

**MINUTES OF THE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
UPPER DEERFIELD, IN THE COUNTY OF CUMBERLAND, HELD ON
THURSDAY, MAY 5, 2011, AT 7:00 P.M. IN THE MUNICIPAL BUILDING,
HIGHWAY 77, SEABROOK, NEW JERSEY, PURSUANT TO NOTICE**

Present were: Bruce Peterson, John Daddario, John T. O'Neill, Sr. and Scott Smith all being members of the Township Committee. Also present were: Theodore Baker, Solicitor; Roy Spoltore, Township Administrator/Clerk; Teresa Warburton, Recording Secretary, Brian Murphy, Township Engineer and David J. Rogers, Supervisor Streets & Recreation. Committeeman James Crilley was absent.

The meeting was called to order by Vice Chairman Bruce Peterson and he read the following public meeting announcement.

"This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of May 5, 2011 was included in a list of meetings notice sent to The News of Cumberland County, on January 11, 2011 and the Press, Cumberland County Edition on January 12, 2011 and advertised in said newspapers on January 13, and January 15, 2011, posted on the bulletin board in the Municipal Building on January 7, 2011 and has remained continuously posted as required notices under the Statue. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Vice Chairman Bruce Peterson asked for a moment of silence which was followed by the flag salute led by John T. O'Neill, Sr.

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

There being no public comments Bruce Peterson, Vice Chairman called for the approval of minutes for the Meeting of April 21, 2011. On motion of John Daddario, seconded by Scott Smith, to dispense with the reading of the minutes, unanimously carried. On motion of John T. O'Neill, Sr., seconded by Scott Smith, to accept the minutes as received, and unanimously approved 4-0.

Bruce Peterson, Vice Chairman called for a public hearing on an ordinance entitled, An Ordinance Adopting A Codification And Revision Of The Ordinance Of The Township Of Upper Deerfield, County of Cumberland, State of New Jersey; Providing for the Maintenance of said code; Repealing and Saving from Repeal Certain Ordinances Not Included Therein; Establishing A Penalty for Altering or Tampering with the Code; Making Certain Changes In Previously Adopted Ordinances; and Zoning Map. The Clerk read the proposed Ordinance by title. On motion of John Daddario., seconded by John T. O'Neill, Sr. to open the meeting for a public hearing on the proposed ordinance and was unanimously carried. The Vice Chairman instructed the Clerk to distribute copies to those present. There being no public comments, on motion of John T. O'Neill, Sr., seconded by Scott Smith to close the public hearing, and unanimously carried. On motion of John T. O'Neill, Sr., seconded by Scott Smith to approve and adopt proposed ordinance, unanimously carried 4-0 on a roll call vote

INSERT ORDINANCE

Bruce Peterson, Vice Chairman called for a public hearing on an ordinance entitled, An Ordinance Amending the Zoning Map of the Township of Upper Deerfield. The Clerk read the proposed

Ordinance by title. On motion of John Daddario., seconded by Scott Smith to open the meeting for a public hearing on the proposed ordinance and was unanimously carried. The Vice Chairman instructed the Clerk to distribute copies to those present. There being no public comments, on motion of John Daddario, seconded by John T. O'Neill, Sr. to close the public hearing, and unanimously carried. On motion of John T. O'Neill, Sr., seconded by Scott Smith to approve and adopt proposed ordinance, unanimously carried 4-0 on a roll call vote

INSERT ORDINANCE

Bruce Peterson, Vice Chairman called for a discussion and introduction of an ordinance entitled, An Ordinance Amending Chapter 328 of the code of the Township of Upper Deerfield With Respect to Water Use and Fees. The Clerk read the proposed Ordinance by title. Mr. O'Neill, Sr. stated that the proposed fee schedule for DCU calculations brings the Township's schedule more in line with how Cumberland County Utilities Authority calculates their fees. The Sewer Connection Capital Expense Fee for new connections is also being reduced to \$2,508 per DCU based on current debt calculations. In addition an escrow fee for tie-in inspections is added. On motion of John T. O'Neill, Sr., seconded by Scott Smith to approve and adopt proposed ordinance on first reading and setting the date for public hearing on June 2, 2011 at 7:00 pm and was unanimously carried 3-0 on a roll call vote with Bruce Peterson abstaining. Mr. Peterson stated that he has not in anyway been involved with the preliminary discussions of the water and sewer ordinances and he is abstaining since he has an undeveloped commercial project in the sewer and water service area. The Vice-Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law.

INSERT ORDINANCE

Bruce Peterson, Vice Chairman called for a discussion and introduction of an ordinance entitled, An Ordinance Amending Chapter 396 of the code of the Township of Upper Deerfield With Respect to Water Use and Fees. The Clerk read the proposed Ordinance by title. Brian Murphy noted that he has reviewed the modifications to the water ordinance and is in agreement with the changes. Mr. Murphy gave a synopsis of the primary changes as follows: monthly billing, minimum charge of \$20 per month for 6,000 gallons, \$3.25 per thousand gallons above monthly allowance, Water Connection Capital Expense Fee of \$3,684, meters for property owners at actual expense, connections to be made by owner from list of pre-qualified contractors, and senior citizen discount of 10% on monthly minimum change. On motion of Scott Smith, seconded by John T. O'Neill, Sr. to approve and adopt proposed ordinance on first reading and setting the date for public hearing on June 2, 2011 at 7:00 pm and was unanimously carried 3-0 on a roll call vote with Bruce Peterson abstaining. The Chairman instructed the Clerk to advertise same in the News of Cumberland County as required by law.

INSERT ORDINANCE

Bruce Peterson, Vice Chairman called for a resolution entitled, Amending Professional Service Agreement with GPM Associates for Engineering Services for the New Seabrook Water Treatment Facility. The Clerk read the resolution by title. Mr. Murphy stated that GPM Associates have had to spend an inordinate amount of time on the site with the contractor, reviewing change order requests and contractor submittals of questions and requiring documented answers. On motion of John T. O'Neill, Sr. seconded by Scott Smith to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

Bruce Peterson, Vice Chairman called for a resolution entitled, Supplying and Delivering VOC – Compliant High Performance Cold Patch through a Cooperative Price Contract with The County of Cumberland. The Clerk read the resolution by title. On motion of Scott Smith., seconded by John Daddario to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

Bruce Peterson, Vice Chairman called for a resolution entitled, Supplying and Laying Hot Mix Asphalt 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 4-0 on a roll call vote.

INSERT RESOLUTION

Bruce Peterson, Vice Chairman called for a resolution entitled Payment of Bills in the amount of \$1,768,304.56. On motion of John T. O'Neill, Sr., seconded by Scott Smith to approve and adopt said resolution, unanimously carried 4-0 on a roll call vote.

INSERT RESOLUTION

COMMITTEE COMMENTS

John Daddario - No Report.

Scott Smith – No report.

John T. O'Neill, Sr. reported that Environmental Commission had a good meeting. Andrea Penny has requested approval for CEU's on May 20, 2011, no time off request, just amount of \$99.00 registration. On motion of John T. O'Neill, Sr., seconded by Scott Smith to allow Andrea Penny to attend class, and was unanimously approved.

Bruce Peterson – reported that an email was distributed at the request of Eileen Clark about the County Open Space for your review. A reminder that the Economic Developments Business Meeting is scheduled for Wednesday, May 18, 2011, from 6pm – 8pm, to network with other business people in the Township to obtain information on options for saving money on energy and communication costs. Mr. Peterson also thanked the staff for a job well done on Community Day.

ADMINISTRATOR’S REPORT

Roy Spoltore informed the committee that the USDA loan for Seabrook water facility has closed. A shared service meeting was held yesterday at Triad to review follow up issues for the grant and the Township will bill municipalities for their portion of the shared service grant match. First quarter analysis reports from MEL, EPL/POL and ACMJIF are in the Committee packets along with recent NJLM Mayoral advisories. The auditors have completed their internal work in the building for the 2010 audit. The new gas fired boilers for the municipal building have been installed. The Township has received \$12,876.38 for the Clean Communities program for 2012. A sample resolution submitted by the NJLM opposing Senate Bill No. 1351 is included was reviewed by the committee regarding open public meeting modifications. On a motion of John Daddario, seconded by Scott Smith, the committee unanimously adopted the resolution to oppose Senate Bill No. 1351.

INSERT RESOLUTION

ENGINEER’S REPORT

Brian Murphy stated that the final connections for commercial customers in Seabrook are being completed, the new line connection for Clement Pappas will be held off until the new bottling plant is tied in to the system. The Schools connections should be completed tomorrow after school. Mathis Construction has been excellent to work with. Two homes in school village still need to be connected. Currently have the approval to disinfect the water tower and put it on line. Mr. Murphy gave an update on Thoroughbred Estates. After a lengthy discussion on the deficiencies of the drainage basins, John Daddario made a motion, seconded by John T. O’Neill, Sr., that the construction office will not accept any new permit application requests or reviews until the drainage basins are functioning properly. However, the pending application for 10 Thoroughbred Court could be issued.

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

Ernest Holt stated that if the Planning Board would have limited the clearing of land to two homes at a time there would not be these drainage issues.

Dean Hawk informed the committee that the Freeholders are considering not collecting the one cent County open space tax. Vice Chairman Peterson noted that the voters approved the open space tax.

Nancy Ridgeway commented that the freeholders are proposing to reduce the property tax burden on the residents by not collecting the penny tax this year for open space. Bruce Peterson added that when it goes away it may not come back. Ms. Ridgeway asked how the re-evaluation is coming

along. Mr. Spoltore stated that the Tax Assessor is in the process of getting the maps over to the Re-valuation company and are in the process of drafting a letter for the Township Committees approval to send out to all of the Township residents.

With no other public comments, Bruce Peterson, Vice Chairman called for a resolution Authorizing Closed Session for public safety. The Clerk read the resolution by title. On motion of John T. O'Neill, Sr., seconded by Scott Smith to approve and adopt resolution, unanimously carried 4-0.

The Township Committee reconvened the public meeting on a motion by Scott Smith, seconded by John Daddario, and unanimously approved.

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

Respectfully submitted,

Teresa L. Warburton, Recording Secretary

Roy J. Spoltore, Township Clerk