

REGULAR MEETING
TOWNSHIP COMMITTEE

APRIL 7, 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.

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

The Clerk presented Minutes of March 3rd and March 17th, 2010.

Mr. Stanzione made a motion, seconded by Mr. Lauermann to approve the minutes as written. The Committee Approved.

Resolution

The Clerk presented Resolution #10-94 Amending The Personnel Policy And Procedures Manual Of The Township of Deerfield.

Mr. Laurella made a motion, seconded by Ms. Musso to adopt Resolution #10-94. Roll Call Vote.

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|---------------|-----|-------------|-----|
| Mr. Lauermann | Yes | Ms. Musso | Yes |
| Mr. Laurella | Yes | Mr. Spatola | Yes |
| Mr. Stanzione | Yes | | |

The Clerk presented Resolution #10-95 To Cancel Outstanding Accounts Payable.

Mr. Stanzione made a motion, seconded by Ms. Musso to adopt Resolution #10-95. Roll Call Vote:

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|----------------|-----|-------------|-----|
| Mr. Laurermann | Yes | Ms. Musso | Yes |
| Mr. Laurella | Yes | Mr. Spatola | Yes |
| Mr. Stanzione | Yes | | |

The Clerk presented Resolution #10-96 Appointing Gloria Fields As Alternate Member #3 To The Deerfield Township Recreation Committee.

Ms. Musso made a motion, seconded by Mr. Stanzione to adopt Resolution #10-96. Roll Call Vote:

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|---------------|-----|-------------|-----|
| Mr. Lauermann | Yes | Ms. Musso | Yes |
| Mr. Laurella | Yes | Mr. Spatola | Yes |
| Mr. Stanzione | Yes | | |

Old Business

The Clerk presented Reports from Department Chairpersons. Mr. Laurella stated that he contacted the property owner on Maxom Avenue, where the flooding has been, and asked him to contact a gentleman from the USDA so that USDA can provide technical advice on the flooding on Maxom Avenue. He further indicated that people should look all around and note the flooding that has occurred all throughout the counties when it rains and the flooding that has occurred on major highways. Mr. Laurella noted that they are working on the project, but it is going to take some time.

The Clerk present Discussion Regarding Proposed Increase For Use Variances (Residential) From \$750.00 To \$1,000.00. The Clerk noted that Mr. Laurella had asked that this matter be tabled from the last meeting. Mr. Laurella indicated that the reason for increasing these fees, even though the Land Use Board doesn't like doing it, is because there are certain aspects that take more time when a variance is done. He further indicated that the money is needed to cover the expenses in case a person does not receive the variance the individual will not pay the remaining expenses. Mr. Laurella recommended that the Committee raise the fee from \$750.00 to \$1,000.00. Mr. Laurella noted that the fee had been \$1,000 at one time and the Committee lowered and now the Committee has to go back and raise it again.

Mr. Laurella made a motion, seconded by Mr. Stanzione to raise the residential variance fees from \$750.00 to \$1,000.00. Roll Call Vote:

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|----------------|-----|-------------|-----|
| Mr. Lauer mann | Yes | Ms. Musso | Yes |
| Mr. Laurella | Yes | Mr. Spatola | Yes |
| Mr. Stanzione | Yes | | |

New Business

Mr. Laurella stated that the Planning Board is going to handle the matter first, but when there is a variance for an under-sized lot which does not meet the area requirements the Board is going to require a topographic survey showing where the water from that property will flow once their home is built.

Mr. Spatola indicated that this requirement is already law in New Jersey. He further indicated that you build a new house regardless of what zone it's in you have to contain the stormwater runoff on that property unless that stormwater runoff can be put directly into the municipality stormwater runoff. Mr. Spatola stated that if it cannot be put directly into the municipality system than the whole yard may have swale into a culvert in the front of your yard and is now managed with all the municipality's stormwater. He further stated that no stormwater runoff can leave the property.

Mr. Laurella noted that when there are downpours people have to understand that there is flooding on all properties and basements. Mr. Lauer mann stated that prior to an individual building a dwelling the resident needs to be aware that where the footprint of the home may go that according to the topographical survey there may be future issues with deluge type rainstorms and that has been a problem.

Mr. Spatola suggested that through the variance fees a topographical survey be done and included on the site plan even before the variance is granted or construction permits are applied for. Mr. Laurella reiterated that the topographical plan would show potential water runoff and noted that only a certain percentage of the property can be covered by a dwelling or swimming pool. Mr. Spatola stated that no more than 72 or 76 percent of the property can be covered with impervious materials (asphalt, roofing or a buildings).

Mr. Laurella indicated that residents have been wondering why they haven't been receiving their census forms. He further indicated that the post office stated that the forms had come in, but had to be sent back because the forms only had an address with no name and no post office box. Mr. Laurella stated that the post office does not know where a specific address is, but they know of the post office box. He further stated that if they had called the municipal building we could have given them a copy of the 9-1-1 book and found the addresses. The Clerk indicated that apparently the post office called the Census Bureau and told them that they received the forms with just addresses and no

post office boxes and was advised by the Census Bureau to send them back and that the canvassers will have to go out when there is time. She further indicated that residents will have to wait for the canvassers to come around and get the information.

Mr. Lauermann noted that he too inquired about this as he had residents call his home and apparently the Head Post Master at the Bellmawr Operations made a decision to have all those census forms sent back to the distribution center because there were no post office boxes listed on the census form and they sent all the forms back and will dispatch the canvassers accordingly at a future date.

Mr. Spatola stated that he and Ms. Musso attended a couple of meetings this week one with Senator Van Drew and the other with Senate President Steven Sweeney. He further stated that he wanted to share with the Committee and the public some of the pertinent points that they brought from the meetings so that everyone knows what they know.

Mr. Spatola indicated that the main point of both of these meetings was to talk about the new solar energy push. He further indicated that Upper Deerfield is leading this and they have developers coming in and they are leasing all kinds of property and the ramifications are endless. Mr. Spatola stated that he wanted to share with everyone some of the points the municipalities have collectively brought forth and posed to the Senators. He further stated that the municipalities suggested a PILOT Plan to promote payment in lieu of taxes because inherently beneficial use (solar energy) and when a developer comes into a municipality they are offering great prices to the farmland owners and want to develop the best pieces of property. Mr. Spatola noted the situation in Upper Deerfield and noted how a similar situation could happen in Deerfield along the Route 56 corridor (Landis Avenue) and specifically noted 2 large tracts of land between Greenman Avenue and Garton Road that are the only 2 pieces along the commercial corridor that the Township has left for possible ratables in the future. Mr. Spatola stated that developers are exempt to all of the municipalities zoning and land use rules and when the municipality notes the zoning and land use regulations they immediately appeal it and the developer ends up winning as the State of New Jersey is pushing hard for this happen and the goals set for 2020 that 20% of our energy comes from green/renewable resources. He further stated that the State of New Jersey has the most benefits and incentives offered to any contractor who wants to install, sell or lease ground to put these solar panels on in the Country. Mr. Spatola indicated that Upper Deerfield has application from all across the County because the land is cheaper here. Ms. Musso also noted that South Jersey has more land available than North Jersey and the land is cheaper. Mr. Spatola stated that developers are trying to consume the large corridors of land and the municipality would end up losing sales advantages for ratables because Deerfield is approximately 75% farmland.

Mr. Spatola stated the municipalities recommended that the municipalities receive some kind of money to offset the loss in tax revenue and ratables that the solar panels are going to create and is something that the municipalities are asking for and would like to see the developer come to the municipality first and give the municipality a say as to the development.

Mr. Spatola indicated a discussion regarding Brownfields sites and there are a lot of Brownfields sites and landfills in New Jersey. He further indicated that Senator Sweeney and Senator Van Drew agreed with the municipalities that all these rural districts have old landfills, which under DEP regulations, a municipality can nowhere near afford to properly close the landfills and reclaim them the way they need to be. Mr.

Spatola noted that the municipalities could get incentives to put solar panels on their individual dumps and that might be a way to go. He further noted that Maurice River has a landfill, but with some Pineland issues, but Deerfield has a great spot and the money could go straight to the Township to offset the Township's losses as a result of the budget cuts. Mr. Spatola stated that Anthony Stanzione has already looked into soliciting, through CDC, developers who are putting these solar sites in for the all the different municipalities in Cumberland County, but the biggest obstacle is that the developers are looking for at least 50 acres. He further stated that as things become more regulated and the towns have more input that it might be a good thing to try and do and utilize the old landfill. Mr. Spatola indicated that the utility credit is very high.

Another issue that was discussed is when a developer wants to put solar panels on a piece of land and they lease it from the farmer for 24 to 30 years. Mr. Spatola noted that after 20 years solar panels start to depreciate in their strength and start to go down. He stated that there is a 2 year performance to build it, a 2 year maintenance bond then once the maintenance bond is satisfied by the developer or company than they are no longer liable for what happens on that site because they are leasing it not buying it. Mr. Spatola further stated that after 24 years when these rural townships don't have enough money to pay their bills is faced with a thousand acres of solar panels then who does it revert back to, does it revert back to the property owner who bails out and says take it for taxes and who also doesn't care because the property owner earned \$2,500 per acre per year for the length of the contract. This leaves the township with a field of solar panels that is impervious to water, creates bad storm water run off and will probably be considered a toxic waste to get rid of and who is going to pay for that.

Mr. Spatola indicted that there are a lot of issues but the only thing the developers are seeing is that the government is offering a 30 to 40 percent incentive/grant and they are turning their developments into these fields since they can't sell their houses. He further indicated that these are great if you can feed the energy back into the grid, but stated that they need to realize what's good today what's it going to be like 20 years from now. Mr. Spatola stated that Deerfield Township knows better than anyone as the Township has dealt with for the last 20 years. He further stated what's going to happen when the grants subside and noted that the developers will go away and the solar panels will be left. Mr. Spatola noted that these were items that were put on the table and commended CDC, Tony Stanzione and Roy Spoltore in doing a great job in presenting this matter in great detail and the everyone raised some issues and really got the attention of the Senators.

Ms. Musso mentioned that with all the municipalities going in with each other and supporting each other the municipalities are hoping to have a voice for the municipalities through CDC. She noted that the Senators made time for the municipalities and are aware of the issues and hopefully will work to correct the issues raised by the municipalities.

Mr. Spatola noted that it was a great meeting and further noted that the municipalities of Cumberland County will give collective feedback and Ms. Musso mentioned that there will be another meeting in the future when a little more research has been done.

Mr. Stanzione stated that he had a resident call him regarding a grant he had received to put solar panels on his house, but the problem he is having is that Atlantic City Electric is telling him that he can't put it into the line as the grid is full. He further stated that this is a problem we're already having and if they are going to allow that then they need to make sure there is enough space in the line. Discussion was held about how

this is a residential grant and what will happen with a developer and the electric company.

Communications

The Clerk stated there were no Communications this evening.

The Clerk presented Resolution # 10-97 Payment of Bills

Mr. Laurella made a motion, seconded by Mr. Stanzione to adopt Resolution #10-97. Roll Call Vote.

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| Mr. Lauermann | Yes | Ms. Musso | Yes |
| Mr. Laurella | Yes | Mr. 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 gave an update on the reimbursement from FEMA for the snow storms in December and February. He noted that the December storm reimbursement will be received sometime in June or July due to the State budget. Mr. Barbagello indicated that the reimbursement for the February storm will be based on the dates of February 6 and 7. He further indicated that the reimbursement has been approved and that Township will be receiving approximately \$2,800.00. Mr. Lauermann asked if the \$2,800.00 was for both storms. The Clerk verified with Mr. Barbagello that the \$2,800.00 was for the February storm and additional \$4,100.00 for the December storm. Mr. Barbagello asked that a copy of the checks be given to him for confirmation. The Clerk reiterated that the checks would not be expected until June or July.

Mr. Barbagello noted that water table is very high and people have been complaining, but there is really nothing you can do about it as we had a lot a rain. He further noted that grants want to know what damage occurred and see copies of bills and noted that there had been forms at the Township Building. Ms. Musso stated when she and Mr. Spatola met with Assemblywoman Celeste Riley Ms. Musso asked if there was anything available for residents beside a low interest FEMA grant, but there is nothing.

Additionally, Mr. Barbagello stated that someone had mentioned to him that Garton Road is seeing a lot more flooding due to the corrections made to Rainbow Lake. Discussion was held among the members indicated that it couldn't possibly be true as there is less water in Rainbow Lake than before the renovations.

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

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Township Committee
April 7, 2010
Minutes

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

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

ATTEST:

Karen Seifrit, RMC
Township of Deerfield