

REGULAR MEETING
TOWNSHIP COMMITTEE
APRIL 3, 2019

Chairperson Danna 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 Danna led the flag salute.

The Clerk took roll call and members present included Mr. Terrigno, Mr. Stanzone, Mrs. O'Brien and Mr. Danna. Mr. Brago was absent this evening and excused. Robert Casella appeared on behalf of Solicitor Michael Testa.

Minutes

The Clerk presented the minutes of March 5, March 6 and March 20, 2019. Mrs. O'Brien made a motion, seconded by Mr. Terrigno to approve the minutes as written. The Committee approved.

Closed Session Minutes

The Clerk presented the Closed Session minutes of March 20, 2019. Mr. Stanzone made a motion, seconded by Mr. Terrigno to approve the minutes as written. The Clerk noted that the Closed Session minutes would not be released to the public until the reason for them remain closed is no longer applicable and the Solicitor has had an opportunity to review them.

Ordinances

The Clerk presented Ordinance #2019-2 – First Reading Of An Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A CAP Bank (N.J.S.A. 40A:4-45.14) Mr. Terrigno made a motion, seconded by Mrs. O'Brien to adopt Ordinance #2019-2 on first reading and to set Wednesday, April 17, 2019 for second reading, public hearing and final adoption. Roll Call Vote:

Mr. Terrigno	Yes	Mrs. O'Brien	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes

Resolutions

The Clerk presented Resolution #19-48 – Refunding Overpayment Of Taxes. Mrs. O'Brien made a motion, seconded by Mr. Terrigno to adopt Resolution #19-48. Roll Call Vote:

Mr. Terrigno	Yes	Mrs. O'Brien	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes

The Clerk presented Resolution #19-49 – In Support Of Path To Progress Recommendations Made By New Jersey Economic And Fiscal Policy Workgroup. Mr. Stanzone made a motion, seconded by Mrs. O'Brien to adopt Resolution #19-49. Roll Call Vote:

Mr. Terrigno	Yes	Mrs. O'Brien	Yes
Mr. Stanzone	Yes	Mr. Danna	Yes

The Clerk presented Resolution #19-50 – Authorizing The Exclusion Of The Public From A Meeting of The Township Committee To Be Held On Wednesday, April 3, 2019 – Pertaining To Personnel Mrs. O'Brien made a motion, seconded by Mr. Terrigno to adopt Resolution #19-50. Roll Call Vote:

Mr. Terrigno	Yes	Mrs. O’Brien	Yes
Mr. Stanzione	Yes	Mr. Danna	Yes

Old Business

The Clerk presented Reports From Department Chairpersons.

As to streets and roads, Mr. Terrigno stated that at Spruce Street and Vineland Avenue there were no street signs. He further stated that he would communicate with public works about getting some street signs for that location.

Mr. Terrigno also indicated that he wanted to thank the County for cleaning out the drain by the school. Mr. Stanzione stated that the County is going to try and go in a little further but it then goes on to private property, but the water is now flowing.

Mr. Stanzione stated that he noticed that there are some lights that are back on that were shut off and some lights that are missing that are supposed to be present. Mr. Stanzione asked if there is a list of what was to be off. He noted there is a pole with three lights on it. Mr. Terrigno stated that the Township requested 3 work orders to have lights turned off and that he also spoke with a resident at Danna Estates where the wrong light was removed.

Mr. Stanzione indicated that he and Mr. Danna will be meeting with fire and rescue as to their budget.

New Business

The Clerk presented Discussion And Motion To Set Monday, May 13, 2019 For Older American Ice Cream Social. Mrs. O’Brien made a motion, seconded by Mr. Terrigno to approve the date of Monday, May 13, 2019 at 12 pm for the Older Americans Ice Cream Social. Roll Call Vote:

Mr. Terrigno	Yes	Mrs. O’Brien	Yes
Mr. Stanzione	Yes	Mr. Danna	Yes

The Clerk presented Request From Heaven’s Saints Worship Center (Rev. Herbert Pierce, Jr.) For Use Of LoBiondo Park – August 3, 2019 From 6 pm To 10 pm And August 4, 2019 From 11am To 4pm. The Clerk noted that Mr. Stanzione brought to her attention that the August 4th request date is also the same date as the Fire Department’s chicken barbeque. Mr. Stanzione asked that the Clerk check with the fire department to confirm the date of the barbeque. Mr. Terrigno noted that Mr. Pierce could then be informed if there is a conflict and present new dates for consideration.

Mr. Terrigno stated that on the pay stubs it does not list accumulated sick time. He asked if the payroll could be consulted about putting that on the pay stubs. The Finance Officer added that the payroll company does have the capacity to do that.

Communications

Mrs. O’Brien inquired as to a copy of a letter she received from the zoning-housing officer. The Clerk stated that the letter was addressed to the owners of Cumberland Liquor and Mr. and Mrs. Casper with copies to the Township Committee for their information. Mrs. O’Brien noted that after it was discussed at the last meeting the vendors were to obtain a permit. The Clerk confirmed that a permit was obtained. Mrs. O’Brien noted that the vendors appear to be in violation of the Ordinance. She asked the Solicitor if this was the case as per the explanation at the last meeting and as to the Ordinance. Mr. Casella stated it would seem that the matter could be brought before the municipal court on a summons violation by the zoning officer.

Chairperson Danna was not sure if the vendor was aware of the permit, but the Clerk confirmed that a permit was obtained. Mrs. O'Brien reiterated the guidelines of the permit and that the vendor could only be at a location for one (1) hour until the Ordinance is amended and the Township can figure out what would work best. Mr. Terrigno agreed with Mrs. O'Brien and noted that he had received phone calls regarding the violation.

Mr. Terrigno stated that he didn't want to start fining everyone, but if they are breaking the Ordinance and not follow the rules there has to be consequences. The Solicitor noted that there is an enforcement mechanism for that purpose. He further stated that the zoning officer needs to do what he needs to do until the Ordinance is amended.

Discussion was held among the members as to the Ordinance, violation of the Ordinance and having the zoning officer "police" the vendors and enforce the Ordinance as the zoning officer sees necessary.

Mr. Stanzione questioned what the Ordinance means by staying in a location for more than one hour. Mr. Casella indicated that it would appear that a vendor would have to move from one lot to another lot. He further indicated that the Township can't tell them what to do, but for purposes of discussion it involves the lot and what a site plan would refer to.

Mr. Terrigno stated that an outline was received from Mr. Casella and the Clerk provided ordinances from the surrounding municipalities concerning the "peddler" ordinance. He further stated and recommended that the Committee read the documents provided and discuss at the next meeting what is "liked" and try and get something moving. Mrs. O'Brien noted that none of the ordinances provide for more than one hour. Mr. Stanzione indicated that the matter needs to go before the Land Use Board. Mrs. O'Brien agreed and that if a mobile food truck stays anywhere for more than 15 minutes there is the likelihood of increase traffic flow and parking and traffic hazard. She further noted that is why there is a site plan review in the current ordinance.

Mrs. O'Brien noted the wineries in the Township and the Harvest Festival and there is an opportunity for the Township to have special permits for longer periods of time to food peddlers to come to our town. She felt that there may need to be separate rules for that and under the peddlers license it doesn't appear that just by paying the permit fee you could be somewhere more than an hour you would need a special event permit.

Discussion was held regarding the maintenance of health and safety, traffic hazards, fire permits, etc.

The Clerk stated that there are no other communications this evening.

The Clerk presented Resolution #19-51 - For The Payment Of Bills. Mrs. O'Brien made a motion, seconded by Mr. Terrigno, to adopt Resolution #19-51. Roll Call Vote:

Mr. Terrigno	Yes	Mrs. O'Brien	Yes
Mr. Stanzione	Yes	Mr. Danna	Yes

Public Comment

Mrs. O'Brien made a motion, seconded by Mr. Terrigno, to open the meeting to the public. The Committee approved. Donald Callahan of 437 Morton Avenue came before the Committee. Mr. Callahan thanked the Committee and the County for their efforts to open up the drain near his home and help alleviate the water issue near his

property. Mr. Callahan stated that the Township did a wonderful job. He further asked if there will be some follow up in about six months to make sure things are still clear and water is moving through the drain. Mr. Callahan also noted that his neighbor, Mr. Patel, is still pumping thousands of gallons of water a day. Mr. Callahan asked that he be kept informed of any maintenance in the future. He noted there has been a lot of expense on his part to clean up water.

Mrs. O'Brien asked if the Clerk was able to obtain information as to whether or not there are emergency funds available. The Clerk stated that she did check with the Emergency Management Coordinator, Mr. Tartaglia, and he said that unless there is a named storm and damage as a result there are no funds.

Mr. Callahan also noted that he's concerned about his septic system. He also noted that perhaps some trucks can come and take some of the water being pumped from the neighbor's property. Mr. Stanzione stated that the opening of the drain at Kenyon Avenue should have helped considerably. Mr. Callahan thanked Mr. Stanzione and noted that it has helped tremendously and the cleaning of the drain near his property.

Gerda Hoerhl, 537 Richards Road came before the Committee. Mrs. Hoerhl asked what the rule was for vacant houses. Mrs. Hoerhl stated that the people across the street from her don't maintain their property and just stop and pick up their mail and pay their taxes. Mrs. O'Brien recommended that Mrs. Hoerhl contact the zoning-housing officer and give him the physical address and make sure it is on his list. Mrs. Hoerhl noted that the property was abandoned due to a house fire, the property is trashed, trees are falling down and nothing is kept up.

There being no further comment from the public, Mr. Stanzione made a motion, seconded by Mrs. O'Brien to close the public portion. The Committee approved.

Mrs. O'Brien made a motion, seconded by Mr. Stanzione to go into Executive Session per the Resolution this evening. Roll Call Vote:

Mr. Terrigno	Yes	Mrs. O'Brien	Yes
Mr. Stanzione	Yes	Mr. Danna	Yes

Mr. Terrigno made a motion, seconded by Mrs. O'Brien to reconvene the regular meeting. The Committee approved.

Mrs. O'Brien made a motion, seconded by Mr. Terrigno to go out for bid for engineering services for Garrison Road. Roll Call Vote:

Mr. Terrigno	Yes	Mrs. O'Brien	Yes
Mr. Stanzione	Yes	Mr. Danna	Yes

There being no further business, Mrs. O'Brien made a motion, seconded by Mr. Terrigno, to adjourn the meeting. The Committee approved.

Rudy Danna, Jr., Chairperson
Township of Deerfield

ATTEST:

Karen Seifrit, Clerk
Township of Deerfield