

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON
THURSDAY, MAY 6, 2021, 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, John Daddario and Scott Smith all being members of the Township Committee. Also present were Rocco Tedesco, Township Solicitor, Roy Spoltore, Township Administrator/Clerk; Chad Ott, Chief of EMS, Brian Murphy, Township Engineer; Teresa Warburton, Recording Secretary, and Amy Colaneri, CFO.

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.

Mike Hendrix of Thoroughbred Court asked about the status of Thoroughbred development and what items are left to be completed. Brian Murphy commented that Fulton Bank has provided a Letter of Credit on behalf of the developer to complete the improvements, which are primarily landscaping and signage. Mr. Hendrix also asked about the swale obstruction on the south basin at the end of the cul-de-sac. Brian Murphy stated that that would need to be addressed and he will put together a report for the first meeting in June 2021.

SEABROOK EAST REDEVELOPMENT AGREEMENT DISCUSSION

John Bibeau reported that on 4/29/2021 a meeting was setup with the Construction Office Officials to view the conditions of six housing units to be rehabbed as affordable housing units in Seabrook Village, 2 additional units would be total gut rehabilitation taken down to the foundation and replaced with new modular units. The other 6 units are currently occupied and will need to have anywhere from \$20,000 to \$40,000 of repair work done, as there was a scope of work prepared for each unit. All the units would have a 30-year deed restriction with qualified tenants for Affordable Housing program. Rocco Tedesco, Solicitor asked the developers to prepare a timeline for the rehab work and how they propose to handle the number of certificate of occupancies to be issued in conjunction with issuing the certificate of occupancies for the affordable housing units. Ron Ruckenstein stated that they have 7 units on hold on site if the affordable housing units need to be constructed within the development. Mr. Ruckenstein and Mr. Bibeau will propose timelines for acquisition, start and completion and have their attorney draw up a draft amendment to the developer's agreement with the proposed modifications.

There being no other public comments Chairman James Crilley called for the approval of minutes for the Meeting of April 15, 2021. 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.

Chairman James Crilley called for a resolution entitled Authorizing Sale of Property Block 406, Lot 26.02 on the Tax Map of the Township of Upper Deerfield, known as 9 Polk Lane. The Clerk read the resolution by title. On motion of Bruce Peterson, seconded by John Daddario to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

Chairman James Crilley called for a resolution Awarding Contract to Water Remediation Technology, LLC as the Component Manufacturer of the Low Waste Nitrate Treatment and Brine Supply System for the Love Lane Water Facility. The Clerk read the resolution by title. Brian Murphy, Engineer reported that there was a \$186,000.00 difference between the 2 proposals and that the project was considered under the competitive contracting law. Rocco Tedesco stated that Ad Edge claimed that WRT did not meet the conditions of the proposal. Brian Murphy and third-party consultant Ray Ferrara of Kleinfeld, did not find any grounds to disqualify the WRT proposal. Mr. Tedesco, Solicitor expressed his confidence that WRT has met bid specifications with the reports from Mr. Murphy and Mr. Ferrara that were presented to the committee and made available on the Township website and bulletin board. 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 Awarding Agreement Between County of Cumberland and Township of Upper Deerfield Regarding the Alliance for Substance Abuse Prevention. The Clerk read the resolution by title. On motion of John Daddario, seconded by John T. O'Neill, Sr. to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

Chairman James Crilley called for a resolution entitled Awarding Contract to Turf Equipment and Supply Company for the Purchase of a Toro Ground master 4110D. 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 Authorizing Coin Drop for Upper Deerfield Cumberland Midget Football League. The Clerk read the resolution by title. On motion of John Daddario, seconded by John T. O'Neill, Sr. to approve and adopt said resolution, unanimously carried 5-0 on a roll call vote.

INSERT RESOLUTION

Chairman James Crilley called for a resolution entitled Payment of Bills in the amount of \$2,545,622.66. 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 commented that the recreation fields are packed, sports are well underway, and it is great to see the activities for the children.

Scott Smith stated that the Planning Board approved a minor subdivision on the corner of Seeley Road and Dubois Road for Zach Large that he is purchasing from his grandfather.

Bruce Peterson commented that there continues to be a need for enforcement at the Connivence Center.

John T. O'Neill, Sr. added that we just need to do the enforcement.

Mayor Crilley reported that at the CDC meeting about off road vehicles ATVs it is problem everywhere and the New Jersey State Police have restrictions on their ability to enforce the state and local statutes. Upper Deerfield has been very active working with everyone for ordinance development. Assemblyman Burzichelli said it is not just a problem in Cumberland County, it is everywhere with the ATV's. Mr. Daddario added that we have created this monster, as there is a total disrespect for authority. The ordinances are in place, but it is a matter of enforcement.

ADMINISTRATOR'S REPORT

Roy Spoltore informed the Committee that Randal Scheule township planner has prepared an ordinance proposal for the Cannabis Grower, he is looking for input from the Township Committee and Planning Board on the proposed ordinance. Township committee asked that this ordinance be sent to Planning Board for comments. Matt Pisarski reached out to the Township for their recommendation for farmland preservation of a 19-acre parcel on Richards Road with an address of 130 Richards Road. The planner reviewed the proposal and found that the property is located outside of the Township's planning area for farmland preservation. On motion of Bruce Peterson, seconded by Scott Smith to oppose farmland preservation for 130 Richards Road as it is outside of the Planning Area, unanimously approved 5-0 on a roll call vote.

ENGINEER'S REPORT

Brian Murphy commented that the Nitrate removal system need to get plans submitted to DEP for there approval. It will take WRT approximately 20 weeks to get the tanks built and delivered to Love Lane. The Love Lane Water system is on quarterly testing and had an 8.61 nitrate test in April and Seabrook Water system is on Annual testing with its last reading being a 5.7 in April 2021.

SOLICITOR'S REPORT

Rocco Tedesco, Solicitor has items for closed session. Also need to retain outside counsel for all tax appeals as Rocco Tedesco is a fish out of the water. Todd Heck handled the conflict case for the township recently Mr. Tedesco has spoke with Brian Rosenberger about this he is ok with the process, KMT & Lidl are the most recent tax appeals to go to tax court. Rocco Tedesco will still handle all the County tax appeals. Todd Heck to handle all the tax court appeals. On motion of Bruce Peterson, seconded by John Daddario, unanimously approved 5-0 on a roll call vote.

INSERT RESOLUTION

At this time Chairman James Crilley opened the meeting for additional public comments. Dean Hawk commented that with the ATVs, if I did not come to these meetings, I would not know how concerned everyone is over the issues. Mayor Crilley replied that information will be included in spring newsletter which goes to all township residents.

Joe Spoltore asked if there is any difference between having the 7 affordable housing credits on site versus having the 8 affordable housing units off site. Mr. Tedesco started that both concepts are included in the current developers agreement.

With no other public comments and no further business to come before the Committee James Crilley, Chairman called for a resolution Authorizing Closed Session to for a resolution Authorizing Closed Session to update the Committee on personnel, contracts, potential litigation 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.

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 comments or further business to come before the Committee, on motion of Bruce Peterson, seconded by John Daddario to adjourn, unanimously carried.

Respectfully submitted,

Teresa L. Warburton
Recording Secretary

Roy J. Spoltore
Township Clerk