

REGULAR MEETING  
TOWNSHIP COMMITTEE

June 5, 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 7:00 p.m.

Chairperson Spatola led the flag salute.

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

Robert Casella was in for Solicitor Michael Testa.

Minutes

The Clerk presented the minutes from May 1<sup>st</sup>, and May 15<sup>th</sup>, 2013.

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

Ordinances

The Clerk presented Ordinance #2013-4 Second Reading And Public Hearing Of An Ordinance Adopting The International Property Maintenance Code.

Mr. Laurella made a motion, seconded by Mr. Lauermann to open the Public Hearing on Ordinance #2013-4. The Committee Approved.

Mr. Lauermann made a motion, seconded by Mr. Lauermann to close the Public Hearing on Ordinance #2013-4. The Committee Approved.

Mr. Laurella made a motion, seconded by Mr. Montgomery to adopt Ordinance #2013-4. Roll Call Vote:

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

The Clerk presented Ordinance #2013-5 First Reading Of An Ordinance Appropriating The Sum Of \$10,000.00 From The Capital Improvement Fund Of Deerfield Township for The Purchase Of Fire Gear.

Mr. Stanzione made a motion, seconded by Mr. Lauermann to adopt Ordinance #2013-5 Capital Ordinance for Fire Gear and to set Wednesday June 19, 2013 for Second Reading, Public Hearing and Final Adoption. Roll Call Vote:

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

Resolutions

The Clerk presented Resolution #13-101 Resolution approving Liquor License Renewals For The 2013-2014 License Term.

Mr. Stanzione made a motion, seconded by Mr. Montgomery to adopt Resolution #13-101. Roll Call Vote.

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

The Clerk presented Resolution #13-102 Resolution Authorizing An Agreement Between The Cumberland County Improvement Authority And The Township Of Deerfield For The Sale Of A 2005 Durango.

Mr. Stanzione made a motion, seconded by Mr. Laurella to adopt Resolution #13-102. Roll Call Vote.

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

The Clerk presented Resolution #13-103 Resolution Authorizing Application for Discretionary Aid Funding For Cedar Street In The Township Of Deerfield.

The Clerk stated that Fralinger Engineering has prepared the application for discretionary funds since the Township didn't get an award under the regular DOT Grant process.

Mr. Stanzione made a motion, seconded by Mr. Montgomery to adopt Resolution #13-103. Roll Call Vote:

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

The Clerk presented Resolution #13-104 Resolution Appointing Andrew Pizzo, Jr. As A Class II Member Of The Deerfield Township Land Use Board.

Mr Stanzione made a motion, seconded by Mr. Montgomery to adopt Resolution #13-104. Roll Call Vote:

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

### Old Business

The Clerk presented Reports From Departmental Chairpersons.

Mr. Montgomery stated that the paving on Greenman and Shiloh Avenues should be completed by the end of the week, they were replacing the piping underneath the road, which was disintegrated and preparing the drainage area for the water flow which comes down that road, so they should see a lot of relief with the water flow and prevent a lot of the wash out, also they added a lot of nice stones, it looks very good.

Mr. Stanzione stated Recreation Committee just had their youth night, which went well.

Mr. Stanzione stated for the Harvest Festival they are trying to replace the top of the stage within the next month or so.

Mr. Stanzione stated for the Fire Company they are trying to move the money from the Capital Fund to buy their gear, and they are only buying gear for people that are active members.

Mr. Stanzione stated that the Rosenhayn Fire Department was inspected by OSHA and had a very good report. Mr. Stanzione indicated everyone should be proud of the Fire Company and how they take care of their buildings and vehicles and maintenance so the score came back better than normal. Mr. Stanzione stated no defects were found except for the rescue truck, which is getting old, and himself and Mr. Laurella are going to get together and speak about that.

#### New Business

The Clerk presented Discussion Regarding Request For Proposals For Bank Services.

The Clerk stated in the Committee's packets there was a break down and comparison of three bids the Township received, and they were open on Monday with the Finance Officers, Mr. Laurella and herself. The Clerk indicated that one of the issues currently outstanding is Courier Service, one of the banks can only provide two day courier service but are trying to look into providing with a third day, but the Township may have to pay for the third day to accommodate the forty eight hour (48) necessary deposit time. The Clerk stated they still have to get back to her to see if even a third day is possible, and if not they may have to pull their bid.

Mr. Laurella stated this can not be approved tonight and the Finance Officer did say it was going to be a hard thing to separate, but they asked in the bid package for every day pick up, two banks said yes, and one bank said two day pick up, and the bank with the two day pick up has good rates. Mr. Stanzione stated if that bank gave them the third day he would go with that bank.

Mr. Lauermaun asked how much they would charge for the third day pick up, the Clerk stated it would be \$50 for the additional day so approximately two thousand dollars (\$2,000.00) a year.

A discussion regarding banking services was held among the Committee.

Mr. Laurella made a motion, seconded by Mr. Stanzione to table the request for REP's for Banking Services. Roll Call Vote:

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

Mr. Stanzione stated in the Committee's packets there is an hourly schedule for the church raising on Garton Road. Mr. Stanzione indicated that they would like to have the Township officials there for the raising of the structure. Mr. Spatola stated all they can do is ask the Construction Code Official if she could be there to over see everything, but she needs to be paid for her time.

A discussion regarding the raising of the church within a twenty four (24) hour period and the availability of the Construction Code Official was held among the Committee.

Mr. Casella asked if this was a pre engineered building and did this plan go before the planning board. Mr. Stanzione stated he did not know if it was a pre engineered building but yes it did go before the planning board. Also did they get all their permits for this structure.

Mr. Montgomery stated it upsets him that they sit there to discuss this, when they ask for departmental reports through the course of the year and yet situations like this, which are unique to what the Township experiences every day, they have no information on, they have no reports from the building inspector or construction official. Mr. Montgomery stated this should have been taken care of two weeks ago, so they could have all the answers and the Committee has no answers for the people of the Township.

A discussion regarding the Church in a Day build was held among the Committee.

Mr. Casella stated that normally Township Committee doesn't get involved in the construction of a building, you assume that Ordinances are followed. Mr. Casella stated this was an unusual schedule and it is certainly something the Construction Official should be apprised of and see if they can accommodate this schedule because they have to make the inspections and there is a lot going on at one time.

#### Communications

The Clerk stated there were no Communications this evening.

The Clerk presented Resolution #13-105 for The Payment Of Bills.

Mr. Montgomery questioned the Nextell Communications bill as to why it was so expensive. The Clerk stated there was lack of communication from Nextell as to the Township's contract period and closing the contract before it expires and the disconnection of the phones.

Mr. Stanzione made a motion, seconded by Mr. Montgomery to pay the bills, seconded by Mr. Spatola, to adopt Resolution #13-105. Roll Call Vote:

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

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

Mr. Eugene Bryant, East Avenue, Millville NJ approached the Committee and stated he was at the meeting this evening regarding a liquor license he had purchased four years ago, which he has not received as of yet. Mr. Bryant indicated he had been turned down by the Township, by the State Trooper Barracks, and was told he should have come to the Township officials regarding this situation, when he was in court.

Mr. Bryant stated he was never told by the Clerk that he could come before the Township Committee about the liquor license, and for four years he has been trying to get a license that he has paid for, and there was no reason why he should have been turned down for this license. Mr. Bryant stated that the State Police never sat down to speak to him about the liquor license and he was the one who had to go to them every time he needed information.

Mr. Bryant stated he paid fifteen thousand dollars (\$15,000.00) for the liquor license and he wants to know where his fifteen thousand dollars (\$15,000.00) are going to come from because he has paid this Township over two thousand dollars (\$2,000.00) to renew the liquor license every time it needed to be renewed, so his money is being paid but he has gotten no service.

Mr. Bryant reiterated he was just informed to come to the Township Meetings, he stated he spoke to the State Police a total of five (5) times in a matter of three (3) years, and he was denied because they did not have all the information, and asked how can he hand in all the information needed when there was no communication. Mr. Bryant indicated he handed in all the information he had available, when it was requested.

Mr. Casella stated he was present at the hearing at which Mr. Bryant referred to and he did hear the testimony of his son's attorney. Mr. Casella indicated as he told the Township Committee through the Township Clerk, in his opinion, the circumstances in which Mr. Bryant finds himself are not of his making, but he has to understand the Committee's position, they are not an investigative Board, they can approve the transfer of the liquor license, but they have to rely on the investigation that has been done by the State Police. Mr. Casella stated the Township Committee has no control over that investigation and the report that came back to the Committee was that the State Police could not come to a final conclusion as to the appropriation of the money, so at that time Mr. Bryant wasn't an appropriate person, now the State Police did not come in front of the Township Committee in person, they gave a written report, and the Committee is entitled to rely on the Report of the State Police.

Mr. Casella stated as he stated to Mr. Emmer and the Township Clerk, if Mr. Bryant could satisfy the State Police that this is in fact what happened, if his son's attorney has sent documentation to the State Police, Mr. Bryant stated Mr. Emmer sent all the documentation the State Police asked for.

Mr. Bryant stated that the report sent in by the State Police says they spoke to Mr. Bryant and that is false, they never sat down and spoke to Mr. Bryant about anything, so whatever information they sent to the Township Committee Mr. Bryant is saying is a lie.

Mr. Casella stated if Mr. Bryant and/or his attorney can go back to the State Police and convince them that the information they gave them, and what they told them is accurate, that this is the situation he finds himself in, and they look at the information and are willing to change their opinion, as far as Mr. Bryant being a qualified person, he can present them with that information.

A discussion regarding the liquor license was held among the Committee and Mr. Bryant.

Mr. Casella stated to Mr. Bryant to speak to Mr. Emmer, his son's attorney and about what Mr. Casella just spoke to Mr. Bryant about to see if the State Police will change their mind about their decision, and also ask Mr. Emmer about his rights to the ownership to the license and the fees he has paid.

Mr. Casella stated there was testimony at the administrative hearing from his son's former attorney about the amount of money he obtained for him at the settlement and he was present and aware the son gave him the money, but there is no paperwork. Mr. Casella stated it is not a problem of Mr. Bryant's making, it's the circumstances which presented themselves, had his son lived he presumes the son would be able to present the paperwork needed. The Clerk stated the daughter in law would not give them access to the banking records, and there were three State Police investigators and the Township has never seen the documentation Mr. Bryant submitted to the State Police.

Mr. Casella stated Mr. Bryant appealed to an administrative law judge who had not made a ruling and will be inclined to uphold the Committee's decision, which doesn't mean the Committee can't reconsider it, because the Committee hasn't seen what Mr. Bryant has offered for proof of his story.

A discussion continued among the Committee regarding the liquor license purchased by Mr. Bryant.

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

Mr. Montgomery stated there were some conflicts with a couple of members on the Committee regarding meeting dates in the Month of August. Mr. Montgomery indicated he wanted to see if the Committee would be willing to agree on having one meeting in the Month of August.

Mr. Stanzione made a motion, seconded by Mr. Montgomery to have one meeting in August on August 15<sup>th</sup>, 2013 at 7pm. Roll Call Vote:

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

Mr. Montgomery stated that a couple of months ago there was a list of proposed properties sales in the Township, he wanted to know where the Township stood with that and what the Township needed to get that moving forward.

The Clerk stated she is not sure what the process was and would have to get something from the Tax Collector to see what the break down is and how it moves from where it is forward.

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

