

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON
THURSDAY, OCTOBER 18, 2018, AT 7:00 P.M. IN THE MUNICIPAL BUILDING,
HIGHWAY 77, SEABROOK, NEW JERSEY, PURSUANT TO NOTICE**

Present were: James Crilley, John T. O'Neill, Sr., Bruce Peterson, Scott Smith and John Daddario all being members of the Township Committee. Also present were: Rocco Tedesco, Solicitor; Roy Spoltore, Township Administrator/Clerk; Chad Ott, Public Works Supervisor and Brian Murphy, Township Engineer.

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

"This meeting is being held in accordance with the "Open Public Meetings Act." Notice of the meeting has been provided and published as required by law in the Daily Journal and The Press, Cumberland County Edition. Notice has also been posted in the Municipal Building. The Clerk shall enter this statement in the minutes of this meeting. In compliance with State Fire Safety Statues the Chairman instructs those present how to exit the room in an emergency.

James Crilley gave an invocation followed by the flag salute led by Bruce Peterson.

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

Joe Lacotte from the Environmental Commission updated the Committee on state legislation pertaining to the taxing or elimination of the single use plastic bag. Some municipalities are introducing ordinances to ban single use bags or adopting resolutions urging the legislators to pass legislation banning the bags. The committee requested more information on the economic impact on business, the position the NJLM of municipalities has taken, check on the governor's veto, and what the new legislation entails. Nancy Ridgway asked if the tax abatement resolution is on the new addition of the entire property. She was informed that it only pertains to the new improvement. Ken Cymbalisky complained about the Planning Board approval a few years ago that allowed six dump trucks to be housed on the Chiarelli property. Rocco Tedesco informed Mr. Cymbalisky that there are no legal standards that permit the Township Committee to direct the Planning Board to have another public hearing on the Chiarelli application. Chris and Jill Worrall of Fox Road informed the Committee that the trucks are still lining up on Fox Road prior to the facility opening at 6 am and applying the jake brakes on the street. They Worrall's asked about the blue flags on Fox Road, what the speed limit is on Fox Road and informed the Committee that they have declined an offer from K & E to purchase their home. The Solicitor reminded the Worrall's that the Township Committee has no jurisdiction over a planning board approval. The next time the plan will be up for review by the Planning Board will be sometime in 2019 when the neighbors can present their concerns about the operation of the facility. Dean Hawk suggested that the Planning Board resolution be reviewed in light of the neighbor's concerns. Mr. Hawk was informed that the zoning officer has gone over the resolution with the neighbors.

There being no further public comments Chairman James Crilley called for the approval of minutes for the meeting of October 4, 2018. On a motion of Bruce Peterson, seconded by Scott Smith, to dispense with the reading of the minutes, and to accept the minutes as received, unanimously approved, 5-0.

John T. O'Neill, Sr., Vice Chairman called for a discussion and introduction of an ordinance entitled, Rescinding Section 255-24 of the Code of the Township of Upper Deerfield. The Clerk read the proposed Ordinance by title. Roy Spoltore gave an overview of the proposed ordinance. On motion of Bruce Peterson, seconded by John O'Neill to approve and adopt proposed ordinance on first reading and setting the date for public hearing on November 1, 2018 at 7:00 pm and was carried 5-0 on a roll call vote. The Chairman instructed the Clerk to advertise same in the Daily Journal as required by law and copies to be made available upon request.

INSERT ORDINANCE

Chairman James Crilley called for a resolution entitled Abatement for Improvement, Conversion or Construction of Property – KMT Properties LLC. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by Scott Smith to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

Chairman James Crilley called for a resolution entitled Tax Payments to be Refunded. The Clerk read the resolution by title. On motion of John O'Neill, seconded by Scott Smith to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

Chairman James Crilley called for a resolution Purchasing Rock Salt Through a Cooperative Price Contract with the County of Cumberland. The Clerk read the resolution by title. On motion of John Daddario, seconded by Scott Smith to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

Chairman James Crilley called for a resolution entitled Payment of Bills in the amount of \$1,285,236.33. On motion of Bruce Peterson, seconded by John O'Neill to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

COMMITTEE COMMENTS

John Daddario did not have a report this evening.

Scott Smith did not have a report this evening.

Bruce Peterson reminded everyone that Halloween was on Wednesday October 31st between 4 and 7 pm and the Veterans Day Ceremony will be on Saturday, November 1st at 10 am.

John T. O'Neill, Sr. reported that the preliminary water test for the new pilot well showed high iron and radionucleides and low nitrates.

Mayor Crilley reported that seven individuals or businesses with ties to Upper Deerfield will be honored at the Bridgeton Chamber of Commerce Business Salute Diner on October 25th. He also noted that there were various media outlets in New York and Philadelphia that tried to link Upper

Deerfield's Halloween guidelines with municipal ordinances in other states that made it criminal for older participants to go Trick or Treating.

ADMINISTRATOR'S REPORT

Roy Spoltore reported that the Letter of Intent was submitted to NJEIT for the replacement of the Seabrook Water Tower Committee. The office manager at countryside wanted to know if the Township would change ownership of Deerfield Drive, Pearson Drive, Vilms Street and Ichisaka Way from the Township to Countryside Village. The committee agreed to proceed with the necessary ordinance to turn these municipal roads to private roads within the development. Mr. Spoltore discussed the state's Best Practices worksheet for 2018 and went over the couple of questions that will be answered negatively. The NJLM advisory and September departmental reports are included in the packet for review.

SOLICITOR'S REPORT

The Solicitor had items for closed session this evening.

At this time Chairman James Crilley opened the meeting for additional public comments. Nancy Ridgway of Irving Avenue stated that a lot of money is now being spent on Halloween.

With no further public comments and no further business to come before the Committee Chairman James Crilley, called for a resolution Authorizing Closed Session to for a resolution Authorizing Closed Session to update the Committee on contracts, litigation and other matters requiring attorney client privileged confidential communications. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by Scott Smith to approve and adopt resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

The Committee reopened the public portion of the meeting on a motion of Bruce Peterson, seconded by John O'Neill and unanimously carried.

With no public comments and no further business to come before the Committee, on a motion of Bruce Peterson, seconded by Scott Smith to adjourn the meeting, and unanimously carried.

Respectfully submitted,

Teresa L. Warburton, Recording Secretary

Roy J. Spoltore, Township Clerk