

REGULAR MEETING
TOWNSHIP COMMITTEE
MARCH 20, 2019

Chairperson Danna called to order a regular meeting of the Township Committee of the Township of Deerfield, County of Cumberland and State of New Jersey, at the Municipal Building, 736 Landis Avenue, Rosenhayn, at 7:00 p.m.

Chairperson Danna led the flag salute.

The Clerk took roll call and members present included Mrs. O'Brien, Mr. Stanzone, Mr. Brago, Mr. Terrigno and Mr. Danna.

Departmental Reports

The Clerk presented the departmental reports of the Zoning/Housing Officer, Tax Collector, Treasurer, Emergency Management Coordinator and Rosenhayn Fire and Rescue. Mrs. O'Brien made a motion, seconded by Mr. Terrigno to accept and file the departmental reports. The Committee approved.

Resolutions

The Clerk presented Resolution #19-42 Certifying The List Of Volunteer Firefighters Who Have Qualified For The Length Of Service Award Program (LOSAP) Benefits For The Year 2018. Mr. Stanzone made a motion, seconded by Mr. O'Brien to adopt Resolution #19-42. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes
Mr. Brago	Abstain		

The Clerk presented Resolution #19-43 Confirming Governing Body Certification Of Compliance With The United States Equal Employment Opportunity Commission's "Enforcement Guidance On The Consideration Of Arrest And Conviction Records In Employment Decisions Under Title VII Of The Civil Rights Act Of 1964". Mr. Stanzone made a motion, seconded by Mrs. Terrigno to adopt Resolution #19-43. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes
Mr. Brago	Yes		

The Clerk presented Resolution #19-44 Approving Reduction Of Performance Bond Posted By Cedar Rose Winery From \$166,632.00 To \$49,989.60. Mr. Terrigno made a motion, seconded by Mrs. O'Brien to adopt Resolution #19-44. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes
Mr. Brago	Yes		

The Clerk presented Resolution #19-45 Providing For The Payment Of Bills Due To Lack Of Quorum Or Other Circumstances. Mr. Brago made a motion, seconded by Mrs. O'Brien to adopt Resolution #19-45. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes
Mr. Brago	Yes		

The Clerk presented Resolution #19-46 Authorizing The Exclusion Of The Public From A Meeting Of The Township Committee Of The Township Of Deerfield On Wednesday, March 20, 2019 – Said Meeting Pertaining to Personnel And Attorney Client Privilege. Mr. Brago made a motion, seconded by Mrs. O’Brien to adopt Resolution #19-46. Roll Call Vote:

Mr. O’Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzione	Yes	Mr. Danna	Yes
Mr. Brago	Yes		

Old Business

The Clerk presented Reports From Department Chairpersons. Mr. Terrigno reported that he had nothing new to report for streets and roads except that the water issue is being rectified.

Mr. Stanzione stated he had nothing to report for fire and rescue, but noted that the County is going to try and come out on Monday and clean out underneath the bridge and the swale going out from Morton to Kenyon.

As to Recreation, Mr. Brago reported that he and Mr. Stanzione attended the meeting and noted that Mr. Hoffman attended the last Township meeting and gave an update. He also noted that there will a rabies clinic on Saturday from 9 am to 11 am here at the public works garage. Mr. Brago indicated that the Easter Egg Hunt will be held on Saturday, April 13th at 10:00 am.

Mrs. O’Brien stated that she, Mr. Terrigno and the Clerk met with the CCIA to discuss what they deemed as abuse by residents of the landfill. She further stated that there was a compromise reached in a reduction of “bulk waste” days to Wednesdays and Saturdays to better police the bulk waste and regular trash will continue to be accepted Monday through Saturday. Mrs. O’Brien also noted that they will be working on a revised system for getting multiple tags for each household vehicles and making that a better and more seamless process.

Mr. Terrigno indicated that starting the first of year there will be a process for obtaining the new sticker. The Clerk noted that a pamphlet will be mailed outlining the process. Mr. Terrigno continued that residents will go to the new CCIA building on Lebanon Road. He noted that there is no way for the Township to transfer data to the CCIA and let them know who’s in the Township as a homeowner or renter and this will be more efficient so the CCIA will have the data on hand. Mr. Terrigno stated that the Township loses money when outsiders, who have our stickers improperly, go to the landfill. He further stated that this new system will help alleviate the problem and generate revenue.

Mrs. O’Brien stated that the Township is grateful to the CCIA for taking this responsibility off the Township staff as it frees them up to do more work. Mr. Terrigno noted that a pamphlet will go out in the August tax bills detailing the new process.

Mrs. O’Brien indicated that there was an additional discussion as to solar and Mr. Velazquez stated that he is continuing to work with Atlantic City Electric to find options. She further indicated that Mr. Velazquez met with the President of Atlantic City Electric and hopefully can make some headway. Mrs. O’Brien stated that she and Mr. Stanzione are also looking into some other ways to move this along and have spoken to legislators and the Governor’s office, as well as the BPU. She further noted that she spoke with a Board of Education member about opening solar up to the school first to help alleviate

their energy issues which would open up their budget and allow them to spend more money on the children.

The Clerk presented Update-Discussion And Motion For Letter Of Support For Agricultural Sciences Certified Technical Education Program (Cumberland Regional High School). The Clerk indicated there was an email in the packet from Tony Stanzone, Executive Director of Cumberland Development Corp. stating that Mayor Crilley and his Administrator will be having a discussion with Steve Price, Superintendent of the Regional High School to get a draft letter out to the sending districts for their letters of support. The Clerk noted that the draft has not yet been submitted to the municipalities. Mr. Terrigno made a motion, seconded by Mr. Brago to table the discussion and motion for the letter of support. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes
Mr. Brago	Yes		

Mrs. O'Brien also noted that that the municipalities were not clear how this impacts the CCTEC and whether this program would be under the umbrella of CCTEC or independent. She also noted that questions were asked at CDC how the program would be run and get more specific information.

Mr. Brago inquired whether the Recreation Committee votes on a vacant spot or does the Township Committee. It was noted that the Recreation Committee votes on a new member, but the Township Committee would have to approve it.

Mrs. O'Brien stated that during the budget workshop there was a lump sum left over at the end and the money was earmarked for capital improvements and other places where that money might go. She further stated that she has casually canvassed residents she has run into and asked them "what do you think your taxes should pay for?" She noted that answers received were for the school, roads and fire and safety. Mrs. O'Brien felt that the lump sum should not all go to capital improvement and half should go to fire and rescue salaries and wages as requested.

Discussion was held regarding adding the money Mrs. O'Brien mentioned to rescue salaries and wages. It was agreed to discuss the matter at the next meeting and possibly vote to move additional money into that line item for the 2019 municipal budget

New Business

The Clerk presented Discussion And Motion Approving Draft Municipal Consent Ordinance To Be Submitted To The Board Of Public Utilities In Connection With Comcast's Franchise Renewal In The Township Of Deerfield. The Clerk stated that she had sent this item to the Committee via their emails and it's also in their packets this evening. She further stated that the draft was prepared about 2 years and it's been quite some time since it was referred back to the Committee for approval. Solicitor Testa noted that it's Comcast's franchise renewal and it's time for renewal and the Committee needs to approve the renewal and the consent ordinance goes to the Board of Public Utilities for their approval before the Township adopts the Ordinance. Mr. Stanzone made a motion, seconded by Mr. Terrigno to approve the draft Ordinance to be submitted to the Board of Public Utilities in connection with Comcast's franchise renewal. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes
Mr. Brago	Yes		

The Clerk presented Discussion And Motion To Prepare Resolution In Support Of Path To Progress Recommendations Made By New Jersey Economic And Fiscal Policy Workgroup. The Clerk stated that it was an email forwarded to the Committee and a draft of the Resolution was in the packets this evening. She further stated that the Economic and Fiscal Workgroup made several recommendations as to pensions and benefits, shared services etc. She asked if the Committee wanted to do the Resolution in support it could be prepared for the April 3rd meeting. Mr. Stanzone made a motion, seconded by Mr. Terrigno to have the Resolution in Support of Path To Progress Recommendations prepared for April 3, 2019. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes
Mr. Brago	Yes		

The Clerk presented Discussion And Motion Regarding Russell Moore And His Laborer Position And Salary. The Clerk noted that Mr. Moore was given a Rice Notice to discuss his position with the Township. She further noted that Mr. Moore had chosen to have his matter discussed in open session as opposed to closed Executive Session. Mr. Terrigno stated that at the last budget workshop the Committee discussed giving Mr. Moore a raise to \$15 an hour. He further stated that minimum wage is increase to \$15 and he felt that Mr. Moore deserved the raise to be compensated for his outstanding work. He also noted that when the public works supervisor is not available, Mr. Moore can do everything Mr. Shinn does. Mr. Terrigno made a motion, seconded by Mrs. O'Brien to give Mr. Moore a raise to \$15.00 an hour. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes
Mr. Brago	Yes		

Chairperson Danna noted that two quotes were received for a zero turn mower. He further noted that there is approximately \$900 difference between the 2 quotes. Chairperson Danna recommended the lower price of \$8,549 which is the same mower we currently have. The Clerk noted that the money is appropriated in the Capital Ordinance previously adopted.

Communications

The Clerk indicated that there were no communications this evening.

The Clerk presented Resoluton #19-47 for the Payment Of Bills. Mrs. O'Brien made a motion, seconded by Mr. Brago to adopt Resolution #19-47. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes
Mr. Brago	Yes		

Public Comment

Mr. Terrigno made a motion, seconded by Mrs. O'Brien to open the meeting to the public. The Committee approved.

Brian Casper came before the Committee. Mr. Casper stated that he and his wife, Carol, had a food truck built and were asked by the owners of Cumberland Liquor to operate on their property. He further indicated that on Saturday at about 2:30 pm the zoning/housing officer, Anthony Lamanteer, stopped and told them that there is a Township Ordinance about the selling of food. Mr. Casper indicated that he was advised by Mr. Lamanteer that he should shut down which they did. He further indicated that he has gotten a copy of the Ordinance and had an attorney look at it. Mr. Casper stated that there were a few items in the Ordinance that were questionable about being shut down.

Mr. Casper agreed that the Ordinance is old compared to what food trucks are currently. Mr. Casper asked that the Ordinance be addressed and a newer version be prepared to address food trucks in the Township.

Chairperson Danna asked that the zoning/housing officer, Mr. Lamanteer, come up and answer questions regarding the Ordinance. Discussion was held regarding the Mr. Casper's conversation with Mr. Lamanteer and being told that the Township does not allow for the operation of food trucks. Mr. Casper noted several locations throughout the Township where food trucks have been operating.

Mr. Lamanteer stated that the only way he can address it is by what the Ordinance says. He further stated that there are exemptions in the Ordinance, but foods fall within the agricultural area. Mr. Lamanteer noted that the food trucks that come into the Township are bringing pre-packaged food and only stay for about 20 minutes at the location. He noted some of the locations that Mr. Casper mentioned and agreed that some have been asked to leave and some he did not know about.

Mr. Casper questioned Mr. Lamanteer coming out on Saturday when his hours with the Township are on Tuesdays and Thursdays. Mr. Lamanteer stated that he works on Saturdays or whenever it is necessary for him to accomplish the work he needs to do.

Mrs. O'Brien noted that Mr. Lamanteer is hired by the Township to enforce the Code as he sees it and the timeline for when he does that is as he needs to. She further stated that she did a lot of research on this matter and her interpretation is different and referred the discussion to Solicitor Testa. Mr. Lamanteer stated that the peddler license doesn't have to do with a food truck it part of the ordinance. He further stated that when someone comes in for a peddler's license it's done in conjunction with the Clerk's office, finger printing by the State Police and those things need to be completed before anything else can be done.

Solicitor Testa noted that the Code doesn't just apply to peddlers but to vendors as well. Solicitor Testa agreed that Mr. Casper is a vendor and under the license required a vendor should be allowed to apply for the license as long as they follow all the steps. Mr. Lamanteer felt that the whole ordinance needs to be read because if the commercial locations don't have a site plan it can't be done.

Mr. Terrigno clarified the need for a site plan and also noted that he had spoken to another business owner about a food truck a year ago. He also noted that at that time in speaking with Committeewoman O'Brien he noted that the Township should address the issue as it was becoming a problem.

Solicitor Testa stated that if you're in the same location a site plan and compliance with the zoning ordinance would only be required if you're going to be in that fixed location for over one hour, however, if you get the permit you would be able to move around from location to location, but the zoning and construction code ordinance kick in if you're going to be stationary in on location for over one hour.

Mr. Brago asked if Mr. Casper is invited to the liquor store and stays for an hour and then goes to his home, which is on Landis Avenue, and stays there for an hour, can he go back to the liquor store. Mrs. O'Brien stated she did a lot of research on this matter and interpreted the ordinance that if you continue to move like other food trucks like that in Bridgeton you can't stay in a location for more than 15 minutes or be within 250 feet of an existing restaurant.

Solicitor Testa stated that as long as Mr. Casper has the vendors permit, you're only stationary for up to one hour only and it's in a zone permitted under the ordinances than you should be fine. Mr. Stanzione indicated that the Township needs to look into this as it is taking away from businesses in the Township. He further indicated that it's bad for the wineries and business that want to have food trucks come in because they're not allowed to have food on the premises. Mr. Stanzione felt that the matter needs to be addressed as soon as possible and do something about it instead of letting the zoning/housing officer do it. Solicitor Testa agreed but in the meantime if they get the permit, stay for no more than an hour and are in the right zone they will be good to go.

Mr. Terrigno asked how to address this matter in a feasible time. Solicitor Testa indicated that the Township can authorize him to look into the amendment of the Ordinance. It was clarified that the as long as the vendor gets the permit, is in the correct zone and stays no more than hour than the vendor would be permitted.

Chairperson Danna asked Mr. Casper to come in and see the Clerk and Mr. Lamanteer about the permit. He further noted that the Township will start to address the amendment of the Ordinance as quickly as possible.

Discussion was held about the inspection of food trucks and that they have proper documentation.

Vince Paladino came before the Committee. Mr. Paladino asked if Mr. Lamanteer will be out to the landfill tomorrow to see about the food truck there. Mr. Lamanteer said he would look into it. Mr. Paladino agreed as a business he understands that things take time, but asked that the Township look into this matter as quickly as possible. The Committee members agreed and noted that they will work as quickly as possible to make food trucks available in Deerfield Township and to make sure things are done easily and safely for the residents.

Additional comments were made by residents in attendance.

Mr. Terrigno stated that he was addressed about food trucks a year ago. He also stated that after being on the Committee for 2 years and doing his best to learn how things work and the Township rules and regulations. Mr. Terrigno further stated that he is all about business and helping everyone, but things can only get done so fast. He further stated that it is difficult to get everyone together and to address something that might have been mentioned in passing could be forgotten, but when something is addressed in a public forum like this evening it gives everybody a chance to hear it. He noted that the ordinance may not make everyone happy, but it will be what's best for the Township.

Mr. Brago agreed with Mr. Terrigno and noted that Mr. Testa will start work on this as quickly as possible. Mr. Brago noted that it was unfortunate what happen to Mr. Casper, but Mr. Lamanteer is following the law as it stands and moving forward this matter will be addressed. Mrs. O'Brien also noted that if there is question regarding the interpretation of the Code the Committee is here and the Solicitor can also be consulted.

Discussion was held regarding the Ordinance and that it's old has never been addressed in this forum, the time frame to draft the ordinance and the time to pass the ordinance.

There being no further comment from the public, Mr. Stanzione made a motion, seconded by Mr. Terrigno to close the meeting to the public. The Committee approved.

Mr. Stanzione made a motion, seconded by Mr. Terrigno to authorize the Solicitor to prepare an Ordinance as to food trucks for review by the Township Committee. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzione	Yes	Mr. Danna	Yes
Mr. Brago	Yes		

Executive Session

Mr. Brago made a motion, seconded by Mr. Stanzione to go into Executive Session per the Resolution adopted this evening. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzione	Yes	Mr. Danna	Yes
Mr. Brago	Yes		

Mr. Brago made a motion, seconded by Mr. Terrigno to reconvene the regular meeting. The Committee approved.

Mrs. O'Brien made a motion, seconded by Mr. Brago to renew the contract with Ron Shinn for Animal Control Services for the sum of \$6,900.00 retroactive for the year 2019. Roll Call Vote:

Mr. O'Brien	Yes	Mr. Terrigno	Yes
Mr. Stanzione	Abstain	Mr. Danna	Yes
Mr. Brago	Yes		

There being no further business, Mr. Terrigno made a motion, seconded by Mrs. O'Brien to adjourn the meeting. The Committee approved.

Rudy Danna, Jr., Chairperson
Township of Deerfield

ATTEST:

Karen Seifrit, Clerk
Township of Deerfield