

REGULAR MEETING
TOWNSHIP COMMITTEE

April 2, 2014

Chairperson Stanzione 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 Stanzione led the flag salute.

The Clerk took roll call and members present included Mr. Laurella, Mr. Spatola, Mr. Danna, and Mr. Stanzione. Mr. Lauer mann was not in attendance due to a personal matter.

Minutes

The Clerk presented Minutes from March 5th and March 19th, 2014.

Mr. Danna made a motion, seconded by Mr. Spatola, to approve the Minutes as written. The Committee approved.

Ordinances

The Clerk presented Ordinance #2014-2 Second Reading and Public Hearing Of An Ordinance Providing For Salaries And Compensation Of New Officers And Employees Of The Township Of Deerfield, Cumberland County, New Jersey.

Mr. Laurella made a motion, seconded by Mr. Spatola to open the Public Hearing on Ordinance #2014-2. The Committee Approved.

Mr. Laurella made a motion, seconded by Mr. Spatola to close the Public Hearing on Ordinance #2014-2. The Committee Approved.

Mr. Spatola made a motion, seconded by Mr. Laurella to adopt Ordinance #2014-2. Roll Call Vote:

Mr. Laurella	Yes	Mr. Danna	Yes
Mr. Spatola	Yes	Mr. Stanzione	Yes

The Clerk presented Ordinance #2014-3 Second Reading And Public Hearing Of An Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A CAP Bank (N.J.S.A 40A:4-451.14)

Mr. Laurella made a motion, seconded by Mr. Danna to open the Public Hearing on Ordinance #2014-3. The Committee Approved

Mr. Laurell made a motion, seconded by Mr. Spatola to close the Public Hearing on Ordinance #2014-3. The Committee Approved.

Mr. Spatola made a motion, seconded by Mr. Laurella to adopt Ordinance #2014-3. Roll Call Vote:

Mr. Laurella	Yes	Mr. Danna	Yes
Mr. Spatola	Yes	Mr. Stanzione	Yes

The Clerk presented Ordinance #2014-4 First Reading Of A Capital Ordinance To Appropriate The Sum Of \$40,000.00 For Various Municipal Improvements And Equipment.

Mr. Spatola made a motion, seconded by Mr. Danna to adopt Ordinance #2014-4 on first reading and to set Wednesday April 16th, 2014 for second reading, public hearing, and final adoption. Roll Call Vote:

Mr. Laurella	Yes	Mr. Danna	Yes
Mr. Spatola	Yes	Mr. Stanzione	Yes

Resolutions

The Clerk presented Resolution #14-82 Resolution Awarding Contract To Tony Brago Excavating For The Installation Of A New Septic System At The Deerfield Township Municipal Building In The Sum Of \$16,828.00.

Mr. Laurella made a motion, and stated they did receive three bids for the septic system, which exceeded its life in front of the Municipal Building, seconded by Mr. Spatola to adopt Resolution #14-82. Roll Call Vote:

Mr. Laurella	Yes	Mr. Danna	Yes
Mr. Spatola	Yes	Mr. Stanzione	Yes

The Clerk presented Resolution #14-83 Resolution For Tonnage Grant Application.

The Clerk stated this had to do with the recycling and also that Ron Campbell from Shiloh agreed to do the Recycling Report again this year, for the same fee of \$150.00.

Mr. Spatola made a motion, seconded by Mr. Laurella, to adopt Resolution #14-83. Roll Call Vote:

Mr. Laurella	Yes	Mr. Danna	Yes
Mr. Spatola	Yes	Mr. Stanzione	Yes

The Clerk Presented Resolution #14-84 Resolution Awarding A Contract To Sweetwater Environmental Management, LLC As A Licensed Operator For Water Treatment Systems.

The Clerk stated this is the company that monitors our water system.

Mr. Laurella made a motion, seconded by Mr. Spatola, to adopt Resolution #14-84. Roll Call Vote:

Mr. Laurella	Yes	Mr. Danna	Yes
Mr. Spatola	Yes	Mr. Stanzione	Yes

Old Business

Mr. Spatola stated Recreation is following through with the new roof of the stage, which should cover the entire stage. Mr. Spatola indicated he met with the architect and he went over the changes and will make final changes and present it at the April 15th Recreation Meeting and then make the blue prints, so it can go out for bid.

Mr. Laurella stated that something has to be done with the farmers in the Township. Mr. Laurella indicated that it was talked about last year, to have the farmers stay back 15 to 20 feet from the road. Mr. Laurella stated he went out to Maxon Avenue and he met with Mr. Orsci and talked about the drain and a few other things. Mr. Laurella indicated that the drain on Maxon Avenue had top soil on it and you could see the tracks from the tractors which threw mud right on top of the drain, if mud gets in the drain pipe it's going to have to be dug up, water is supposed to flow through the drain, mud doesn't.

Mr. Laurella stated he met with Ron Shinn, Maintenance Supervisor and asked him to put some kind of markers so the farmer will not get that close to the drain. Mr. Laurella indicated they painted it red, and it is a temporary solution for now. Mr. Laurella stated that the farmer should stay back so many feet and grass should be planted in a way so the water can flow and the grass can catch some of the top soil and/or mud. Mr. Laurella stated once the budget is approved the pipe is supposed to be extended, and with permission from Mr. Orsci to run the pipe on the side of his property.

Mr. Laurella stated that at the next meeting it should be put on the agenda for discussion where no farming should be done 15 to 20 feet from the black top, and maybe they will stop running onto the road from the field and stop bringing dirt onto the roadways.

Mr. Spatola stated he would like to make a suggestion, if deemed proper by the Solicitor. Mr. Spatola indicated there are a lot of farmers in Deerfield Township, and if he remembers correctly the last time they had this discussion the Committee wanted to set forth a 20 foot barrier from the road. Mr. Spatola stated that he believed his plan was to reach out to the farmers and present this to them. Mr. Spatola suggested that each farmer in the Township receive a registered letter from the Township, letting them know the Resolution is going to be passed.

Solicitor Testa stated that a draft Ordinance was presented for review and it was tabled so the farmers could be invited to come to the meeting. Solicitor Testa stated that type of meeting could be had, put it on the agenda and send out the letters.

Mr. Laurella asked if they could enforce the County roads as well as the Township roads. Solicitor Testa stated it could be any road.

Mr. Spatola made a motion, seconded by Mr. Laurella to notify all Qualified Farm Owners that an Ordinance prohibiting plowing 20 feet from the roads in the Township was going to proceed. Roll Call Vote:

Mr. Laurella	Yes	Mr. Danna	Yes
Mr. Spatola	Yes	Mr. Stanzione	Yes

A discussion regarding the Ordinance was held among the Committee.

Mr. Laurella stated that what was done last year was all street lights South of Landis Avenue were looked at and a majority turned off, this year everything North of Landis Avenue will be looked at. Mr. Laurella indicated that the electric bill has gone down considerably for the Township, not only because of street lights being turned off but also because lights in the building have been refurbished.

The Clerk presented Update Discussion Regarding Rental Registration Fees And Other Fees.

Mr. Laurella stated again this was being discussed and last week Mr. Laurella gave the Committee what the rental registration fees were in other Townships in the County. Mr. Laurella indicated Deerfield doesn't want to be the highest but no reason to be the lowest. Mr. Laurella stated the CCO fees should be raised and a re-inspection fee should be put in place, the Housing/Zoning Officer shouldn't have to go back and forth to a house before he issues a CCO for nothing. Mr. Laurella stated the CCO fee should be raised to \$50 and a re-inspection fee of \$25. Mr. Laurella stated that the tent fee should also be raised another \$25.

Mr. Spatola stated he could not comment on the raising of the rental registration fees but as far as the tents are concerned he feels the need to rebuke the raising of the tent fees because the fees cover the repairs and damage of tents and keeping them back there in the garage but the tents are not for profit they are there to accommodate the Township of Deerfield and all of its tax payers. Mr. Spatola indicated that all the people that use the tents are Deerfield tax payers so why are we trying to get another twenty bucks out of the tax payers if they are the ones who use the tents.

A discussion regarding the tents and fees was held among the Committee.

The Clerk presented Follow Up Discussion Regarding Sale Of Carmel Fire Hall.

Mr. Spatola stated he had initiated discussion last meeting concerning the probable sale of Carmel Fire Hall, and brought forth some information concerning what it is costing the tax payers in Deerfield to maintain the building and the repairs that are needed in the building. Mr. Spatola suggested to table this discussion until the May 7th meeting.

Mr. Laurella asked Solicitor Testa if they needed to rezone the property before they sold the property.

Solicitor Testa stated that since it is being tabled until the May meeting, they should have a full report ready for the May meeting, including what the property is zoned, the acreage and things of that nature.

Mr. Spatola made a motion, seconded by Mr. Laurella to table Discussion regarding Carmel Fire Hall until May 7th, 2014. Roll Call Vote:

Mr. Laurella	Yes	Mr. Danna	Yes
Mr. Spatola	Yes	Mr. Stanzione	Yes

New Business

The Clerk presented Update On Receipt Of Quotes For Security Cameras.

Mr. Laurella stated he got prices for the security cameras and the lowest bid has what the Committee wanted but it could be added to. There will be 5 indoor cameras and 1 outdoor camera that are supposed to be of good quality and a 16 channel NVR. Mr. Laurella stated that two bids were close to the prices the Committee was looking for. It can not be awarded tonight but has to wait to be done after the budget is approved. Mr. Laurella stated it was worked on and checked with the Tax Collector and gave her opinion on where she thought a camera should be inside the building.

Mr. Spatola asked if there could be room to advance and grow with the system and Mr. Laurella stated yes there will be room to grow and advance.

Communications

The Clerk stated there were no Communications this evening.

The Clerk presented Resolution #14-85 For The Payment Of Bills.

Mr. Danna made a motion, seconded by Mr. Spatola, to adopt Resolution #14-85
Roll Call Vote:

Mr. Laurella	Yes	Mr. Danna	Yes
Mr. Spatola	Yes	Mr. Stanzione	Yes

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

Mr. Jim Travis, Maxon Avenue approached the Committee and stated he wanted to address the street light issue. Mr. Travis indicated that a few times a year they would get streams across the road on Maxon Avenue, now it has become like rivers and there are no lights on that road now to see and navigate around the water issues. Mr. Travis stated he would like to recommend a light go on since there already is a pole on the West side of his property, and if the Township couldn't afford it maybe they could put in solar panels. Mr. Travis indicated that he feels it is a safety issue with the traffic and the flooding that happens on that road.

Mr. Laurella asked Mr. Travis for his address and stated to him that the issue of solar panels was raised to Atlantic City Electric and they were told they didn't do that.

A discussion regarding the lighting on Maxon Avenue was held among Mr. Travis and the Committee.

Mr. John Orcsi, 1009 Maxon Avenue approached the Committee and stated there were a couple of things he wanted to discuss and he also had some pictures. Mr. Orcsi indicated he was surprised by the Township's decision to remove the only street light on Maxon Avenue especially knowing the history of the road and the dangers created by the flooding. Mr. Orcsi stated he does not know how that decision was made but it puts travelers at risk, when the road is flooded. Mr. Orcsi stated he contacted the electric company and was told it cost about fifteen (\$15) a month of a street light, which he feels is not a lot of money for safety, also he understands cuts need to be made but they have to be done responsibly. Mr. Orcsi indicated he rides by the Municipal Building at night and notices there are plenty of lights in the parking lot, and plenty of ornamental lights, and he doesn't believe it has nearly as many hazards as Maxon Avenue does.

Mr. Laurella stated that they handled the light situation South of Landis Avenue, and soon will be handling the light situation North of Landis Avenue, and there are four lights that will be removed. Mr. Laurella indicated that there are LED lights which are energy saving lights.

Mr. Orcsi stated that his purpose this evening was to inform the Committee of certain issues on Maxon Avenue, and he has a documented trail of events as they occurred and how they are handled. Mr. Orcsi indicated some of the issues have been on going and have not been resolved and other issues are being presented for the first time, and in his opinion, some of the previous issues were unintentionally resolved.

Mr. Orsci stated his first concern was after heavy rains this weekend Maxon Avenue is debris covered. Mr. Orsci indicated on April 1st the Township came out and cleaned the road on their own, which is the proper thing to do and did not go un-noticed, however that was the first time they came out on their own.

Mr. Laurella stated to Mr. Orsci that he noticed the debris on the road and called the Maintenance Supervisor and he took care of it immediately.

Mr. Orsci stated that he feels that after a significant amount of rain someone should go out and take a look at the streets because they know that this is a problem in the Township. Mr. Orsci stated he had pictures of when the street was full of debris and called to have the street cleaned and then when it was cleaned it wasn't his half of the street that was cleaned, and then he had to call the Township again.

Mr. Orsci stated that on another occasion no one even got out of the truck, they pushed the debris to the side of the street with a snow plow and left it there. Mr. Orsci stated he called the Municipal Building again and his message was taken but no one ever called him back. Mr. Orsci stated he has not called since then because it was obvious no one wanted to clean his street.

Mr. Orsci went through different scenarios regarding Maxon Avenue, which he had photos of.

Mr. Laurella asked Mr. Orsci if he had copies of the photos because he would like to have copies to show the road department because it should have been picked up not pushed to the side.

Mr. Orsci stated that in 2011 he presented Mr. Stanzione a photo of Maxon Avenue, and what the farmer did to the road during squash season, loading the trucks in the road and you can barely see the yellow line in the middle of the road. Mr. Orsci stated in 2012 you can see the truck sitting in the middle of the road and whatever doesn't get put into the truck ends up on the street, and it shouldn't be there. Mr. Orsci stated in 2013 Mr. Orsci contacted Mr. Lauermann who was in charge of the streets at the time, and told him what was taken place on the road. Mr. Orsci indicated he believes Mr. Lauermann contacted the farmer because there was a little bit of an improvement and he thanked Mr. Lauermann for his effort, however the farmer was still irresponsible with his actions going in and out of the fields.

Mr. Orsci stated another issue is that all summer long the irrigation system sits along the side of the road and prevents any one from using the shoulder of the road, because they could collide into the irrigation system. Mr. Orsci indicated the pipes and equipment sit on the side of the road all summer long and the grass grows around it and can't be cut.

Mr. Orsci stated that farming to the edge of the road as done today is the cause of many issues, and to leave things as they are is a mistake, with likely leaving someone injured and possible law suits, the solution is simple, as it is known that the Township owns forty nine and a half feet (49 ½) of Maxon Avenue, which is considered the Township's right a way, by enforcing the 49 ½ feet of right a way would serve as a buffer area, and debris would no longer be on the road because the grass would act as a buffer and keep the dirt from reaching the Township road, the tractors would not be parked on the street and the irrigation system would be where it should be and not on the side of the road. Mr. Orsci stated to not enforce the 49 ½ feet would be a mistake especially with the size of the machines today.

Mr. Orsci stated that this would not be seen in East Vineland, a responsible farmer would keep a buffer all the way around the farming area, farmers own plenty of property and a few feet should be used for safety.

Mr. Orsci stated he had certain concerns about what took place on the North West side of Maxon Avenue, on the Township right a way with out the Township's approval but with the Township's knowledge. Mr. Orsci indicated approximately 800 feet of the Township right a way was dug up to bury a underground irrigation pipe and install irrigation headers are about 9 feet off the edge of the road, and the headers on the edge of the road are causing a safety hazard for some one riding bike or jogging along the edge of the road. Mr. Orsci stated that by installing the headers on the edge of the road, it puts the irrigation equipment right back on the edge of the road where it doesn't need to be. Mr. Orsci indicated he occupied about 10 feet of Township right a way to install flood water drains to save his home and the Township filed a law suit against him for using the right a way. Mr. Orsci stated he was complimented for the job he did and how good the drains work and people shake their heads when he informs them that the Township is filing a law suit against him, when across the street there was 800 feet of Township right a way dug up, not to save a home, but to water carrots, and the Township Committee closed their eyes to this, but because of certain friendships the Committee turned their heads and is not a decision they should be proud of.

Mr. Orsci continued to speak about the irrigation pipes and headers on the Township right a way across from his property and how dangerous they are and how they are infringing on the fact that something needs to be done about the flooding on Maxon Avenue.

Mr. Orsci stated that was all he had and if something was done fine and if not it is up to the Township but the way it is right now there are some serious issues and he believes someone eventually will get hurt, and all he wanted to do was create a documented record.

Mr. Stanzione stated to Mr. Orsci that most of the pictures he presented were in 2012 and it is now 2014, Mr. Stanzione asked Mr. Orsci why it took him a year and a half to present the pictures. Mr. Orsci stated because of the law suit with the Township, because every time he called he was told they were in litigation.

Mr. Spatola stated in support of both arguments, he commended Mr. Orsci for doing the amount of work he did and thanked him for doing the work and stated it is an attribute for his concern for not only the street but also for the Township, and he wishes more people felt that way. Mr. Spatola indicated it is not only Maxon Avenue but every farmer in the Township is putting stuff on the roads, and it shouldn't be done.

A discussion regarding the farmers, the streets, and the buffer Mr. Orsci mentioned was held among the Committee and Mr. Orsci.

Mr. Robert Vit, 707 Morton Avenue approached the Committee and stated that all he is trying to do is protect his property. Mr. Vit stated he lives right behind the Municipal Building and every time it rains his yard floods, his septic is getting ruined. Mr. Vit indicated every time it rains someone from the Committee goes out and looks at the field and you can see where the water runs right off the field and right into his property. Mr. Vit asked if it was possible if the Township Committee send a registered letter to the property owner and to the farmer that this is a problem and he has to do something to address the problem, just because he's a farmer doesn't give him the right to ruin someone else's property. Mr. Vit stated he can not have his septic system keep getting drowned every time it rains.

Mr. Vit asked Solicitor Testa if the Township could send a registered letter to the property owner and the farmer regarding this issue. Solicitor Testa stated he's sure the Committee is sympathetic but unfortunately there is nothing the Township could do because it is not affecting a right away, a roadway, or other residents, it is a dispute between two property owners. Solicitor Testa advised Mr. Vit to see an attorney to send a letter and if it is a nuisance then an attorney can bring some action toward the problem.

Mr. Vit stated he feels the Township should be able to do something because he as a resident elected them into office and they work for him, Solicitor Testa stated they also work for the other property owner as well, and even though some laws they do not like, but that is the law that binds the Committee. Solicitor Testa stated the Township can't do anything but it doesn't mean Mr. Vit can't do something on his behalf.

Mr. Laurella asked Mr. Vit if he tried talking to the property owner and he stated he has tried talking to the property owner and he stated he hadn't heard anything from the Township or any one else about the problem. That is why Mr. Vit is asking if the Township could send a letter because then the property owner would be inclined to do something.

A discussion regarding the farmed property was held among the Committee and Mr. Vit.

Mrs. Donna Ollett, 818 Vineland Avenue approached the Committee and stated she was addressing the water problem, which is getting worse. Mr. Laurella stated he knew where she lived and there was a drain that's blocked, the County is supposed to replace it hopefully sometime this year, if they have the funds. Mr. Laurella indicated that he and Mr. Montgomery dug about 18 inches and saw that the pipe was full of rocks and dirt.

A discussion regarding the water situation was held among the Committee.

Mr. Stanzione stated he wanted Mr. Laurella to contact them again about the same problem and at the same time he wants the Freeholder Board, Streets and Roads, let them know it is an ongoing problem and something needs to be done immediately.

A discussion regarding the water on Vineland Avenue and Greenman Avenue was held among the Committee and the residents.

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

Mr. Laurella stated that on South Shiloh Avenue on the other side of the bridge at the rail road tracks, the trees are all grown over. Mr. Laurella indicates South Shiloh is an unimproved street on the map and it was talked about last year at a meeting, to possibly sell that piece of property to the adjoining property owner or divide it in half and sell it to the two adjoining property owners. Mr. Laurella stated the Township does not use that property and doesn't think it will ever be used because it is in the rear of the property of the people that face Maple Street. Mr. Laurella stated it was a paper street and there were two owners so maybe they could vacate the property or try and get a little money from the property.

Mr. Stanzione stated he feels it is a legal question because there are two property owners on the south side and also the rail road is there and they are a property owner as well.

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A discussion regarding the property was held among the Committee.

Solicitor Testa stated the Township would need legal descriptions from the engineer and adjoining property descriptions, there is some work to be done before they can do anything with the property.

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

John Stanzione, Chairperson
Township of Deerfield

ATTEST:

Karen Seifrit, Clerk
Township of Deerfield