

REGULAR MEETING
TOWNSHIP COMMITTEE

April 17, 2013

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 7:02 p.m.

Chairperson Spatola led the flag salute.

The Clerk was at a Joint Insurance Fund Meeting in Mays Landing, and the Deputy Clerk, Cheryl Tramontana, filled in for her.

Solicitor Testa was at a Boardwalk Seminar, and Robert Casella, from his firm, filled in for him.

The Deputy Clerk took roll call and members present included Mr. Montgomery, Mr. Stanzione, Mr. Laurella, Mr. Laueremann and Mr. Spatola.

Proclamations

The Deputy Clerk presented Proclamation #2013-7 Proclaiming The Month Of May As “Older Americans Month”.

Departmental Reports

The Deputy Clerk presented reports from the Construction Office, Zoning/Housing Officer, Tax Collector, Treasurer, Fire Marshal and Emergency Management Coordinator.

Mr. Stanzione made a motion, seconded by Mr. Montgomery, to Accept And File The Departmental Reports. The Committee approved.

Resolutions

The Deputy Clerk presented Resolution #13-87 Authorizing The Execution Of A Contract With Stanker And Galetto In The Sum Of \$14,000.00 For Repairs To The Municipal Building Cupola.

Mr. Laurella made a motion, seconded by Mr. Laueremann, to adopt Resolution #13-87. Roll Call Vote:

Mr. Montgomery	Yes	Mr. Laueremann	Yes
Mr. Stanzione	Yes	Chairperson Spatola	Yes
Mr. Laurella	Yes		

The Deputy Clerk presented Resolution #13-88 Appointing Bruce Murphy, III As Part-Time Laborer.

Mr. Montgomery made a motion, seconded by Mr. Stanzione, to adopt Resolution #13-88. Roll Call Vote:

Mr. Montgomery	Yes	Mr. Laueremann	Yes
Mr. Stanzione	Yes	Chairperson Spatola	Yes
Mr. Laurella	Yes		

Regular Meeting
Township Committee
April 17, 2013
Continued

Old Business

Mr. Laurella stated that hopefully the cupola on the Municipal Building could be started since the Committee has the contract awarded.

Mr. Stanzione asked Mr. Laurella if Stanker and Galetto gave them a time it was going to take to get done and Mr. Laurella stated it would be about three (3) weeks.

Mr. Montgomery stated that the rewiring in the offices for the new Phone System has started and the Township Clerk is setting up a meeting between Premier and Comcast to get together because they are going to have to move the server to a new location and they are probably two (2) to three (3) weeks at the most to having a new Phone System installed. He also stated that he had mentioned before that they had lowered the price a little bit and are going to be upgrading our incoming service but it will still be cheaper than what the Township has paid before.

Mr. Laurella asked if anyone on the Committee has heard anything on the grants for the lights. Mr. Montgomery stated that it was all said and done and that the only thing was a couple of questions that were brought up to the Township. He stated that one does the Township really need to replace the heating system that was just installed which was included in the price, and if not we need to let them know. He also stated that the Township has a year to send them the money to get it started.

Chairperson Spatola stated that obviously the new system was included in their proposal for upgrades and what was their reasoning behind this. Mr. Montgomery stated that they felt they could provide us with something more efficient. He stated that the Township is going to end up with a Sixteen Thousand Dollar (\$16,000.00) buy in for a Seventy Five Thousand Dollar (\$75,000.00) upgrade which includes lighting, hvac, a hot water heater and water systems.

Mr. Montgomery stated that with the help of our Emergency Management Coordinator, Andy Pizzo, the Township applied for a grant at the last minute through FEMA at the end of the Sandy Grant period for flooding, erosion and road damage. He stated that he heard back from the head of the New Jersey Office of Emergency Management and the Township was granted a portion of the Twenty Five Thousand Dollars (\$25,000.00) that was requested. Mr. Montgomery stated that it will be used to repair the temporary fixes the Township did over at Greenman and Stillman Avenues and that FEMA will be coming on Thursday, April 18th, 2013, to look at all the damage to assess how much more of that they will be giving the Township to make the permanent repairs. He stated that South Shiloh Avenue and Greenman Avenue had a crossing collapse so the Township is going to try and get that approved as part of the plan to pay for it through this grant so it does not have to come out of our budget. Mr. Montgomery stated that the Township has reached out to Tony Brago to do an emergency repair and he is going to be bringing the Township back a proposal and schedule it as soon as possible. He stated that there is a pipe repair on Cedar Street that needs to be repaired, and one on Lebanon Road near Garrison where there is a hole forming and water is washing under the road.

Mr. Montgomery stated that Mr. Lauer mann and himself have talked about an issue on South Shiloh Avenue where a new house was built. He stated that the owner has destroyed the road at the end of the driveway so the Committee needs to decide on what we are going to do when applying for the permits when building.

Regular Meeting
Township Committee
April 17, 2013
Continued

Mr. Montgomery stated that the Committee could have our Zoning/Housing Officer have a road-opening permit attached to the permit when they come in because if the Township does not address this issue then the Township will be responsible for fixing them. He stated that the owner of this particular residence stated to our Zoning/Housing Officer that he would be fixing his.

Mr. Laurella stated that he asked what he meant by the road opening and Mr. Montgomery stated that if you attach something to the permit when they apply and require a road-opening permit to go along with it, the Township could then hold the owner accountable because they would have to fix the egress to their property.

Mr. Laurella stated that he is not sure if part of the fault would come to the Township and because these roads are not built like the County roads we should think about putting signs up stating the weight limits on our Township Roads.

Mr. Laueremann stated that if South Shiloh Avenue has a weight limit on it because the road bed may not be that thick and the asphalt is designed for certain tonnage, our Engineers would know that because they were involved in the grant process and if that road was designed for a truck that is not over Twenty Five Thousand (25,000) pounds, signs need to go up there in order to go after someone who brings an Eighty Thousand (80,000) truck down there. He stated that if there is no sign there then who is to say anything about the driver being in the wrong if it came to litigation.

Chairperson Spatola stated that if this resident had obtained a Soil Conservation Permit which you are supposed to do before you can get a Building Permit, and did not adhere to that, then the Township has record that we had reached out to them and he is responsible for this.

Robert Casella, Solicitor at meeting for Michael Testa, stated that there are several questions and one is the power to limit the weight in the first place, and second if the Township is in power to do it, how you go about doing it and how you go about getting it enforceable. He stated that he believes it would have to come and be reflected in the Land Use approvals where these types of things are undertaken.

Mr. Montgomery stated that the Township needed to contact our Engineer to see if there is anything in writing dictating what the weight limits are on our roads. Mr. Casella, Solicitor, stated that there might be some statewide regulations that would allow the Township to react within to do this because if Pittsgrove Township has done something like this that is why they were able to do it.

Mr. Laueremann stated that the Township had a resident here a few months ago with an issue she was having with her neighbor's pit bulls. He stated that her claim was that the pit bulls have been coming on her property and her quality of life issue is also a safety issue because one of the pit bulls actually mauled one of her pets and it later died. Mr. Laueremann stated that she has been back and forth to the court in Upper Deerfield and has been through the mill with our current Animal Control Officer that the Township pays quite a bit of money to every month for sheltering and services whether he picks up one (1) dog or five (5). He stated that he has not been much help on this issue in the past and she is very frustrated about it. Mr. Laueremann stated that the other day the pit bulls came over to here house again and she was afraid for her safety only this time she took pictures and contacted our Animal Control Officer that the Township has and he told her in so many words that the Township has now moved forward with using one of their employees eventually as the Animal Control Officer and he is more or less not going to provide the services even though he is still under contract for the next three (3) months.

Regular Meeting
Township Committee
April 17, 2013
Continued

Mr. Lauermann stated that at the beginning of the month we paid him a little over Eight Hundred Dollars (\$800.00) for his services so instead of paying him over the next couple of months as far as the contract is concerned, if he is refusing to honor that contract and if the Township can, he would like have him terminated tonight. Mr. Lauermann stated that our Public Works Manager has just been certified for Animal Control to handle it so the Township could have him do the job and move forward with this.

Mr. Casella, Solicitor, stated that he would have to look at the contracts for them concerning the agreement the Township has with him. He asked if the contract gives the Township the ability to terminate the agreement at anytime and Mr. Laurella stated that there is a limit. Mr. Casella stated that the Township could not go on a here say report and terminate a contract.

The Committee agreed to have the Solicitor look at the contracts, one pertaining to the Animal Control Officer and the other one for the Animal Control Sheltering in the Township.

Mr. Montgomery stated that he had thought this issue was taken care of before where the resident paid him and they took those dogs away. Chairperson Spatola stated that the Animal Control Officer did take those animals away and then they got them back.

Mr. Casella, Solicitor, asked if there was an Ordinance pertaining to animals at large, leased and or fenced in. The Committee stated that there was and Mr. Casella stated that he would need to see this Ordinance also.

Mr. Montgomery stated that when we have our Animal Control and Sheltering an in-house operation, the Township would need to examine our Ordinance a little bit as far as what our Animal Control person is required or expected to cover. He stated that domestic animals such as dogs and cats is required but not other types and the Township will need to get in touch with other Municipalities around here to see what they are required to catch and not allowed to catch.

Mr. Laurella stated that he believes the Township is only supposed to do domestic animals and that the wild life falls under the State Game Warden.

New Business

Mr. Laurella stated that he had no question on the request for proposals for banking services just he would like to know if the Township could go out for contract in June or July or does the Township have to wait until next year. He stated that there was a Resolution prepared at the beginning of the year so the Township would need to look into whether or not the Township can change in the middle of the year if the Township decides to change.

Mr. Casella asked the Township if there was a yearly contract and Mr. Laurella stated that it was a Resolution along with the Deputy Clerk stating that it is adopted during the Reorganization Meeting.

Mr. Stanzone stated that these proposals would be for tax money and checking accounts and the Township wanted to get surveys from all the banks to see what their rates are.

Mr. Casella asked Mr. Stanzone if the resolution being considered would be to survey local banks to see where the best rates could be serviced and obtained and Mr. Stanzone stated yes along with the Committee.

Regular Meeting
Township Committee
April 17, 2013
Continued

Mr. Laurella stated that if the Township finds another bank that is cheaper, would the Township be allowed to award it if they are giving us better service or do we need to wait until the end of the year.

Mr. Casella stated that if the Township is already into a year agreement and it is a year-to-year situation then he believes that the Township would have to wait until the end of the year. He also stated that if it is a true year-to-year relationship then it might not be worth doing the examination at this time because the situation could change in six (6) to eight (8) months.

Mr. Stanzione stated that we could have the Solicitor look at it but he believes that the Township can change it anytime.

After a brief discussion, Mr. Stanzione made a motion, seconded by Mr. Montgomery, to investigate the fact whether or not this agreement or contract with other banks can be altered or changed. Roll Call Vote:

Mr. Montgomery	Yes	Mr. Lauermann	Yes
Mr. Stanzione	Yes	Chairperson Spatola	Yes
Mr. Laurella	Yes		

Mr. Laurella asked if the Engineers were going to be involved with South Shiloh Avenue and Greenman Avenue, and Mr. Montgomery stated that what the Township can do is get a scope of work of what the Township would like to have done and forward it to our Engineer to make sure that it covers everything that the Township needs. He stated that if there are any issues then they would contact the Township at that point and then the Township could continue from that point.

Mr. Stanzione stated that the lights are being turned off in the Township and does not have any problem with it because it saves the Township money but he does believe that the Streets and Road Department should go over that list again. He also stated that he has been riding around at night and noticed that there are a few lights out at some corners that have not been fixed and put back on. Mr. Stanzione stated that the Township should slow our process down and make sure that we are getting the right lights down. He stated that there is one spot that is going to cost the Township money to put back up.

Mr. Laurella stated that there is one that Mr. Stanzione had brought to his attention and he stated that he spoke to Mr. Montgomery about it and the Township will be putting a light there. Mr. Montgomery stated that after looking at the light in question Mr. Laurella and himself still do not know why they took it down in the first place.

Mr. Lauermann asked if the one in question was at Kenyon and Sherman Avenues and Mr. Montgomery stated to him that the light at that corner is the one the Township did not pay for and when they re-conducted that entire road it was put back on their original plan. Mr. Lauermann stated that putting that light back up where it was does not illuminate that corner and it has always been a problem and there has to be a light added to that corner and it is going to cost money to do it.

Mr. Laurella stated that he would like Mr. Lauermann to find the records stating how many accidents the Township has had at this particular intersection because the light is off. He stated that he believes it is less than two (200) hundred feet where Mr. Lauermann is stating it is three (3) to four (4) hundred feet and does not believe it is because of no lighting at this intersection.

Regular Meeting
Township Committee
April 17,2013
Continued

Mr. Stanzione stated that last week the Township had an accident on Morton Avenue down by the school. He stated that the road was flooded and it is getting worse. He stated that he reached out to County Freeholder Carol Musso and she contacted the County who then contacted him. Mr. Stanzione stated that he received a call from Don Olbrich before the meeting and he said to him that it has been addressed and the Township has been on a list since 2010. He stated that Freeholder Musso is trying to find out what is going on but Mr. Olbrich stated that when the list does get to the Township there has to be permits because they have to take all the soil out from the roadway so it drains properly and drains across the field. Mr. Stanzione stated that this has to go through the DEP and would take more time, but when Mr. Olbrich gets any new information he will contact the Township. Mr. Stanzione stated that he did let him know that it is a County Road so two (2) men were sent out there earlier today checking it out along with the issue on Stillman. He stated that the men told him that there was a block that they were going to open up, but as far as doing anything where the water was lying, DEP had everything held up. Mr. Stanzione stated that it has been three (3) years and if the Township does not get any answers shortly, the Committee or the Mayor should address the Freeholder Board before it becomes a serious problem.

Communications

The Deputy Clerk stated that there were no communications this evening.

The Deputy Clerk presented Resolution #13-89 for the Payment Of Bills.

Mr. Montgomery	Yes	Mr. Lauer mann	Yes
Mr. Stanzione	Yes	Chairperson Spatola	Yes
Mr. Laurella	Yes		

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

Jason Scythes, 786 Landis Avenue, stated that he just wanted to give the Committee a suggestion about the construction issue where people are pulling out of the driveways and breaking the roads apart when doing the projects. He stated that the resident could get a letter of credit issued to the Township when they want to do a new project, this way they are a little bit eager to clean it up or fix whatever the issue is so they can get their monies out of escrow. He stated that this would alleviate the Township's concerns of someone not replacing property that they broke.

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

There being no other business to come before the Committee, Mr. Stanzione made a motion, seconded by Mr. Lauer mann, to adjourn the meeting. The Committee approved.

Frank Spatola, Chairperson
Township of Deerfield

ATTEST:

Cheryl Tramontana, Deputy Clerk
Township of Deerfield