

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON
THURSDAY, NOVEMBER 1, 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; Amy Colaneri, CFO; 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 Scott Smith.

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

On a motion by Bruce Peterson, seconded by Scott Smith and unanimously approved, Amy Colaneri was appointed as temporary recording secretary for the meeting. There being no public comments, Chairman James Crilley called for the approval of minutes for the meeting of October 18, 2018. On a motion of John O'Neill, seconded by Bruce Peterson, to dispense with the reading of the minutes and to accept the minutes as received, unanimously approved, 5-0.

James Crilley, Chairman called for a public hearing on an ordinance entitled, Rescinding Section 255-24 of the Code of the Township of Upper Deerfield. The Acting Clerk read the proposed Ordinance by title. On motion of Scott Smith, seconded by Bruce Peterson, to open the meeting for a public hearing on the proposed ordinance, and unanimously carried. The Chairman instructed the Acting Clerk to distribute copies to those present. There being no public comments, on motion of Bruce Peterson, seconded by John O'Neill, Sr. to close the public hearing and unanimously carried. On motion of Bruce Peterson, seconded by John Daddario to approve and adopt proposed ordinance, unanimously carried 5-0 on a roll call vote.

INSERT ORDINANCE

Chairman James Crilley called for a resolution entitled Approval of Change Order #1 Small Cities – Hild. The Acting 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 Approval of Change Order #1 Small Cities – Lawson. The Acting Clerk read the resolution by title. 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

Chairman James Crilley called for a resolution entitled Imposing Lien on Block 1202, Lot 7 – 1241 Highway 77- Bergen Square Community Development. The Acting 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 Imposing Lien on Block 906, Lot 4 – 1117 First Avenue - Butler. The Acting Clerk read the resolution by title. On motion of Scott Smith, seconded by Bruce Peterson 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 Imposing Lien on Block 1105, Lot 35 – 18 Partridge Court – Moore. The Acting Clerk read the resolution by title. 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

Chairman James Crilley called for a resolution entitled 2018 Budget Transfer. The Acting 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 Authorizing Inter-local Service Agreement between the Township of Upper Deerfield and Township of Stow Creek with Respect to the Provision of Construction Code Services. The Acting Clerk read the resolution by title. On motion of Scott Smith, seconded by John T. O'Neill 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 Authorizing Execution of a Final Settlement Agreement with Fair Share Housing Center for the Settlement of the Declaratory Judgment Action to Establish the Township's Third Round Affordable Housing Obligation. The Acting Clerk read the resolution by title. Rocco Tedesco informed the Committee that this is the next to last step to reach an agreement on affordable housing for the gap years and round three. If the Township Committee authorizes the agreement, a "Fairness Hearing" will take place in Superior Court on December 18, 2018. The court will review the agreement and determine if it has been done fairly. Bruce Peterson stated that it has been a long process and appreciates the hard work that has taken place to get it to a settlement. 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

Chairman James Crilley called for a resolution entitled Payment of Bills in the amount of \$2,219,449.47. The Acting 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

COMMITTEE COMMENTS

John Daddario did not have a report this evening.

Scott Smith made a motion, seconded by John Daddario to purchase a battery powered Hertz Ram Package for the rescue truck in the amount of \$7,450, unanimously carried 5-0 on a roll call vote. Mr. Smith added that leaf collection will begin on Monday Nov. 5th.

Bruce Peterson reported that the County has compiled information on the feral cat issue including a model ordinance. The solicitor will review the information and work with Mr. Peterson to present an ordinance that will be acceptable to the Township

John T. O'Neill, Sr. stated that the resolution of the affordable housing issue before the Township is a good document.

Mayor Crilley reported that the CS Regional Court Committee had a good meeting on Monday. The Mayor reminded everyone that the Township Veterans Day ceremony will be held on Saturday, November 3rd and fire company #3 will hold their breakfast on Sunday Nov. 4th. The Township Committee wants to see the contents of the final state legislative bill pertaining to the taxing or elimination of single use plastic bags and other potential items before taking a position. At the Mayor Freeholder meeting the CCIA proposed municipalities utilizing a parts house operation at the landfill, Atlantic Electric made a presentation and a 5 year plan for county road projects was distributed. DiLisi's Ristorante will have a 40th anniversary ribbon cutting ceremony on Nov. 12th.

Bruce Peterson read an article in the Daily Journal that the NJ State Police will be occupying space in the old National Freight offices now owned by the CCIA. The Committee wants to know why the offices are not being housed in the Upper Deerfield offices.

ADMINISTRATOR'S REPORT

Amy Colaneri reported that Roy Spoltore provided documents in this evening's packet pertaining to the remaining budget balances as of Oct. 31st, the state's 2018 best practice worksheet that shows the Township obtained a score of 89% and NJLM advisories.

ENGINEER'S REPORT

Brian Murphy reported that Tom Tedesco, the Township's conflict engineer for K & E land mining operation has been in discussion with the owners about repairing a portion of Fox Road where their dump trucks enter Fox Road. The Committee agreed to have K & E repair that section of the road while they are paving the entrance to their property as per the planning board resolution. Mr. Murphy stated that the local farmers cannot take all of the leaves this year and he has submitted paperwork to

the State to allow the Township to temporarily dispose of the leaves at the convenience center. Mr. Murphy added that he has been talking with Ron Curcio about utilizing a smaller nitrate removal system which will reduce the costs. Mr. Murphy attended a state seminar on storm water basins which will eventually require Tier B communities to implement stricter basin requirements and require the municipalities to keep a log and inspection of all residential and commercial drainage basins. Ricky Slade construction repaired areas that had drainage erosion issues in the Sunset Lake area that were paved this summer.

SOLICITOR'S REPORT

The Solicitor informed the Committee that his office has responded to OPRA complaint before the Government Records Council that the Township does not have a local police force nor does the Township have control over the regional court. Mr. Tedesco discussed a recent bill for an animal cruelty case in the Township. The solicitor explained that he believes the recent state statute makes the County Prosecutor's Office and State Police responsible for animal cruelty cases if a local municipality does not have a local police department. After discussion, the Committee agreed to pay animal control officer, forward the Veterinarian's bill to the County Prosecutor's office and inform all parties of the Township's position. Mr. Tedesco stated that the animal control officer is the only person who can take stray feral cats to the regional animal shelter. After reading the County report on feral cats, the solicitor asked who is paying for the spaying of the feral cats and if the Animal Control officer provided his input on the county study. Mr. Tedesco also reviewed the proposed liquor license bill that is before the state assembly.

At this time Chairman James Crilley opened the meeting for additional public comments. Nancy Ridgway agreed with the Committee on their position with the animal cruelty bill and remembered that K & E had agreed to maintain Fox Road at the planning board meeting. Lisa Kincade asked who was paying to rehab the Seabrook Village homes. The Committee responded that the developer would be responsible.

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 and other matters requiring attorney client privileged confidential communications. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by John Daddario to approve and adopt resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

The Committee reopened the public portion of the meeting on a motion of Bruce Peterson, seconded by Scott Smith and unanimously carried.

There being no further comments or further business to come before the Committee, on motion of Bruce Peterson seconded by John O'Neill to adjourn, unanimously carried.

Respectfully submitted,

Amu Colaneri, Acting Recording Secretary