

REGULAR MEETING
TOWNSHIP COMMITTEE

February 3, 2010

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. Lauermann, Mr. Laurella, Mr. Stanzione and Ms. Musso. Mr. Spatola.

Mr. Rob Casella was in for Solicitor Testa who was on vacation and unable to attend this evenings meeting.

The Clerk presented Minutes of January 6th, January 20th and January 27th, 2010.

Mr. Stanzione made a motion, seconded by Mr. Laurella approve the Minutes as written. The Committee Approved.

The Clerk presented discussion with Donald Rainear, Executive Director of Cumberland County Improvement Authority Regarding Improvement Authority Budget.

Mr. Rainear approached the Committee and stated he was a Consultant at the Cumberland County Improvement Authority (CCIA). Mr. Rainear stated he had a conversation with John Stanzione about a week ago, and there were questions and issues, and certainly Deerfield Township is a critical piece of CCIA's business, being as one of the core business is the Solid Waste Disposal Facility. Mr. Rainear stated the basic facts were reported fairly accurately in the paper, he thought it would be a good idea to come to the Township Meeting to discuss the situation with the CCIA. Mr. Rainear stated he has only been on the CCIA board for a little over two weeks, and has realized that there are some serious financial issues. Mr. Rainear indicated some of the financial issues are a little more serious than he had initially anticipated. Mr. Rainear had a presentation which he stated would be easily understood, and it would give an understanding of why the CCIA is where it is now at this moment.

Mr. Rainear presented some slides which show that the CCIA was established in 1980 by the Board of Freeholders and in 1987 the operations at the landfill started. Mr. Rainear indicated that the Improvement Authority was created for multiple purposes, the landfill and also to do economic development. Mr. Rainear explained the start up cost, within the first five to six years when the Improvement Authority was building up the facility and ended up with twenty two million dollars (\$22,000,000.00) worth of debt. Mr. Rainear indicated that in the early nineties as they were starting up, the regulatory power was embodied in the New Jersey Department Environmental Protection (DEP) which has a form of wasteful control. Mr. Rainear stated that each County was to handle the waste that was generated in their County and that was directed by a Redirection Order by the DEP. Mr. Rainear stated that in 1994 the Landfill ran under a very regulated environment, and then there was a significant change in the law that started to take place, and it started with a case called Carbone vs. Clarkstown. Mr. Rainear indicated that in the case US Supreme Court said that local and County Government, by way of extension, could not control waste flow if it discriminated against out of State disposal facilities, and that decision was based on the Interstate Commerce Clause, of the US Constitution, which prohibits interstate commerce, and did not directly apply in New Jersey.

Mr. Rainear stated that shortly after that case came down a lawsuit was instituted, involving the basic principal of the Carbone case and in 1997 that case reached the US Board of Appeals in the Third District and it was known as the Atlantic Post Demolition and Recycling case vs. the Atlantic County Freeholders.

Mr. Rainear indicated that this case was very specific for New Jersey and was held that New Jersey system of regulating and requiring flow control that was generated at a particular county was unconstitutional. The Supreme Court by declining to hear it meant that the US Court of Appeals decision was the final word on that matter. Mr. Rainear stated that set the industry of waste disposal in New Jersey upside down. Mr. Rainear indicated there were several counties who had built incinerators and larger facilities on larger grounds and incurred tremendous debt because of this. Mr. Rainear stated that Cumberland County was lucky when that case came down because it had a low debt structure and therefore Cumberland County was in a competitive market. Mr. Rainear indicated that Cumberland County had the lowest tipping fee either in the State of New Jersey or in the region and because the tipping fee was low and transportation costs were not like they are today, Cumberland County was a magnet for out of State and out of County trash. Mr. Rainear stated that even though the rates were low, the Landfill was managing in a profitable way.

Mr. Rainear stated in 2007 things got turned upside down again with the US Supreme Court case. Mr. Rainear indicated that that case said that County or local Governments could control solid waste flow if it was being controlled to a publically owned, publically operated facility, and as long as it didn't restrict interstate commerce of solid waste, so shortly after this decision was made, several Counties in the State decided to adopt flow control management plans. Mr. Rainear stated near us was Gloucester County and Cape May County, that means the County demand that all the waste that is generated in that County has to go to that facility, unless the hauler transports it outside the state, which in some cases is impractical. Mr. Rainear indicated that when the other two counties started to put their fences up, our county began to see less waste coming into the County.

Mr. Rainear stated when the first case came down and deregulated, Cumberland County was lucky to have had low rates, other Counties had high debt structures and there was political pressure to help those Counties because they couldn't sustain the debt structure from the high tipping fees, so the State subsidized some of the Counties that had high debt structures including Atlantic County. Mr. Rainear indicated that it was unfortunate that the Counties that were financially in trouble got more help than those who were more frugal were not getting the same subsidy as the others were. Mr. Rainear also indicated that the State to Atlantic County, based on their budgetary problems and based the ability for Atlantic County to control the waste within their County, the State said they were not going to give Atlantic County the debt service subsidy, which was round five point four million dollars. Now Atlantic County is being encouraged by the State, because to not lose the subsidy they have to find waste flow, because of their fixed cost Atlantic County can't do it on a competitive basis because of their fixed costs, so they have to go to waste flow, and they began to make those plans at the end of 2008. Mr. Rainear indicated that at the beginning of 2009 they had an engineering study that indicated they were going to start controlling their flow. Mr. Rainear stated there is a process the County has to go through, the County has to get their Solid Waste Advisory Council to support a change in the management, also the Freeholder has to approve and then the DEP. Mr. Rainear said this could all be done within a period of three to four months.

Mr. Rainear stated that Atlantic County's Solid Waste Advisory Council took it's first step in December of 2009 and approval was made to their management plan and they should go before the Freeholders at any time. Mr. Rainear indicated that Atlantic County hopes to have their flow control in affect by May 1st of this year.

Mr. Rainear indicated there are six municipalities on the Western edge of Atlantic County which include, Buena, Buena Vista, Hammonton, Hamilton Township, Mays Landing that were concerned it would cost them more money because the Atlantic County rates were higher. Mr. Rainear stated a few days later there was another article in the paper where the Freeholders said they would make a deal with Atlantic County to give them the same rate they have currently going to Cumberland County for the tipping fees, if they signed the three year agreement. Mr. Rainear stated they are trying to make a political accommodation to hold those Municipalities within the County.

Mr. Rainear explained another factor, which is impacting Solid Waste Facilities, which is solid waste flow. Mr. Rainear indicated there was a steady growth beginning in 2000 and before that up until it peaked in 2006, there were three hundred one thousand tons and then it began to decline in 2007 and it continued to decline in 2008 and 2009. Mr. Rainear indicated in 2009 there was almost a hundred tons of lost waste flow, and that represents about five million dollars (\$5,000,000.00) at today's fiftyfour dollar (\$54.00) rate.

Mr. Rainear showed a chart, which showed where most of the waste comes from, some of the regional Counties and out of State, and gives you a five year statistical video to show how the waste flow has changed in the last few years. Mr. Rainear stated that out of County was as high as forty percent (40%) as recently as 2007 and is now down to twenty nine percent (29%), but there is still a significant amount of waste coming out of Atlantic County, out of about two hundred eleven thousand tons of waste last year, we got about forty two thousand tons from Atlantic County, which makes up about twenty two percent (22%) of our revenue, so to imagine if you lose 22% of your revenue as a Municipality, that is a scary blow to us which Mr. Rainear believes we are going to be facing.

Mr. Rainear stated that the operating revenues follow along with the tonnage, which is what you might imagine, however there was a slight anomaly in that the peak which was in 2007 was not the peak of out tonnage, that was in 2006, but there was a raise in our rate in 2007 so that reflects the peak. Mr. Rainear indicated we have lost over three million dollars (3,000,000.00) in revenue over the past two years. Mr. Rainear stated that our costs have increased dramatically in the solid waste operations, which is a significant percentage over a six year period. Mr. Rainear indicated that the Facility has other aspects to the operations other than the solid waste, and the other operating expenses have also gone up fairly dramatically. Mr. Rainear stated that the CCIA decided to take on a significant aspect of the County transportation system. Mr. Rainear indicated that in this particular program we have control over, it involves matching up their jobs and where they live and getting it to work. Mr. Rainear indicated this program started in early 2000 and the County did retain some aspects of transportation in the County, but the CCIA did retain a piece of it. Mr. Rainear stated there is a matching grant to pay for the actual transportation which is coordinated through Teresa VanSant and Misono Miller's department. Mr. Rainear stated that as the Federal Government began to not fund the Empowerment Zone fully, the Empowerment Zone and the CCIA made a decision to bring the Empowerment Zone into the CCIA and absorb some of the operating cost of the Empowerment Zone, which actually reflects the salary of the Executive Director of the Empowerment Zone, fringe benefits and other miscellaneous costs.

Mr. Rainear stated there is also a program the CCIA has been subsidizing called Leadership Cumberland County, which is affiliated with the Cumberland County College and likewise the CCIA subsidizes that program to a net cost of one hundred thirty one thousand dollars (\$131,000.00).

Mr. Rinear then explained there was a line item for one hundred seventy thousand dollars (\$170,000.00) to pay three consultants, but there was an offsetting revenue in 2009 and the entire one hundred seventy thousand dollars was not used. Mr. Rinear stated that what the Improvement Authority started doing last year was to help finance an expansion of the Vineland Electric Utility Company and the CCIA received a fee of a hundred and twenty thousand dollars (\$120,000.00) and the CCIA was in competition with the New Jersey EDA for that bonding work. Mr. Rinear stated he knows the CCIA will see a significant reduction in expense and Mr. Rinear is optimistic that the CCIA will see some offsetting revenues in this particular item.

Mr. Rinear indicated the other matter is the Green Park in Deerfield Township, which the Committee is familiar with and the monies associated with that. Mr. Rinear mentioned another project, which is a parking lot project which is near the County complex in the City of Bridgeton, where the CCIA constructed the parking lot and agreed to a pilot program, payment in lieu of taxes to the City of Bridgeton. Mr. Rinear indicated that the past four to five years the Authority was spending about a half a million dollars on the Public Relations Campaign for the County, and the Commissioner decided last year that there were concerns about doing that, so they eliminated the program primarily for the Zoning and expenditure of seven hundred and fifty dollars (\$750.00) where it could have been a worst situation, of a half a million dollars, if the CCIA would have went forward with the program.

Mr. Rinear stated that the next important area he wanted the Committee to look at was the CCIA's debt. Mr. Rinear indicated that the chart shows the dramatic increase in debt starting in 2006 until 2009. Mr. Rinear stated that if the CCIA had not gone out and borrowed money in 2006 of about twenty three million dollars (\$23,000,000.00), in 2008 the obligations would have been paid off and the CCIA would have been debt free. Mr. Rinear indicated the Authority had some infrastructure needs they wanted to meet, some improvements to the landfill operation with a new scale house and several other aspects of the project. Mr. Rinear indicated the project was completed last year, and also last year the CCIA decided to bond for the construction of three new cells to expand the landfill. Mr. Rinear stated that the landfill is scheduled to be full, somewhere between five (5) and ten (10) years. Mr. Rinear explained how the engineer's go about and determine how much more capacity there is in the existing cells at the landfill. Mr. Rinear stated the CCIA was twenty three millions dollars (\$23,000,000.00) in debt, until last year and now they are forty six million dollars (\$46,000,000.00) worth of debt.

Mr. Rinear then showed the Committee what the debt is costing the CCIA and what it has cost the CCIA. Mr. Rinear stated that in the early 2000's the CCIA was paying two million dollars (\$2,000,000.00) in debt service and the CCIA was about to be debt free until they borrowed the other twenty three million dollars (\$23,000,000.00) which will give the CCIA a doubling of their debt service, from two million (\$2,000,000.00) to approximately four million dollars (\$4,000,000.00) come 2012 and will remain constant for a number of years, regardless of the tonnage of trash that comes into the landfill.

Mr. Rinear explains that the CCIA has an advantage over the competitors because the Authority's rates are about fortythree dollars (\$43.00) for a typical Municipal solid waste ton, and the number began to increase in 2007,2008. Mr. Rinear indicated the price is projected to go up by two dollars (\$2.00) a ton within the next four years (4), which has not been approved by the Board of Directors, but was projected when Moody's gave the bond rating last year. Mr. Rinear stated the CCIA did have a really big gap between us and our competitive neighbors, and that competitive advantage is beginning to lose a little bit. Mr. Rinear stated it won't matter if all the Counties around us do the

flow control management plan, it won't matter if our rate is lower because the waste can not go to our County, and they would have to find waste from a County that does not have flow control or go outside of the State.

Mr. Rainear shows the Municipal surplus to the Committee and explains there are different reserves that the CCIA has. Mr. Rainear stated that for several years the CCIA was self financing the cell replacement, and the CCIA had quite a bit of money and then in 2001 the CCIA made a decision that they were not going to self fund and began to put some of the monies in the general fund. Mr. Rainear stated that at the end of 2007 the Authority has ten point seven million dollars in cash, (\$10,700,000.00) which was not entirely unrestricted cash. Mr. Rainear stated that every year, the CCIA has put a line item in their appropriations, which would be general fund and in the last years it was somewhere in the three million dollar (\$3,000,000.00) range. Mr. Rainear indicated that the CCIA rarely used the money in the years prior to last year, and it was used as a cash flow mechanism, the beginning of the year if there were expenditures and didn't have the revenue they would take from this appropriation and then put it back at the end of the year. Mr. Rainear stated that because of the recession and because of the tonnage that was considerably less than projected and increase in debt structure and other costs, the CCIA had to actually use two point three million dollars (\$2,300,000.00) of the three million dollars that was in the line item, and there was also a million dollars (\$1,000,000.00) committed to the City of Millville. That is when you see the drop from ten point seven million dollars (\$10,700,000.00) to seven point four million dollars (\$7,400,000.00). Mr. Rainear stated that the seven point four million dollars is not just sitting there in something that is untouched. Mr. Rainear indicated that already in the 2010 budget the CCIA has put in three and a half million dollars to balance the budget, but also given the trend of the past year, the CCIA may have to feed into the three and a half million dollars, so the current undesignated balance is about two point eight million dollars. Mr. Rainear indicated if this process is repeated within the next couple of years, the CCIA will be out of money and will not be able to buffer and have to make some tough decisions.

Mr. Rainear stated that there are changing regulatory and legal environment that has had a very significant and concerning impact on the CCIA's ability to attract solid waste. Mr. Rainear indicated that tonnage, revenues, general fund are all down but the operating costs, debt and debt services are all up, also tipping fees are up and are projected to go up a little higher. Mr. Rainear also stated it is not the greatest financial scenario to be operating under right now, but the CCIA is not going to sit by and do nothing. Mr. Rainear stated that the CCIA will be addressing some of the non core expenses as quickly as they can, and look into other ways to cut costs, they also have meetings with some area haulers that used to bring their solid waste to the Authority, so they are going to re-attract them to come back to the Authority. Mr. Rainear stated that the Commissioners are considering whether or not to go ahead with the cell expansion, and what the CCIA's options are, if the CCIA decides they do not want to go with the cell expansion now or somehow modify that, the CCIA can use the bond to pay off some of the debt. Mr. Rainear stated the CCIA has scheduled meetings with their financial advisor, and the bond counsel and others to try and figure things out.

Mr. Rainear stated there is a serious leachate problem, where they treat the liquid and transport it to Cumberland County, well this year there was a problem because the pretreatment facility could not handle the volume or the quality of leachate, and the CCIA had to spend six figures to transport leachate to Gloucester County and it is taking a wear and tear on the trucks. Mr. Rainear stated there were bids and the second lowest bidder filed an injunction against the Authority, because he claims that Pearson had a subcontractor that did not meet the Authority's bid specs.

Mr. Rainear stated there was an order to show cause and a hearing in front of Judge Fischer and that matter was adjourned for a couple of weeks, to give the Authority some time to see what their legal position is and to work through some numbers.

Mr. Rainier stated that one option is to not go forward with the cell construction and try to retire some debt, and spare the CCIA the extra two million dollars of debt, they would face in about two years. Mr. Rainear stated there are a lot of interlocking parts to the financial picture and Mr. Rainear is trying to get his hands around it along with other staff of the Authority and the Board of Commission.

Mr. Laurella thanked Mr. Rainear for his presentation and stated he was looking at something a little different, he stated he was looking at something before the meeting and then came out and got a financial overview. Mr. Laurella asked Mr. Rainear what was the Deerfield Green Park. Mr. Rainear stated that was the Pipitone property. Mr. Laurella asked Mr. Rainear what they intended to do at that property that would cost one hundred and twenty eight thousand dollars (\$128,000.00). Mr. Laurella stated that he understood it might be hard for Mr. Rainear to answer these questions because they should go in front of the Committee because last year they spent twenty five thousand dollars (\$25,000.00) and appropriated a hundred and fifty thousand dollars (\$150,000.00). Mr. Rainear stated he would find the answers to Mr. Laurella's questions.

Mr. Laurella stated that with the Green Park, there was discussion about green houses, but that went on for about seven years and nothing was done. Mr. Stanzione stated it was a redevelopment area. Mr. Laurella stated that the Authority is a bank that doesn't make any money, because it is giving out money to the people who didn't want the landfill in the first place. Mr. Laurella stated that no matter which way you go, you can smell the landfill. Mr. Laurella asked Mr. Stanzione how many phone calls he has gotten regarding the smell of the landfill, Mr. Stanzione stated he receives several phone calls. Mr. Laurella stated that he and Mr. Stanzione had phone numbers of people to contact, they would look into the information and then get back to the resident that called. Mr. Laurella stated that one time he called out the Emergency Management Coordinator because the residents who lived near the landfill, their houses would literally shake, it was because the ventilation was not right on the torch. Mr. Laurella stated that it seems to him that everyone wants a piece of the CCIA for monetary reasons, because they did not want the landfill in their towns.

Mr. Laurella stated that Deerfield Township has not gotten its fair share in its revenue that the Township should have gotten. Mr. Laurella indicated that it took several years for the Improvement Authority to start giving the Township a little more money. Mr. Laurella indicated that he is tired of Deerfield Township being put in the background, and other towns getting more money than Deerfield Township and the landfill will be in the Township indefinitely.

Mr. Stanzione stated to Mr. Rainear that the presentation was great. Mr. Stanzione asked Mr. Rainear how an Authority that has been efficiently run for almost twenty years is now going the opposite way. Mr. Stanzione indicated that when he looks at the numbers in the budget, it just doesn't add up. Mr. Rainear stated that there are two obvious reasons, one is the change in the flow control and the other is the recession that is pretty deep, there are also expenses that have been tagged on along the way, so there have been a series of issues that have built up along the last ten years.

Mr. Stanzione stated that he and the rest of the Committee are not concerned with any other town, they are only concerned with Deerfield Township, because the landfill, even when it is closed will be in Deerfield Township forever.

Mr. Stanzione stated that he feels as if in the past the Township was never brought up to the amount it should have been receiving, and this is a feeling he has had for years, if Deerfield Township received what it should have been receiving, the Township would never have had to ask the Improvement Authority for anything. Mr. Stanzione indicated that if the Township's host benefit was what it should have been, the Township wouldn't have to have asked for anything, and the Committee wouldn't be in this meeting now, worrying what is going to happen to the Improvement Authority. Mr. Stanzione stated that whatever the Township brings in from the Improvement Authority helps the Township's tax rate, and if the Township loses two or three hundred thousand dollars, then it comes from the tax payers again, and Mr. Stanzione indicated that the Committee's concern is Deerfield Township and the tax payers.

Mr. Rainear stated that he knows how strongly Mr. Stanzione fights for Deerfield Township, and he appreciates his strong feelings. Mr. Rainear stated that he wished he could address the questions Mr. Stanzione and Mr. Laurella had, but he knows there is a Liaison Committee and there are on going discussions. Mr. Rainear stated he had some statistics but he left them back at the office about the benefits that the Township has gotten both in terms of the host benefits tipping fees and other matters. Mr. Rainear stated that he did not have an easy answer for some of Mr. Stanzione's concerns, but Mr. Rainear stated they are all in it together. Mr. Rainear indicated he is optimistic and believes there are ways things could work out, but doesn't believe the Improvement Authority will ever go back to the days when the Authority was seen as the cash cow. Mr. Rainear stated there is a lot of competition out there for solid waste disposal.

Ms. Musso stated she had asked the Clerk to call the Improvement Authority because she was looking at the budget, just to see as the host community, what the Township was getting versus what other towns are getting. Ms. Musso asked Mr. Rainear if he would look into that information to see what Deerfield Township has gotten in the past ten (10) years. Mr. Rainear stated he could get that information for Ms. Musso and also stated that he believes the Township has gotten about six point eight million dollars (\$6.8,000,000.00) going back from the beginning.

There was a discussion among Ms. Musso and Mr. Rainear regarding the monies the Township received versus what the County received and if there is a statute stating the County is entitled to receive money.

Mr. Lauermann stated that the Committee understands that there has to be a scaling back of the amount of money the Authority spends, and believes the Township should be the last one looked at to lose funding, and reiterated again that at one point no City or Township wanted the landfill in there town, and in turn they should be the ones that lose the benefits from the Authority first. Mr. Lauermann indicated he wants to make sure that the Township is the last one to lose the funding because the landfill is in our Township.

Mr. Spatola stated that on behalf of the Committee and himself, he is very impressed by the presentation and learned a tremendous amount about the daily runnings and the trials and tribulations of running the CCIA. Mr. Spatola indicated that he knows the CCIA is a big entity in the County and he knows it seems as if the Committee is like a wolf in a corner and won't back down, and may seem a little aggressive to the public as far as the Committee's wants and needs from the CCIA, but at the same time Mr. Spatola wanted to show great appreciation for the time spent with the Liaisons, which he believes have done a great job over the years and have gained great respect from the Committee and the entire operation. Mr. Spatola stated that the work the Liaisons have done shows, because twenty years ago the correspondence from the CCIA wasn't as nice, and now it is done in a professional manner and with courtesy and respect. Mr. Spatola thanked Mr.

Rainear and his Committee for the work they have done, and asked Mr. Rainear to pass that along to the Committee. Mr. Spatola indicated he is a small business man and has seen the changes in the economy, and understands that the economy has crashed and knows there are differences in the CCIA from 2006 to the present day.

Mr. Spatola stated that one of his concerns is the monitoring of leachate, and stated if there is a problem he expects Deerfield Township would be on the first line of correspondence, keep the Liaisons informed of what is going on. Mr. Spatola stated that the leachate is a great concern to him and feels it is something that should continuously be monitored.

Mr. Spatola asked Mr. Rainear if the twenty one million dollars that was allocated was virtually there, Mr. Rainear stated it was. Mr. Spatola stated that he understands a little more at this meeting then he did before the meeting, and he understands that the CCIA is taking a chance in not making the third cell, because if things pick up and there is no room to put the solid waste then what will happen. Mr. Spatola indicated that he knows that is a big decision regarding the cell, and asked Mr. Rainear if the decision was made to not create the third cell, the twenty one million dollars would go to debt services, to pay down the debt. Mr. Rainear stated that a lot of bond issues have what are called covered ratio and it is a concept in that it says you have to have enough revenue once the expenses are handled. Mr. Rainear explained to the Committee how that bond issue worked.

Mr. Spatola thanked Mr. Rainear again for his time and the presentation and stated that all his work was appreciated by the Committee and hopes to see Mr. Rainear again.

Mr. Lauerella asked Mr. Rainear how the landfill benefits financially from the fact that there is electricity generated from the facility. Mr. Rainear stated that was a good question and that was one of the bright spots. Mr. Rainear stated the CCIA sells Methane Gas, there is a contract with PP&L and the gas buying has been escalating to about three hundred fifty thousand dollars (\$350,000.00) a revenue not including some offsetting expenses. Mr. Rainear indicated that they anticipate that revenue growing, as the landfill decomposes. Mr. Rainear stated that because the landfill is saturated, the leachate is growing in volumes, it forces the gas out faster, and Mr. Rainear reiterated the fact that they have so much leachate that the treatment plant is overwhelmed with the volume and can't handle it, so they have to store the leachate and tanker truck it to different facilities.

Mr. Stanzione asked Mr. Rainear if the Committee has any more questions if he would come back to a meeting, Mr. Rainear stated he would be happy to. Mr. Stanzione then asked Mr. Rainear if he would attend the Liaison meeting which he and Mr. Laurella attend the fourth Monday of the month.

Mr. Laurella also thanked Mr. Rainear for his time and his presentation.

Resolutions

The Clerk presented Resolution #10-78 Certifying The List Of Volunteer Fire Fighters Who Have Qualified For The Length Of Service Award Program (LOSAP) Benefits For The Year 2009.

Mr. Laurella made a motion, seconded by Mr. Lauer mann to adopt Resolution #10-78.
Roll Call Vote.

Mr. Lauer mann	Yes	Ms. Musso	Yes
Mr. Laurella	Yes	Chairperson Spatola	Yes
Mr. Stanzione	Yes		

The Clerk presented Resolution #10-79 Appointing John Fallick As Infectious Control Officer For The Township of Deerfield For The Year 2010.

Mr. Stanzione made a motion, seconded by Mr. Laurella to adopt Resolution #10-79. Roll Call Vote.

Mr. Lauer mann	Yes	Ms. Musso	Yes
Mr. Laurella	Yes	Chairperson Spatola	Yes
Mr. Stanzione	Yes		

Old Business

The Clerk presented Reports from Department Chairpersons.

Mr. Laurella stated for Streets and Roads he was going to meet with regard to the flooding problem, when the weather gets better. He and Mr. Lauer mann are going to meet with Fralinger's and schedule a time that works with everyone.

Mr. Spatola asked how things were going with the fence, Mr. Stanzione stated there was a meeting scheduled for the 17th of February.

Mr. Stanzione stated Fire and Rescue is running fine and everything is in order.

Mr. Spatola expressed his appreciated to Mr. Lauer mann regarding the snow storms, stating Mr. Lauer mann was well informed and in contact with Michael Laurella from Public Works and everything was well under control.

New Business

Mr. Lauer mann stated that a resident called him and expressed to him that she had lived in her home for some time and recently applied for a loan. Mr. Lauer mann indicated that the portion of the Township she lived in was zoned as a certain flood plain, and was informed that FEMA had gone around and redesignated flood areas. Mr. Lauer mann stated the resident contacted Zoning Officer Anthony Lamanteer and he forwarded the resident information, based on what the County has on record, and they do not coincide with what FEMA has, so the County has to be contacted and come up to speed on what the areas of the Township are Zoned as, because it can be very costly to the residents if they do not know what their property is zoned as and they have an incident. Mr. Lauer mann indicated if the residents aren't contacted somehow, they're not going to know about the change of zoning until they go apply for a loan and the banks will force them to carry a lot more insurance, which will make their insurance a lot higher.

Mr. Lauer mann stated he spoke to Mr. Lamanteer and together they are going to try to do what they can with seeing what the County can provide and supply what information the bank may need to see if they can make an adjustment to the residents payment. Mr. Lauer mann indicated this will affect anyone who may want to improve

their property and they have to take a second mortgage out, the insurance payments may now be higher. Ms. Musso stated that being in the banking industry she knows that has been an issue all over the State of New Jersey. Ms. Musso indicated that FEMA has come in, and there are a lot of new regulations, which have to do with FEMA not the Townships, but the residents can try to fight them.

Mr. Lauermann stated that the County was caught by surprised with the change because they were not reached out to by FEMA, to inform them that the changes were made. Ms. Musso stated that the residents can go to the State and appeal it, but it will be very costly, so the resident has to weigh out what they want to do.

A discussion was held among the Committee regarding the rezoning of the properties by FEMA.

Mr. Laurella stated that the Committee had talked about the high electric bill on street lights. Mr. Laurella indicated that the Committee can recommend some street lights that can be done away with. Mr. Laurella stated that on some streets, the lights only have to be at the intersections or at the curves. Mr. Lauermann stated that some intersections have no illumination and then there are other parts of the road that have up to seven properties illuminated by the street lights. Mr. Laurella stated that each street light costs about ten dollars (\$10.00) a month, if you add all the street lights up that is a lot of money, it comes out to forty five thousand dollars a year (\$45,000.00).

Mr. Spatola stated that he is aware that the homeowners can contact Atlantic Electric and get the poles in front of their property and they are required to pay the monthly fee, Mr. Laurella stated that was correct. Mr. Spatola stated the Township should find out which poles are owned by the homeowners. Mr. Laurella stated that there are pole numbers and locations, which Mr. Laurella and Mr. Lauermann have. Mr. Lauermann stated that generally if the pole is overtop of the shoulder of the road it is illuminating it is not part of the residential property. Mr. Lauermann stated there are a lot of residents that are benefiting from the Municipal illumination program and the amount of money they pay in the local purpose tax does not pay for the light that's illuminating their area.

Mr. Spatola asked if there were a Municipal lighting grant the Township could apply for, Mr. Laurella stated that program was done away with over ten or twelve years ago, and when the State cut out the grant, out went the street lights.

Mr. Lauermann stated he does not want to make the Township dark and unsafe but there is a pattern of Municipal lighting, and in some areas the lighting is redundant and some areas that are not illuminated at all, so rather than add fixtures, some can be relocated to some intersections that don't have any lighting.

Mr. Spatola stated there were discussions regarding policies at a meeting that was held recently, Mr. Spatola gave them some thought and would like to see whomever is appointed to Personnel in January take it upon themselves that they do a review of the Policy Manual and bring to the March meeting, recommendations or approval of the Policy Manual. Mr. Spatola indicated that since the year has already begun, he is willing to read over the Manual and make any changes necessary. Mr. Laurella stated that the Personnel Liaisons can have that but also each Committee person can look over the Policy Manual and make recommendations.

The Clerk stated to the Committee that she is in the process of updating the EPL and so forth for the JIF, and the things required from the JIF are not negotiable or

changeable. The Clerk stated JIF has certain requirements to cover the Town, as far as reporting safety issues and or accidents, complaint procedures and harassment, but things very specific to Deerfield such as vacations or part time workers, that is up to the Committee to decide. The Clerk stated the Committee could wait until the Manual was updated and completed or if they wanted to look at it now to make their recommendations, it was up to the Committee what they wanted to do. Ms. Musso asked if the Committee made recommendations if the JIF would let them know what was standard. The Clerk explained that the changes for the 2010-2012 Manual were minimal, consisting of word changes, or phrase changes, so what was current or changed was not that different from what is there now. Mr. Laurella stated that even though JIF has it's own policy he would like to see some of Deerfield's own policy put in place. The Clerk stated there is a Policy Manual and also a Employee Handbook, so any changes can be brought to the Solicitor for approval, and if he felt they needed JIF clarification, they could go to the JIF.

Communications

The Clerk indicated there were no Communications this evening.

The Clerk presented Resolution #10-80 Authorizing The Payment of Bills.

Ms. Musso made a motion, seconded by Mr. Stanzione to adopt Resolution #10-80. Roll Call Vote.

Mr. Lauer mann	Yes	Ms. Musso	Yes
Mr. Laurella	Yes	Chairperson Spatola	Yes
Mr. Stanzione	Yes		

Public Hearing

Mr. Lauer mann made a motion, seconded by Ms. Musso to open the Meeting to the public.

Mr. John Barbagello, Emergency Management Coordinator, approached the Committee and stated that everyone in the Township did a find job with the snow storm and the flooded areas. Mr. Barbagello stated that he spoke to Mr. Lauer mann and worked with Michael Laurella and everything worked out fine. Mr. Barbagello told everyone to be prepared for the next impending snow storm that was to come through that weekend and again on Tuesday of the following week. Mr. Barbagello stated that Michael Laurella and Ron Biau ce did a fine job plowing out the snow.

Mr. Spatola asked Mr. Barbagello where the Durango is parked if Mr. Barbagello takes it home. Mr. Barbagello stated it is parked outside. Mr. Spatola questioned the fact that every time something happens the vehicle leaves the garage, and asked if it wasn't easier to just come to the Municipal Building and get the Durango. Mr. Barbagello stated that is why there is a four wheel drive vehicle so in case there is any kind of emergency he can get out and be there at the scene.

Regular Meeting
Township Committee
February 3, 2010
Continued
Page 12

There being no other comments to come before the Committee, Mr. Stanzione made a motion, seconded by Ms. Lauermann to close the Meeting to the public. The Committee Approved.

There being nothing further to come before the Committee Mr. Laurella made a motion, seconded by Ms. Musso to adjourn the Meeting. The Committee Approved.

Frank Spatola, Chairperson
Township of Deerfield

ATTEST:

Karen Seifrit, Clerk
Township of Deerfield