other documents necessary in connection therewith:

### **RESOLUTION 12-29**

#### **REGARDING USE OF CONVENIENCE CENTER STICKERS**

**WHEREAS**, Section 55-21 of the Code of the Township of Upper Deerfield establishes, among other things, fees and residency requirements with respect to the issuance of vehicle stickers for use of the Township Convenience and Recycling Center; and

**WHEREAS**, the aforesaid provisions authorize the promulgation of rules and regulations regarding the use of such stickers to the Township Committee by resolution; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of clarifying requirements with respect to the issuance and use of stickers for use by residences of the Township Convenience and Recycling Center; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is concerned that the issuance of stickers without having such identification stickers affixed to vehicle registered at a bona fide

single family rental or single family owner occupied unit within the Township of Upper Deerfield, would foster and promote unauthorized use of the Township Convenience Center.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield that no identification stickers shall be issued to any individual owned or renting a single family detached dwelling or unit within the Township of Upper Deerfield unless a valid registration is presented to the Township of Upper Deerfield identifying such vehicle as a vehicle owned or leased by an individual residing within the Township of Upper Deerfield in accordance with Chapter 55-21 of the Code of the Township of Upper Deerfield; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that no stickers shall be issued to individuals and no identification sticker, pursuant to Chapter 55-21 of the Code of the Township of Upper Deerfield, shall be issued unless it is attached to a vehicle validly registered to an address within the Township of Upper Deerfield in order to prevent misuse by unauthorized persons or persons who are not residents of the Township of Upper Deerfield.

## **RESOLUTION 12-30**

### **AUTHORIZING CONTRACT WITH CUMBERLAND DEVELOPMENT CORPORATION**

**WHEREAS**, the Township of Upper Deerfield (Township) is a member of the Cumberland Development Corporation (CDC) having authorized its formation by Resolution # 8951 adopted on August 3, 1995; and

**WHEREAS**, the CDC has proposed to act as a consultant to the Township to provide economic development assistance and economic development services; and

**WHEREAS**, the Township share of annual cost of CDC operations is \$16,440 based upon a formula mutually agreed to and adopted by the CDC Directors; and

**WHEREAS**, the services to be provided are economic development services, which are of a special and qualitative nature, requiring extensive training in the field of economic development and the consultant, CDC, was created and exists for the specific purpose of providing economic development services to the member municipalities and the Township finds that this contract qualifies as extraordinary unspecifiable services as defined by N.J.S.A 40A:11-2(7) and the contract can be entered into without competitive bidding as specified in N.J.S.A 40A:11-5(1)(a)(ii), and the contract, itself, must be available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield as follows:

1. The Mayor of the Township of Upper Deerfield is authorized to execute a consulting agreement with the Cumberland Development Corporation; and
2. This contract is awarded without competitive bidding as an extraordinary unspecifiable service in accordance with N.J.S.A. 40A:11-2(7) of the Local Public Contracts Law; and
3. A copy of the agreement has been filed with the Township Clerk and is available for public inspection in the office of the Township Clerk during normal business hours; and

4. Upon adoption of the 2012 temporary budget, a purchase order in the amount of the annual cost of the retainer will be encumbered and serve as a certification of availability of funds.

5. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Cumberland Development Corporation in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield.

## **RESOLUTION 12-31**

### **APPOINTING PUBLIC DEFENDER FOR UPPER DEERFIELD MUNICIPAL COURT STEPHEN KERNAN**

**WHEREAS**, there exists the need for the “Professional Services” of a TOWNSHIP PUBLIC DEFENDER, to be retained by the Township for the performance of legal services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A.40A:11-1, et seq. requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and

**WHEREAS**, Stephen Kernan, Esquire has completed and submitted a Business Entity Disclosure Certification which certifies that Stephen Kernan, Esquire will not make any reportable contributions pursuant to N.J.S.A.19:44A-1 et seq. commencing January 1, 2012 to any political committee or candidate through the term of this contract in excess of reportable limits; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of appointing Stephen Kernan, Esquire as Public Defender for the Municipal Court of the Township of Upper Deerfield for a one year term to expire December 31, 2012 with a monthly compensation in the amount of \$520 pursuant to a Professional Service Contract for the year 2012.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

16. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
17. That Stephen Kernan of Bridgeton, New Jersey, an attorney authorized to practice law by the Supreme Court of the State of New Jersey, be appointed Public Defender for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by an attorney, and shall receive compensation in accordance with terms of the contract on file in the clerks office.
18. That the aforesaid contract is awarded pursuant to competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the

drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.

19. Upon adoption of the 2012 temporary budget, a purchase order in the amount of the annual cost of the contract will be encumbered and serve as a certification of availability of funds.
20. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Stephen Kernan in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

## **RESOLUTION 12-32**

### **APPOINTING PROSECUTOR FOR UPPER DEERFIELD MUNICIPAL COURT EDWARD DUFFY**

**WHEREAS**, there exists the need for the “Professional Services” of a PROSECUTOR FOR MUNICIPAL COURT, to be retained by the Township for the performance of legal services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Township of Upper Deerfield has advertised Requests for Proposals for the position of Prosecutor for Municipal Court of the Township of Upper Deerfield; and

**WHEREAS**, Edward Duffy, Esquire has submitted a response to the Request for Proposal; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of awarding the Request for Proposal to Edward Duffy, Esquire and appointing him as Prosecutor for Municipal Court of the Township of Upper Deerfield for a one year term to expire December 31, 2012 with a monthly compensation in the amount of \$1,248 pursuant to a Professional Service Contract for the year 2012.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

21. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
22. That Edward Duffy of Vineland, New Jersey, an attorney authorized to practice law by the Supreme Court of the State of New Jersey, be appointed Upper Deerfield Municipal Court Prosecutor for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by a prosecutor, and shall receive compensation in accordance with terms of the contract on file in the clerks office.

23. That the aforesaid contract is awarded pursuant to competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
24. As an employee of the Township, the salary of the prosecutor is contained within the temporary budget and will be included in the adopted budget. The prorated amount of potential additional professional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
25. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Edward Duffy in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

### **RESOLUTION 12-33**

#### **AUTHORIZING CONTRACTUAL SERVICES FOR MUNICIPAL COURT**

**WHEREAS**, the Township of Upper Deerfield is desirous of providing services required for the conduct of Municipal Court; and

**WHEREAS**, the Township has received quotations with respect to the charges for such services for Court Interpreter and Court Security; and

**WHEREAS**, the annual amount of such services is less than the bid threshold.

**NOW, THEREFORE, BE IT RESOLVED** that the Court Interpreter be paid \$100 per court session and the court security guard be paid \$15 per hour per court session for the 2012 court year; and.

**BE IT FURTHER RESOLVED**, that upon adoption of the 2012 temporary budget, a purchase order in the amount of the annual cost of the retainer will be encumbered and serve as a certification of availability of funds.

### **RESOLUTION # 12-34**

**AUTHORIZING THE PURCHASE OF MATERIALS, SUPPLIES OR EQUIPMENT  
UNDER A CONTRACT OR CONTRACTS ENTERED INTO ON BEHALF  
OF THE STATE BY THE NEW JERSEY DIVISION OF PURCHASE AND PROPERTY**

**WHEREAS**, , in the past, the Township of Upper Deerfield has availed itself of the right to purchase materials, supplies and equipment entered into on behalf of the State of New Jersey the Treasury pursuant to N.J.S.A. 40A:11-12; and

**WHEREAS**, it is desirable from time-to-time to obtain materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State by the said Division without the necessity of advertising for bids, or in the cases where no bids have been received; and

**WHEREAS**, it is contemplated that it will be necessary or desirable to obtain materials, supplies and equipment from vendors listed on Schedule A which is attached to, and made a part of, this resolution under such contract or contracts entered into on behalf of the State of New Jersey by the NJ Division of Purchase and Property during the fiscal year 2012.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey as follows:

1. That the purchases by the Township of Upper Deerfield, through the various municipal departments, shall be purchased under a contract or contracts for such materials, supplies or equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury in those cases where it is desirable and in the best interest of the Township of Upper Deerfield, and in those cases where bids have been sought by advertisement and, therefore, no bids are received.
2. That a copy of the Resolution and Schedule A be forwarded to the Township Administrator, all Department Heads of the Township of Upper Deerfield, Township Auditor, and any other party in interest.

**SEE ATTACHED SCHEDULE A**

**RESOLUTION 12-35**

**APPOINTING PLANNING BOARD SOLICITOR  
MATTHEW RITTER & THEODORE H. RITTER**

**WHEREAS**, there exists the need for the “Professional Services” of a TOWNSHIP PLANNING BOARD SOLICITOR, to be retained by the Township for the performance of legal services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Township of Upper Deerfield has advertised Requests for Proposals for the position of Township Solicitor of the Township of Upper Deerfield; and

**WHEREAS**, Matthew Ritter, Esquire & Theodore H. Ritter, Esquire of the Ritter Law Firm have submitted a response to the Request for Proposal; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of awarding the Request for Proposal to Matthew Ritter, Esquire & Theodore H. Ritter, Esquire and appointing them as Township Planning Board Solicitor of the Township of Upper Deerfield pursuant to a Professional Service Contract for the year 2012.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

17. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
18. That Matthew Ritter, Esquire & Theodore H. Ritter of Bridgeton, New Jersey, are attorneys authorized to practice law by the Supreme Court of the State of New Jersey, be appointed Township Planning Board Solicitor for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by an attorney, and shall receive compensation in accordance with terms of the contract on file in the clerks office.
19. That the aforesaid contract is awarded pursuant to competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
20. Upon adoption of the 2012 temporary budget, a purchase order in the amount of the annual cost of the retainer will be encumbered and serve as a certification of availability of funds. The prorated amount of potential additional professional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
21. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Matthew Ritter, Esquire & Theodore Ritter in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield.

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

## **RESOLUTION 12-36**

### **APPOINTING PLANNING BOARD PLANNER – RANDALL SCHEULE**

**WHEREAS**, there exists the need for the “Professional Services” of a TOWNSHIP PLANNING BOARD PLANNER, to be retained by the Township for the performance of planning services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Township of Upper Deerfield has advertised Requests for Proposals for the position of Township Planning Board Planner of the Township of Upper Deerfield; and

**WHEREAS**, Randall Scheule, PP of the Karabashian Eddington Planning Group has submitted a response to the Request for Proposal; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of awarding the Request for Proposal to Randall Scheule, PP and appointing him as Township Planning Board Planner of the Township of Upper Deerfield pursuant to a Professional Service Contract for the year 2012.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

22. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
23. That Randall Scheule of Mays Landing, New Jersey, a Professional Planner in the State of New Jersey, be appointed Township Planning Board Planner for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by a planner, and shall receive compensation in accordance with terms of the contract on file in the clerk's office.
24. That the aforesaid contract is awarded pursuant to competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
25. Upon adoption of the 2012 temporary budget, a purchase order in the amount of the annual cost of the retainer will be encumbered and serve as a certification of availability of funds. The prorated amount of potential additional professional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
26. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Randall Scheule in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield.

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

## **RESOLUTION 12-37**

### **APPOINTING PLANNING BOARD ENGINEER – ROBERT DUBOIS**

**WHEREAS**, there exists the need for the "Professional Services" of a TOWNSHIP PLANNING BOARD ENGINEER, to be retained by the Township for the performance of planning services and related

duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Township of Upper Deerfield has advertised Requests for Proposals for the position of Township Planning Board Engineer of the Township of Upper Deerfield; and

**WHEREAS**, Robert DuBois, P.E. has submitted a response to the Request for Proposal; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of awarding the Request for Proposal to Robert DuBois, PE and appointing him as Township Planning Board Engineer of the Township of Upper Deerfield pursuant to a Professional Service Contract for the year 2011.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

27. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
28. That Robert DuBois of Ocean City, New Jersey, a Professional Engineer in the State of New Jersey, be appointed Township Planning Board Engineer for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by an engineer, and shall receive compensation in accordance with terms of the contract on file in the clerk's office.
29. That the aforesaid contract is awarded pursuant to competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
30. Upon adoption of the 2012 temporary budget, a purchase order in the amount of the annual cost of the retainer will be encumbered and serve as a certification of availability of funds. The prorated amount of potential additional professional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
31. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Robert DuBois in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield.

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

## **AUTHORIZING PROFESSIONAL SERVICE AGREEMENT LOUIS C. JOYCE IV**

**WHEREAS**, there exists a need for professional planning services in the Township of Upper Deerfield; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for professional services without competitive bids, and the contract itself, must be available for public inspection; and

**WHEREAS**, the Township Committee deems it to be in the best interests of the residents of the Township of Upper Deerfield to award a contract for planning services to Louis C. Joyce, IV, PP, AICP for the provision of planning services in connection with the following projects:

1. Completion and preparation of Housing Element and Fair Share Housing Plan for approval by either the Council on Affordable Housing or the Court in the matter of Sunset Lake 100, LLC v. Township of Upper Deerfield, Docket No. L-178-03;
2. Such other special projects as the Township Committee may approve from time to time in connection with planning, zoning, and redevelopment.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That Louis C, Joyce, IV of Alloway, New Jersey, a Professional Planner in the State of New Jersey, be appointed special project Planner for Upper Deerfield Township for the year 2012 to perform professional services ordinarily provided by a planner, and shall receive compensation , for the provision of planning services at \$95 an hour for the projects outlined.
3. That the aforesaid contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
4. The professional fees contained within the aforementioned contract will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
5. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and subject to the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq., in that the contractor has agreed to execute the Pay to Play exemption certification and has or will certify that the contractor has not during the last 12 months preceding the award of this contract nor during the succeeding 12 months contributed or will contribute campaign contributions in excess of reportable limits in accordance with the aforesaid legislation; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Louis C. Joyce, IV in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield.

**RESOLUTION 12-39**

**AUTHORIZING CONTRACTS FOR SENIOR CENTER COURSE INSTRUCTORS**

**WHEREAS**, the Township of Upper Deerfield is desirous of providing instructional courses at the Senior Center throughout the year.

**NOW, THEREFORE, BE IT RESOLVED**, that the following instructors be compensated as a private contractor at a rate of \$10 per hour of instruction in 2012:

Ann Beckett  
Irene Elwell  
Faith Connelly  
Mildred Gibe  
Kathleen Hamilton  
Cindy Hepner  
Leah Morris  
Janice Pierce  
Alice Simpkins

**RESOLUTION 12-40**

**APPOINTING SURVEYOR FOR TAX MAP MAINTENANCE  
KARL G. GLEISSNER**

**WHEREAS**, there exists the need for the “Professional Services” of a SURVEYOR FOR TAX MAP MAINTENANCE, to be retained by the Township for the performance of surveying services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, Karl C. Gleissner, P.L.S. has submitted a proposal; and

**WHEREAS**, the Township Committee of the Township of Upper Deerfield is desirous of awarding the proposal to Karl C. Gleissner, P.L.S. and appointing him as the surveyor for tax map maintenance, of the Township of Upper Deerfield pursuant to a Professional Service Contract for the year 2012;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

32. That the allegations of the preamble hereto are incorporated herein as if fully set forth.

33. That Karl C. Gleissner, P.L.S. of Bridgeton, New Jersey, a professional land surveyor authorized to practice in the State of New Jersey, be awarded the contract to maintain and update the tax maps for

Upper Deerfield Township for the year 2012 and shall receive compensation in accordance with terms of the contract on file in the clerks office.

34. That the aforesaid contract is awarded pursuant to competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid contract falls within.
35. The amount of potential fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2012 budget to be certified by the Chief Financial Officer upon adoption of the 2012 budget.
36. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and are hereby authorized to enter into a contract with Karl C. Gleissner, P.L.S. in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

**RESOLUTION 12-41**

**CANCELING CERTAIN OUTSTANDING CHECKS FOR  
UPPER DEERFIELD MUNICIPAL COURT**

**WHEREAS**, certain outstanding checks have been carried on the books of the Township of Upper Deerfield Municipal Court, County of Cumberland and State of New Jersey; and

**WHEREAS**, certain outstanding checks must be canceled in order to clear the records of the books of the Upper Deerfield Municipal Court;

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield that the following listed outstanding checks for the Municipal Court are hereby canceled and remitted to the Township Treasurer.

Municipal Court Account # 8000169261

<u>Check #</u>	<u>Amount</u>
1769	\$ 1.00
1775	\$ 4.00

1792	\$60.00
1811	\$ 2.00
1833	<u>\$ 2.00</u>
<b>Total</b>	<b>\$69.00</b>

**RESOLUTION 12-42**

**CANCELING CERTAIN OUTSTANDING CHECKS FOR  
UPPER DEERFIELD MUNICIPAL COURT BAIL ACCOUNT**

**WHEREAS**, certain outstanding checks have been carried on the books of the Township of Upper Deerfield Municipal Court, County of Cumberland and State of New Jersey; and

**WHEREAS**, certain outstanding checks must be canceled in order to clear the records of the books of the Upper Deerfield Municipal Court;

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield that the following listed outstanding checks for the Municipal Court are hereby canceled and remitted to the Township Treasurer.

Municipal Court Account # 8000169287

<u>Check #</u>	<u>Amount</u>
2885	\$ 4.00
2894	\$ 2.00
2926	\$ 19.00
2992	<u>\$ 94.00</u>
<b>Total</b>	<b>\$119.00</b>

**RESOLUTION 12-43**

**SUPPORTING RUTGERS UNIVERSITY AND AMERICAN LITTORAL SOCIETY  
APPLICATION TO THE US EPA URBAN WATERS SMALL GRANTS**

**WHEREAS**, The Township of Upper Deerfield is within the Cohansey River Watershed and shares both the river and several associated lakes with adjoining communities such as the City of Bridgeton; and

**WHEREAS**, these aquatic resources have become increasingly impacted from pollution, which has greatly diminished recreational uses and enjoyment important to the Township's residents who utilize places like the Bridgeton City Park for swimming, fishing, boating, and other water-related uses; and

**WHEREAS**, The Township recognizes the leadership of the American Littoral Society and Rutgers University in bringing the wider community together to address these water quality issues, and strongly support their efforts to conduct further research, public outreach and education; and

**WHEREAS**, The Township believes these activities will greatly enhance the wider community's understanding of and appreciation for the Cohansey River and promote greater support for implementing

strategies that will improve water quality to a condition compliant with State swimming and fishing standards; and

**WHEREAS**, The Township of Upper Deerfield looks forward to exploring opportunities to be an active partner in these efforts, and is confident that this work will greatly advance efforts to improve the health of the Cohansey River's aquatic environment in tandem with restore recreational uses in the Bridgeton City Park upon which thousands of Cumberland County residents depend.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield that it offers its full support for the successful award of this grant to Rutgers University and the American Littoral Society

James Crilley, Chairman called for a resolution entitled Payment of Bills in the amount of \$1,158,179.80. The Clerk read the resolution by title. On motion of Bruce Peterson seconded by Scott Smith to approve and adopt resolution, unanimously carried on a roll call vote, 5-0.

**RESOLUTION 12-44**

**PAYMENT OF BILLS**

**WHEREAS**, vouchers have been received as per the attached bill list, and

**WHEREAS**, all charges listed thereon have been approved for payment, and

**WHEREAS**, the goods/services shown therein have been received by the Township of Upper Deerfield,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, that the attached bills in the amount of \$1,158,179.80 be paid, and

**BE IT FURTHER RESOLVED** that the Finance Officer is hereby authorized and directed to issue checks in payment of same.

**MAYOR CRILLEY CALLED FOR APPOINTMENT OF MEMBERS OF THE TOWNSHIP COMMITTEE TO SERVE AS COMMITTEEMEN-IN-CHARGE OF VARIOUS SUBCOMMITTEES AND DIVISIONS OF MUNICIPAL GOVERNMENT FOR THE YEAR 2012.**

**ASSIGNMENT**

CRHS Board Liaison  
Development Regulations  
Economic Development  
Environmental Regulations  
Finance  
Local School Board Liaison  
Member of S.J. Rail Lines  
Personnel  
Public Safety  
Public Works Dept.  
Recreation

**COMMITTEEMAN IN CHARGE**

James P. Crilley  
Bruce T. Peterson  
James P. Crilley  
John T. O'Neill, Sr. and Bruce T. Peterson  
Bruce T. Peterson and James P. Crilley  
John L. Daddario  
Bruce T. Peterson  
John T. O'Neill, Sr. and James P. Crilley  
John L. Daddario  
Scott Smith and John L. Daddario  
John L. Daddario

Recycling Center  
Sanitary Sewer and Public Water Systems  
Senior Center Liaison  
Street Lighting

Bruce T. Peterson  
John T. O'Neill, Sr. and Scott Smith  
John T. O'Neill, Sr. and James P. Crilley  
John L. Daddario and Bruce Peterson

**APPOINTMENTS BY THE CHAIRMAN FOR VARIOUS BOARDS, COMMISSIONS AND COMMITTEES WITH CONSENT OF THE COMMITTEE.**

**ENVIRONMENTAL COMMISSION**

Steven Smith	12/31/14
Kenneth R. Lavine	12/31/14
Alternate #1 – Caroline Owens	12/31/13
Secretary, Teresa Warburton	12/31/12

**INDUSTRIAL COMMISSION/ECONOMIC DEVELOPMENT COMMITTEE**

Russell Vanella	12/31/16
Secretary, Terry Stiles	12/31/12

**RECREATION COMMISSION**

Amy Colaneri	12/31/14
Dennis Casper	12/31/14
Kenneth R. Lavine	12/31/14
Alternate #2 – George Taylor, III	12/31/13
Secretary, Amy Colaneri	12/31/12

**PLANNING BOARD**

(Class I, II & III - 1 Year Term)

<b>Class I</b> John T. O'Neill, Sr.	<b>12/31/12</b>
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Class II Edward Fleetwood	12/13/12
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Class III Scott Smith	12/31/12
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<b>Class IV Edward Overdevest</b>	<b>12/31/15</b>
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Alternate #1 Jack Waselik	12/31/12
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Alternate #2 Lou Bramante	12/31/13
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Secretary, Vicki Vagnarelli	12/31/12
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Chairman Crilley asked for a Motion to approve appointments to Commissions, Boards & Committees, on motion by Mr. Peterson, seconded by Mr. O'Neill, the appointments were unanimously approved.

**COMMITTEE COMMENTS**

John Daddario thanked everyone for their hard work and dedication on the Committee, noting it is a good group of individuals who do what is right for the Township. He added he was very happy that Jim Crilley returned as the Mayor and welcomed John T. O'Neill, Sr. as the new deputy Mayor for 2012.

Scott Smith welcomed back Jim Crilley as Mayor and wished John T. O'Neill, Sr. good luck as Deputy Mayor. He stated that it is a pleasure working with the committeemen.

Bruce Peterson welcomed back Jim Crilley, and stated that it is a pleasure to have John T. O'Neill, Sr. serve as Deputy Mayor in 2012. He also congratulated and thanked all of the volunteers and appointed board members who make the Township function properly. He also went on to say that the Township Committee is the best group of individuals he has worked with in the public sector. They are dedicated to the Township, no politics are involved, and everyone is here for the right reasons.

John T. O'Neill, Sr. wished everyone a Happy and Healthy New Year. Mr. O'Neill thanked his wife for her support. Mr. O'Neill also thanked the Committeemen for their support as Deputy Mayor. He added that this committee works as a team and politics are left at the door. Mr. O'Neill thanked the staff and professionals for their support and the information they provide to the Committee that allows the Township Committee to make informed decisions.

Mayor Crilley thanked Carl Kirstein for administering the oath of office, Deacon Carmen Bischer for his participation in the meeting and his family in attendance. Mr. Crilley reported that his wife, Mary Lynn, is working hard to get back. Mr. Crilley thanked the Committee for their support and noted this Committee has one agenda and that is to serve the Township. Mr. Crilley congratulated Mr. O'Neill on his appointment as Deputy Mayor, and thanked Bruce Peterson for his service this past year as Deputy Mayor and for serving as Chairman of the Bostwick Lake Commission. The Chairman stated that the Township has a vision for the growth of the Township through the Master Plan and will take whatever measures are needed to preserve these goals. The Township completed the upgrades to its water facilities so that its residents could have safe drinking water this past year as the Chairman thanked Ted Baker, Brian Murphy and Roy Spoltore for their work. Mr. Crilley added that Shared Services is a top priority and the Township will be hosting a Regional Court consisting of seven municipalities from Cumberland County and one municipality from Salem County beginning in February. Shared services have to happen and ultimately it effects lives, but as elected officials we have to do what is best for the community. Mayor Crilley went on to recognize the real heroes of the Township as the volunteers who serve as fire members, EMT's, coaches, and those serving on various boards and committees. The Chairman thanked the staff for their service to the residents and concluded by wishing everyone a Healthy and Happy New Year.

Cumberland County Freeholder Director Carl Kirstein thanked Mayor Crilley for asking him to be involved in the reorganization meeting. Mr. Kirstein noted that he served on the Township Committee with George Joyce. He added that he was proud of what the volunteers in the community continue to do and how the Township Committee is a shining example of how government should work. Mr. Kirstein concluded that he hopes the County and the Township can continue to work together as Upper Deerfield Township is well respected throughout the County.

Mayor Crilley asked for all the newly appointed officials present to come forward and be sworn in be Township Solicitor, Ted Baker. After the officials received their Oath of Office, Chairman Crilley invited all present to join the Committee for refreshments and fellowship at the Senior Center.

Benediction was offered by Deacon Carmen Bischer.

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