

REGULAR MEETING
TOWNSHIP COMMITTEE
AUGUST 16, 2017

Chairperson Spatola 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 Spatola led the flag salute.

The Clerk took roll call and members present included Mr. Stanzione, Mr. Danna, Mr. Murphy and Mr. Spatola. Mrs. O'Brien was unavailable this evening.

Departmental Reports

The Clerk presented the departmental reports of the Zoning/Housing Officer, Tax Collector, Treasurer and Fire Marshal and Emergency Management. Mr. Danna made a motion, seconded by Mr. Murphy to accept and file the departmental reports. The Committee approved.

The Clerk Presented Opening Of Bids For The Sale Of Properties Located On Harvest Lane. The Clerk indicated that no bids were received with regard to the properties for sale.

Resolutions:

The Clerk presented Resolution #17-121 - Resolution Approving Reduction Of Performance Bond Posted By All The Nations Assembly Of God From \$271,054.80 And Requiring A Maintenance Bond In The Sum Of \$40,658.22. Mr. Stanzione made a motion, seconded by Mr. Murphy to adopt resolution #17-121. Roll Call Vote:

Mr. Stanzione	Yes	Mr. Murphy	Yes
Mr. Danna	Yes	Mr. Spatola	Yes

The Clerk presented Resolution #17-122 Authorizing The Exclusion Of The Public From A Meeting Of The Township Committee Of The Township Of Deerfield To Be Held On August 16, 2017 – Relating To Personnel Matters. Mr. Murphy made a motion, seconded by Mr. Danna to adopt Resolution #17-122. Roll Call Vote:

Mr. Stanzione	Yes	Mr. Murphy	Yes
Mr. Danna	Yes	Mr. Spatola	Yes

Old Business

The Clerk presented Reports From Department Chairs. Mr. Murphy stated that at Rosenhayn Park public works installed horseshoe pits. He further stated that he received a phone call and had to go to the park as individuals had ripped the stakes out of the ground and bent them. Mr. Murphy indicated that he “put the word out” that if anybody sees who it was to contact the municipal building and let us know. He further indicated that public works put in picnic tables and they were bolted in to the concrete.

With regard to Richards Road, Mr. Murphy stated that he went out the other night when it rained and something still needs to be done in that portion. Mr. Stanzione asked if the farmer is still up to the road and Mr. Murphy indicated “yes”. Mr. Stanzione stated that needs to be addressed.

Mr. Murphy noted that the mats are still out in the road in Vineland Avenue. Chairperson Spatola stated that they had been pulled back. Mr. Murphy stated they were back in road and pulled them back himself today.

Chairperson Spatola asked who the farmer is that is doing the damage on Richards Road. Mr. Murphy stated that he believed that it was Bifulco Farms. Chairperson Spatola asked if someone could meet with him and ask why it is necessary to farm up to the road and cause all these problems. Mr. Murphy and Mr. Stanzione volunteered to go speak with Mr. Bifulco.

Mr. Stanzione stated that during the last hard rain a couple of weeks ago, Kenyon Avenue flooded out and Mr. Piptone sent Mr. Stanzione pictures which he forwarded to the County. He further stated that the area is blocked off and flooding Mr. Pipitone's field and not letting the water get through. Mr. Stanzione indicated that the DEP is going to get involved as it has become a hazard and work with the resident to clear up the problem with the water runoff.

The Clerk presented Update- Recommendations For NJDOT FY 2018 – Municipal Aid Program. The Clerk reminded everyone that public work had submitted a couple of roads and asked if there were any other submissions. She noted the recommended streets were Poplar from South Shiloh to Vineland Avenue, Garrison Road and Maple Street from Morton Avenue to Greenman Avenue and that only 2 streets can be submitted. She noted that applications are due by October 6, 2017. Mr. Murphy made a motion, seconded by Mr. Stanzione to submit Poplar Street from South Shiloh to Vineland Avenue and Maple Street from Morton Avenue to Greenman Avenue for the 2018 FY Municipal Aid Program. Roll Call Vote:

Mr. Stanzione	Yes	Mr. Murphy	Yes
Mr. Danna	Yes	Mr. Spatola	Yes

Solicitor Testa stated that the Committee may recall that at the last meeting based upon a concern brought to the Committee's attention that a resident had a concern about a farm operation. He further stated that he was requested to research the Right To Farm Act and see how that might impact on the Township's ability to abate what might be considered a nuisance. Solicitor Testa noted that Mr. Stanzione had indicated at that meeting the Right To Farm Act is a very strong statute in favor of farming operations. He further noted that the Act was enacted in 1983.

Solicitor Testa referred to the pertinent section and read Section 10: Commercial Agricultural Operation is not a nuisance as long as they are compliant with agricultural practices. He noted that as long as an agricultural operation is doing something in furtherance of that operation it shall not be considered a nuisance unless it imposes a direct threat to the public health and safety. Solicitor Testa stated that would be a pretty large hurdle to get over to consider it a threat to health and public safety. He further stated that it is an inconvenience to the resident and perhaps the farmer would be willing to control his hours in a better fashion, but legally this protects that operation.

Mr. Stanzione clarified that the water on the street would be considered a hazard and Solicitor Testa agreed that would be a threat to health and public safety. Chairperson Spatola stated that he did look into the noise ordinance and the ordinance is in affect from 12 am to 7 am during which time there should be quiet and no noise can be loud enough or a nuisance to anyone or property owner within 150 feet. Discussion was held regarding the noise ordinance and the constant parties that are held over the weekend.

New Business

The Clerk presented Approval Of Raffle Application- Off Premises Raffle-4H Advisory Committee-October 29, 2017. Mr. Stanzione made a motion, seconded by Mr. Murphy to approve the Raffle Application. Roll Call Vote:

Mr. Stanzione	Yes	Mr. Murphy	Yes
Mr. Danna	Yes	Mr. Spatola	Yes

The Clerk presented Approval Of Special Permit – Social Affair- Deerfield Gamegetters- September 23, 2017 – 12:00 pm to 9:00 pm. Questions were posed regarding the application as to location and purpose. Discussion was held as to the application and the current way the applications are submitted. It was noted that the application would be granted by ABC unless information was received. Mr. Murphy and Mr. Danna stated they had no problem with the application. Mr. Danna made a motion, seconded by Mr. Murphy to approve the application for the Special Permit. Roll Call Vote:

Mr. Stanzione	Abstain	Mr. Murphy	Yes
Mr. Danna	Yes	Mr. Spatola	Yes

The Clerk presented Discussion Regarding Redevelopment Agreement Between The Township Of Deerfield And the Cumberland County Improvement Authority – Motion To Authorize Execution Of Agreement. Chairperson Spatola indicated that the Township has gone through the Redevelopment Plan with our Planner, Randy Scheule, and everything was gone over and some changes made. He further indicated that the Authority took the plan and came up with a Redevelopment Agreement between the Township and the CCIA which was reviewed by our Solicitor’s office. Chairperson Spatola stated that there were about 6 things that needed to be tweaked and a meeting was arranged between Mr. Stanzione and himself and Mr. Velasquez. During that meeting Mr. Velasquez went over each items of concern and explained the CCIA’s position. He further stated that upon listening to Mr. Velasquez and his explanations for the issues of concern, Chairperson Spatola made a recommendation to move forward and solidify the contract with the CCIA.

Chairperson Spatola noted that when this project is all done there will be a large solar field and transfer switch that will put all that solar towards the CCIA, data center, solid waste complex and composting area. He further noted that the solar generated by this project will free up the current grid and allow Deerfield residents to get solar.

Mr. Stanzione stated that the CCIA owns the property but they are leasing the property to other companies. He further stated that the CCIA has nothing to do with the businesses going in the Redevelopment Area. Mr. Stanzione noted that these businesses will be Township ratables.

After outlining the projects for the Redevelopment Zone, Chairperson Spatola indicated that everything should be up and running in about 18 months. Mr. Stanzione noted that the projects are looking to be finished by the end of 2018. He further noted that the ratables should bring in approximately \$250,000 to the tax base each year.

Mr. Danna reiterated that when he was on the Land Use Board they talked about the processing plant.

Mr. Stanzione made a motion, seconded by Mr. Danna to authorize the Mayor and Clerk to execute the Redevelopment Agreement between the Township of Deerfield and the Cumberland County Improvement Authority. Roll Call Vote:

Mr. Stanzione	Yes	Mr. Murphy	Yes
Mr. Danna	Yes	Mr. Spatola	Yes

Mr. Murphy noted that again the Township received no bids on the Harvest Lane properties and we should move ahead on reducing them further. Chairperson Spatola agreed and suggested that everyone look at the spreadsheet for these properties and be prepared for the September 6th meeting to discuss the reduction further.

Mr. Stanzione stated that he had a couple of items he wanted to present and let everyone think about. The first was with regard to Rosenhayn Park and suggested a name change. Mr. Stanzione indicated that there was a lady who was on the Recreation Committee for years and passed away a couple of years ago. Mr. Stanzione asked about changing the name of the park to the Egena Johnson Memorial Park. He noted that her family lives by the park and it would also be nice for them.

The second item Mr. Stanzione wanted to bring up was the Construction Agreement with Upper Deerfield. He stated that he has talked to different people in other towns who Upper Deerfield is serving and nothing is getting done. Mr. Stanzione indicated that everyone is doing what they want because Upper Deerfield can't cover all the smaller locations plus the City of Millville. He further indicated that it seems as if they are just collecting the money, but the Township isn't getting anything out of it. He agreed it's saving the Township money but no one was available to look at the fire hall after it was damaged.

Chairperson Spatola stated that after our last meeting he did reach out to the Construction Office and during the time of the accident at the fire hall building. He further stated that the Construction Office did not have jurisdiction to judge whether the fire hall was safe or not and that was a structural issue. Chairperson Spatola noted that the Construction Official has retired and is no longer at Upper Deerfield and have a temporary person on board who has taken her place in the interim. He further noted that Theresa in that office is now pursuing an inspector's license with the State of New Jersey and should be able to start in January. Mr. Stanzione stated that the only reason he was bringing this up again was because of the fire house and there was no one available to come out.

Chairperson Spatola indicated that he received an email from Fabbri Construction and a print from the structural engineer on how to fix the fire hall. He further indicated that now that has been received the builder will be able to come up with a price.

Also with regard to the fire hall, Chairperson Spatola stated that he told both Chiefs that it was imperative that no equipment or truck be in that part of the building due to the temporary supports. He further stated that a truck was in that part of the damaged building during the chicken barbeque and as of today there is still a vehicle in that part of the building. Chairperson Spatola indicated that he wanted it on the record that the Chief was told on 2 occasions that nothing was to be in that part of the building until the repairs were completed. Mr. Stanzione stated that a letter should be sent indicating that no equipment or truck should be in that part of the building should it come down to a "he said/he said" thing there will be a record.

Communications

The Clerk stated that there were no communications this evening.

The Clerk presented Resolution #17-123 For The Payment Of Bills. Mr. Murphy made a motion, seconded by Mr. Danna, to adopt Resolution #17-123. Roll Call Vote:

Mr. Stanzione	Yes	Mr. Murphy	Yes
Mr. Danna	Yes	Mr. Spatola	Yes

Public Comment

Mr. Danna made a motion, seconded by Mr. Stanzione, to open the meeting to the public. The Committee approved.

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

Mr. Stanzione	Yes	Mr. Murphy	Yes
Mr. Danna	Yes	Mr. Spatola	Yes

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

There being no further business, Mr. Stanzione made a motion, seconded by Mr. Murphy, to adjourn the meeting. The Committee approved.

Frank R. Spatola, Jr., Chairperson
Township of Deerfield

ATTEST:

Karen Seifrit, Clerk
Township of Deerfield