

REGULAR MEETING
TOWNSHIP COMMITTEE

December 1, 2010

Mayor 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.

Mayor Spatola led the flag salute.

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

The Clerk presented Minutes Of November 3rd, 2010.

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

Departmental Reports

The Clerk presented Departmental Reports of the Construction Official, Zoning/Housing Officer, Tax Collector, Treasurer, and Fire Marshall.

Mr. Laurella made a motion, seconded by Mr. Stanzione to accept and file the Departmental Reports. The Committee Approved.

Ordinances

The Clerk presented Ordinance #2010-6 Second Reading And Public Hearing Of An Ordinance Amending Chapter 120 Of The Code Of The Township Of Deerfield For The Implementation Of A Grading Plan And Checklist With Regard To Flooding, Pooling Or Other Drainage Related Problems.

Mr. Laurella made a motion, seconded by Ms. Musso to open the Public Hearing on Ordinance #2010-6. The Committee Approved.

Mr. Laurella explained to the public that the Ordinance had to do with variances for properties that are in low underlying areas, or undersized. Mr. Laurella stated that there were problems with properties that were in low standing areas getting flooded, and because of the flooding, the residents want the Township to resolve the problem. Mr. Laurella indicated that is why this Ordinance has been put in place, so if someone comes in they will need a variance and a site plan to show where the water on a low laying property will go other than a Township road, and if they decide to build on a low laying property they will be responsible for it when it floods.

Mr. Laurella made a motion, seconded by Mr. Stanzione to close the Public Hearing on Ordinance #2010-6. The Committee Approved.

Mr. Stanzione made a motion, seconded by Mr. Laueremann adopt Ordinance #2010-6. Roll Call Vote.

Mr. Laueremann	Yes	Ms. Musso	Yes
Mr. Laurella	Yes	Chairperson Spatola	Yes
Mr. Stanzione	Yes		

Resolutions

The Clerk presented Resolution #10-152 Transfer Of Funds.

The Clerk stated there was a Resolution last month to transfer funds, but still have come short on some accounts, so this is another Resolution to transfer funds to those accounts.

Mr. Stanzione made a motion, seconded by Mr. Lauer mann to adopt Resolution #10-152. Roll Call Vote.

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

Old Business

Mr. Laurella stated that there is a problem with the street, and the Engineer and the Solicitor have sent letters to the property owner across the street and the property owner does not want the water going across the street to their property. Mr. Laurella indicated that this might become a legal issue, but the Township has to do what has to be done, the new Ordinance will cost people money if they want to build in low underlying areas, but save money in the long run.

Mr. Stanzione stated, as far as Recreation, the Breakfast with Santa is this Saturday, December 4th and the Fire Company is in the process of bonding for a new ambulance.

The Clerk presented Discussion Regarding Request From Diana Campani-Sorelle and Legacy Lanes (Formerly Pike Lanes) In Connection With Back Taxes.

The Clerk stated in the Committee's packet was a previous memo from herself, and a letter from Mrs. Campani-Sorelle requesting the Committee to enter into an agreement with her so she can get the back taxes paid. The Clerk asked the Committee if they were willing to enter into an agreement and for how long.

Mr. Spatola stated that at the previous meeting, the Solicitor had not had time to review the letter, but at this time he has reviewed the letter, and Mr. Spatola asked him for his opinion on this matter. Mr. Spatola indicated that to his knowledge after the first of the year the tax liability is going to exceed sixty thousand dollars (\$60,000.00). Mr. Spatola stated the tax collector has a good direction, and a payment schedule has been set forth, and they are asking Solicitor Testa for advice.

Solicitor Testa stated there is no statutory provision for the forgiveness of the taxes, however it has been done in the past, and the Committee is permitted to exercise their discretion to enter into a time payment plan. Solicitor Testa indicated that the Tax Collector, Mrs. Branson has given her calculations of what the monthly payments would be. Solicitor Testa then indicated it comes down to the Committee deciding how many years they are willing to give her to pay her back taxes, but at the same time she has to stay current with her existing taxes.

Ms. Musso asked the Clerk if there has been any tax payments made since the receipt of the letter. The Clerk stated there has been no payments made.

Mr. Stanzione stated he did run into the owner, Mrs. Campani-Sorelle, when she was speaking to Mr. Lamanteer, the Housing/Zoning Officer, and she stated that the reason she has not paid any taxes to this point is because the deed is being transferred back into her name at this time. Ms. Musso stated she thought she was the holder of the mortgage, and if you are the holder of the mortgage you are required to pay the taxes. Mr. Laurella asked if a three year plan could be possible. Solicitor Testa stated it would be possible, and Mrs. Branson has the calculations for a three year payment plan. Solicitor Testa indicated the payments would be sixteen hundred dollars (\$1,600.00) a month on the back taxes, along with the seven thousand dollars (\$7,000.00) quarterly taxes in order to keep the installment plan in good standing. If she defaults on the payments then all the money is due immediately.

A discussion regarding the course of action toward Mrs. Camapani-Sorelle and the payment schedule was held among the Committee.

Mr. Laurella made a motion, seconded by Ms. Musso to adopt a Resolution Authorizing an agreement for a payment plan for back taxes to Diana Campani-Sorelle t/a Legacy Lanes. Roll Call Vote.

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

New Business

The Clerk presented Discussion Regarding Shared Services.

Mr. Spatola stated he attended the League of Municipalities along with other Committee members and there was a lot of information to be had. Mr. Spatola indicated that the State is up against the wall as well as a lot of the Municipalities and Towns. Mr. Spatola stated that Mr. Stanzione took diligent notes and provided them to Mr. Spatola. Mr. Spatola indicated that the only reason he was bringing up shared services was for no other reason than to make sure his fellow Committee members had the same information he had, they could review the information and possibly at the following meeting they could discuss the information. Mr. Spatola stated that the State is trying to push for shared services, but it is only applicable if it suits everyone involved.

Ms. Musso asked the Clerk to get the figures that the Township gave or lost to the State within the past two years 2009 and 2010, that way everyone could see them and understand the issue better. Ms. Musso indicated that the figure would include what was taken in versus what was given to the State, and that would include salary etc.

The Clerk presented Discussion Regarding Maintenance Of The Township Website.

Ms. Musso stated that Anthony Stanzione was notified by Mr. Lauer mann in reference to the update of the website. Ms. Musso stated, being the Public Relations Chair and Co Chair, she and Mr. Spatola met with Mr. Anthony Stanzione at the municipal building and brought up the website. Ms. Musso indicated that some things were outdated but the important thing to know is that Mr. Anthony Stanzione can not put the information on the website unless he has the information. Ms. Musso indicated that the information could be given to Mr. Anthony Stanzione or the information could be changed in the office, because the website is accessible in the Municipal Building.

Ms. Musso stated there needs to be more communication so Mr. Anthony Stanzione can update the website as needed. Ms. Musso indicated that she prefers someone in house change the website, because it would be done quicker as opposed to calling Anthony Stanzione and the information being changed every week or so. Ms. Musso stated the Committee could have a discussion to decide who would make the changes to the website.

The Clerk presented Date For Annual Reorganization Meeting.

The Clerk stated that in the past, the meeting was set for the first Wednesday in January. The Clerk indicated there was a calendar in everyone's packet, and the first Wednesday in January would be the 5th.

Ms. Musso made a motion, seconded by Mr. Laurella to set Wednesday, January 5th, 2011 for Annual Reorganization Meeting. Roll Call Vote.

Mr. Lauermann	Yes	Ms. Musso	Yes
Mr. Laurella	Yes	Chairperson Spatola	Yes
Mr. Stanzione	Yes		

Mr. Laurella stated he has a group of young Girl Scouts who are willing to come to the Reorganization meeting and say the pledge of allegiance and sing a patriotic song if the Committee members agreed. The Committee members said it was a nice idea.

The Clerk presented Date For Special Meeting For End Of Year Payment Of Bills.

The Clerk stated as it has been done in the past, they try to clean up as many bills as possible, and it is usually done at the end of December in the morning, and she would need at least three Committee members present.

Mr. Laurella made a motion, seconded by Ms. Musso to set Wednesday, December 29th at 8:30 am for Special Meeting for the end of year Payment of bills. Roll Call Vote.

Mr. Lauermann	Yes	Ms. Musso	Yes
Mr. Laurella	Yes	Chairperson Spatola	Yes
Mr. Stanzione	Yes		

The Clerk presented Dates for 2011 Budget Workshops.

Ms. Musso made a motion, seconded by Mr. Stanzione to set Wednesday, January 26th and Wednesday, February 23rd at 6:30 for Budget Workshops. Roll Call Vote.

Mr. Lauermann	Yes	Ms. Musso	Yes
Mr. Laurella	Yes	Chairperson Spatola	Yes
Mr. Stanzione	Yes		

The Clerk presented Renewal of Bowling Alley License For They Year 2011- Legacy Lanes.

Mr. Laurella made a motion, seconded by Mr. Stanzione to approve the renewal application for bowling alley license for Legacy Lanes. Roll Call Vote.

Mr. Lauermann	Yes	Ms. Musso	Yes
Mr. Laurella	Yes	Chairperson Spatola	Yes
Mr. Stanzione	Yes		

The Clerk presented Renewal Of Junk Yard Licenses For The Year 2011- Deerfield Trucks Inc. And Vern's Place 4 Parts.

Mr. Laurella made a motion, seconded by Mr. Lauermann to approve the renewal application for Deerfield Trucks Inc. and Vern's Place 4 Parts, junk yard license. Roll Call Vote.

Mr. Lauermann	Yes	Ms. Musso	Yes
Mr. Laurella	Yes	Chairperson Spatola	Yes
Mr. Stanzione	Yes		

The Clerk presented Discussion Regarding The Setting Of Hours For Sunday Sales.

The Clerk stated at this time the meeting was going to be open to the public of this discussion only.

Ms. Musso made a motion, seconded by Mr. Lauermann to open the meeting to the Public as to discussion of Sunday Sales. The Committee Approved.

Mr. Kenneth McMahon, 495 Landis Avenue approached the Committee and stated that he would like the Committee to take into consideration that there has never been implemented alcohol sales on Sunday but when they have special events, like the Super Bowl, and it doesn't end until 11 pm. Mr. Spatola asked Mr. McMahon how many events during the year he holds that end that late. Mr. McMahon states he doesn't do many things on Sunday because of the alcohol sales and because he does not make back the money he has to pay out for the special permit.

Tom Brown, 708 Morton Avenue approached the Committee and stated that to his understanding, Saturday night hours would change from 12:00 am to 2:00 am. Mr. Stanzione stated he would agree to that time change. Mr. Brown stated that was one if his first concerns, was the time change on Saturday and as far as Sunday hours went, he would take any Sunday hours he could get. Mr. Brown stated that he agreed what Mr. McMahon stated as far as there being some Sundays during the year that there are events going on that might end later than 10:00 pm, but usually 10:00 pm would be a good time for closing.

Mr. Laurella asked Mr. Brown to give him some times that he thought would like the Township to consider. Mr. Brown stated that from his perspective 1:00 pm or 2:00 pm would be a good time to open and 10:00 pm closing excluding a special event.

Mr. Laurella stated he would suggest that the second Sunday of October the bars would be closed earlier so the liquor is not carried outside of the premises across the street.

Trustee of the Deerfield Elks Lodge approached the Committee and stated that they rent the building out but can't rent it out on a Saturday night because they close at 12:00 am so people go somewhere else, so he would definitely like to see the closing time at 2:00 am, and he would like to see the opening time as 12:00 pm and the closing time as 12:00 am, on Sundays so they could also rent out the hall on Sundays as well.

Mr. Hershel Patel, Carmel Discount Liquors, 600 Sherman Avenue approached the Committee and stated that he feels that because he has a liquor store a opening time of 10:00 am because it would help his business especially since no one in the surrounding area opens at 10:00 am.

Mr. Stanzione asked the Solicitor if they could establish two different set of hours for different establishments. Solicitor Testa stated if they have Broad C license's, which they have a bar and package goods right out of the same facility it would be difficult to have sales under the Broad C license time and then the over the bar sales a different time.

Mr. Rudy Danna, 604 Morton Avenue, approached the Committee and stated he has a Broad C license and if opened a restaurant and started at 10:00 am, someone came in for lunch he could serve alcohol. Mr. Danna suggested leaving the opening times from 10:00 am to 2:00pm and letting the owners decide if they want to open at 10:00 am or 2:00 pm.

The Committee stated that the surrounding towns have opening times starting at 12:00 pm. Mr. Stanzione stated that in his opinion he would like to see the business's in Deerfield Township open before 12:00 pm because it would give them additional business in the town. Ms. Musso stated she would like to see the business open at 12:00 pm like the surrounding town but not any earlier because she feels 10:00 am is too early to sell alcohol.

Ms. Musso asked Solicitor Testa if in the Resolution it could state Superbowl, New Years Eve is an exception or do they have to come in and get a permit for a special function. Solicitor Testa stated they should come in and get a special permit for the Sunday sales for special events.

A discussion regarding Sunday closing hours, and special permits was held among the Committee and the public.

A discussion regarding the setting of hours, Resolution and amendment of the Ordinance was held among the Committee.

The Clerk stated if the Ordinance is introduced on December 15, 2010, and if the rest of the Committee is aware and in agreement, on December 29 the Ordinance can be adopted, setting the opening day for Sunday Sales and will be ready for January.

Solicitor Testa stated that it would be done at the special meeting December 29, but Mr. Laurella's concern was that there would only be three Committee Members, but if it was discussed and agreed upon it could be decided at that special meeting.

Mr. Stanzione stated the owners of these establishments waited fifteen years for these Sunday sales, and they have waited long enough, the quicker it gets done they could move on.

Mr. Laurella made a suggestion to open on 12:00 noon and close at midnight (12:00 am) on Sundays. Mr. Stanzione suggested opening at 11:00 am on Sundays to pick up some earlier business from other towns.

Mr. Hershel Patel, Carmel Discount Liquors approached the Committee and reiterated that he would like to open at 10:00 am because he would be able to get those few hours on the other towns and also because he would close his store by 6:00 pm on Sundays. Mr. Patel reiterated again that opening earlier would help out his store because people driving through town would stop in because no other stores would be open at that time.

Mr. Spatola stated that the fact that there is a difference between selling package goods as opposed to a bar is a touchy subject. Mr. Spatola stated he would take his request into consideration but it is a touchy subject when you have another establishment that sells package goods as well as serves liquor, so it will be taken into consideration but it has to be fair to everyone.

A discussion was held among the Committee and the public regarding the hours of Sunday sales.

Mr. Patel asked a question regarding selling alcohol and beer past 10:00 pm. Solicitor Testa stated he did not want to answer a question regarding the State statute.

Mr. Danna stated to the Committee to set the hours and let each individual owner to open and close between those hours. Ms. Musso stated that is what the Committee is going to do, set the hours and the owners can decide when they wanted to open and close their establishment.

Ms. Musso made a motion, seconded by Mr. Stanzione to close the meeting to the Public as to discussion of Sunday sales. The Committee Approved.

Mr. Stanzione made a motion, seconded by Ms. Musso to authorize the Solicitor to prepare an Ordinance for the setting of hours for Sunday sales.

A discussion regarding the Ordinance being written before the hours are set was held among the Committee.

Mr. Stanzione stated that the Committee members should suggest the hours they had in mind so it could be thought about before the next meeting. The Clerk stated that Mr. Laurella suggested changing Saturday hours from 12:00 am to 2:00 am and suggested setting Sunday hours from 12:00 pm to 8:00pm. Mr. Lauermann stated he was looking at the hours from the surrounding cities and suggested Sunday hours should be set from 11:30 am to 1:00 am, which covers the concerns of the functions that may be had and still get every one out the door by 1:30 am. Mr. Stanzione stated he agrees with Saturday hours ending at 2:00 am and suggested setting Sunday hours from 11:00 am to midnight (12:00 am). Ms. Musso suggested Saturday hours should be until 2:00 am, and suggested setting Sunday hours 11:00 am to 1:00 am. Mr. Spatola stated Saturday hours should end at 2:00 am, and suggested setting Sunday hours from 12:00 pm to 2:00 am.

Mr. Laurella stated that he and Mr. Lauermann were asked if a street sign could be placed stating children at play. Mr. Laurella indicated that they were going to place the sign and believes there are other areas in the Township that need signs that state children at play. Mr. Laurella stated to Mr. Lauermann he would like to think about putting the signs up a little more. Mr. Laurella indicated they had some requests at the Danna Estate area, but he would like to consider Spruce Street, Vineland Avenue, Maple Street, because there are a lot of children in those areas. Mr. Laurella would like the Committee to consider putting the signs around the Township where they feel they are needed.

Mr. Lauermann stated there are some intersections that have no signs at all. Ms. Musso and Mr. Laurella stated to get the names of the intersections and Michael Laurella, Public Works Manager would put the signs up. Ms. Musso stated that the Public Works Manager has put signs up several times but they were getting stolen.

Mr. Lauermann stated that the cost of Municipal lighting program is roughly forty thousand dollars (\$40,000.00) a year to illuminate the Township. Mr. Lauermann indicated that the Municipal lighting program has gotten into a residential lighting program. Mr. Lauermann explained that with a Municipal lighting program the lights need to be so far apart, and there is a large area in the Township where there is a pattern as where the lights are so far apart, but then there is an area where there are a group of lights, near residential driveways and not at intersections where they are needed. Mr. Lauermann stated that the past few years the lighting costs have gone up into the double digits and the Township needs to look into curbing the costs. Mr. Lauermann indicated that the Clerk gave him some figures and between the Municipal lighting program, the lighting of the park, and the Municipal Building lights, the costs is almost seventy thousand dollars (\$70,000.00). Mr. Lauermann explained that as the utility costs increase they need to keep up with technology to shorten the gap, and there is no grant money, the Township needs to do it with their own funds that are in the budget. Mr. Lauermann indicated that he and the Committee are not trying to make the Township unsafe, they are just trying to go back to what the standard Municipal lighting was and reduce the cost, because forty thousand dollars (\$40,000.00) for a Township as small as this is an enormous amount of money.

A discussion was held among the Committee regarding street lights, the number of street lights in the Township and the cost due to the number of street lights in the Township.

Communications

The Clerk indicated there were no Communications this evening.

The Clerk presented Resolution #10-153 Authorizing The Payment of Bills.

Mr. Laurella made a motion, seconded by Mr. Lauermann to adopt Resolution #10-153. Roll Call Vote.

Mr. Lauermann	Yes	Ms. Musso	Yes
Mr. Laurella	Yes	Chairperson Spatola	Yes
Mr. Stanzione	Yes		

Public Hearing

Ms. Musso made a motion, seconded by Mr. Stanzione to open the Meeting to the public. The Committee Approved.

John Barbagello, Emergency Management Coordinator approached the Committee and stated he had a question regarding the trash sump pumps. Mr. Barbagello asked if he was going to be able to purchase the trash sump pumps or not. Mr. Spatola stated that he believed the money is not where they thought it to be. Mr. Barbagello stated that one pump is completely out of service and that other pump is on it's way to not working as well, and he feels that these pumps are important because in the case of an emergency. Mr. Bargagello stated the he put in a five year request for his Durango, the portable lights and now the pumps, which he can't get grants for and he feels they are important to have, especially since there has been bad weather.

Mr. Spatola stated that the money has to come from where it needs to come from properly.

Ms. Musso asked Mr. Barbagello how many times he used the pumps this year, Mr. Barbagello stated he used them about three or four times maybe more.

A discussion was held among Mr. Barbagello and the Committee regarding when he put in the request of the pumps, the answer he did not receive regarding the pumps and the Capital Budget.

Mr. Barbagello stated he requested the funds out of the Capital Budget and did not receive an answer and the pumps would have been less than the five thousand dollars (\$5,000.00) he set for the pumps. Ms. Musso indicated that since it was not approved in 2010 he would have to put another request in 2011 for the pumps.

Ms. Musso stated if there was enough money in the Capital he could purchase one pump and then put a request in for the second pump in 2011. Ms. Musso stated that the Clerk would have to look at the money in Capital and decide if the pump is something that is needed. The Clerk stated that the small amount of money that was in Capital has been used, so short of doing a Capital Ordinance there is no money in the budget to appropriate the pumps.

Mr. Barbagello asked if money from his budget could be used toward the pump so at least one pump could be purchased he would appreciate it.

Mark Cifaloglio, 596 Kenyon Avenue, Fire Chief approached the Committee and stated the he wanted to shed some light on the pump issue. Mr. Cifaloglio indicated the pumps were used a lot more than four times last year. Mr. Cifaloglio stated that when a water line breaks or there is sever weather residents call the fire department, and he is not going to pump out a basement with a half a million dollar fire truck. Mr. Cifaloglio indicated he had an agreement with Greenwich, however, if it is flooding in Deerfield, unless it's a water line break, it is flooding in Greenwich, so last year when there were a couple of storms they could not borrow any pumps from the neighboring municipalities because they were using them. Mr. Cifaloglio stated there are fire departments that pump basements with their fire trucks but he is not doing that with Rosenhayn's fire trucks, so there is a need for those pumps. Mr. Cifaloglio reiterated that he did not know what the budgetary is, and whatever could be done to work with Mr. Barbagello would be appreciated because when they get a call, they do call Mr. Barbagello for his assistance and the pumps they have now are outdated, so the fire company would appreciate it as well.

Mr. Cifaloglio stated that when he was on his way home Thanksgiving evening, he passed by the fire house and the all the lights at Lobiondo Park are on, and are always on. Mr. Lauer mann stated there is technology he will be looking into to solve the problem.

A discussion was held among the Committee regarding the pumps.

Mr. Spatola stated that at the previous meeting the Committee asked for reports from departments and Mr. Barbagello was the first to come forth with his reports, they were very comprehensive and Mr. Barbagello did a great job. Mr. Spatola thanked Mr. Barbagello.

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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.

Ms. Musso made a motion, seconded by Mr. Lauermann to go into Executive Session as per Resolution #10-149 adopted November 3rd, 2010. Roll Call Vote.

Mr. Lauermann	Yes	Ms. Musso	Yes
Mr. Laurella	Yes	Chairperson Spatola	Yes
Mr. Stanzione	Yes		

Mr. Lauermann made a motion, seconded by Mr. Laurella to reconvene the Regular Meeting. The Committee Approved

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

Frank Spatola, Chairperson
Township of Deerfield

ATTEST:

Karen Seifrit, Clerk
Township of Deerfield