

REGULAR MEETING
TOWNSHIP COMMITTEE
NOVEMBER 7, 2018

Chairperson O'Brien 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 O'Brien led the flag salute.

The Clerk took roll call and members present included Mr. Terrigno, Mr. Danna, Mr. Stanzione, Mr. Brago and Mrs. O'Brien.

Minutes

The Clerk presented the minutes of October 3 and October 17, 2018. Mr. Terrigno made a motion, seconded by Mr. Brago to approve the minutes as written. The Committee approved.

Closed Session Minutes

The Clerk presented the Closed Session minutes of October 17, 2018. Mr. Brago made a motion, seconded by Mr. Stanzione to approve the Closed Session minutes as written. The Committee approved.

The Clerk noted that the Closed Session minutes will not be released to the public until the reason for them remaining closed is no longer applicable and the Solicitor has had an opportunity to review them.

Resolutions

The Clerk presented Resolution #18-158 - Resolution Authorizing The Transfer Of Funds. Mr. Danna made a motion, seconded by Mr. Terrigno to adopt Resolution #18-158.
Roll Call Vote:

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

The Clerk presented Resolution Approving 5 Year PILOT For Cedar Rose Realty, LLC. Discussion was held among the members. Mr. Terrigno did not see the necessity to give a winery building a tax abatement. He noted that he was aware of a potential use of the new building, but did not feel that a new building justified a tax abatement. Mr. Terrigno stated that application notes that the abatement would be for the winery building. Mr. Stanzione questioned the legality and Solicitor Testa noted this was the first he was seeing the document and was not sure whether the exemption applies. Mr. Terrigno indicated he read the Ordinance and the Township can allow abatements outside a redevelopment zone. Chairperson O'Brien stated that other PILOTS had a lump sum payment to the Township because when you do a PILOT program it allows the finances of it to benefit the Township so that it is mutually beneficial and this looks like a tax abatement. Solicitor Testa notes the Agreement refers to the Ordinance adopted by the Township and refers to the Statute (Title 54 – Tax Statute) and it does state that the Township adopted a tax abatement and tax exemption program within the district whereby new construction of commercial or industrial structure improvements may be exempt from real property taxes and providing authorization for an agreement between the Township and the owners of such improvements to be entered into for payments in lieu of taxes phased in over a 5 year period.

Chairperson O'Brien noted that every PILOT over the last 3 years has talked about a phase in over the 5 years which gets them a reduced tax rate because when you do a PILOT in New Jersey it exempts you from having to pay 95% of your County and school board taxes and the reason the Township would enter into that agreement is because a business of this nature does not provide more children to the school or more burden on the County, but in return the Township gets a higher some of money. She further noted that there was a not a spread sheet as to what would be received normally versus what would be received under a PILOT.

Mr. Terrigno questioned the language of tax abatement and PILOT and whether the Township granted a PILOT program to the applicant. Solicitor Testa clarified that the Township did not grant a PILOT, but that the Tax Assessor approved the application (the work sheet for the exemption) and noted that the words are being used inter-changably.

Chairperson O'Brien asked the Clerk to contact Anthony Stanzione of Cumberland Development Corp. and ask him to prepare a spread sheet showing what the Township would get under the PILOT/abatement against what it would receive without the PILOT/abatement.

Mr. Terrigno made a motion, seconded by Mr. Stanzione to table the Resolution Approving 5 Year PILOT For Cedar Rose Realty, LLC. Roll Call Vote:

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

The Clerk presented Resolution #18-159 – Authorizing Application For Exemption For Public Works Manager. The Clerk noted that every 5 years the Township needs to apply to the Department of Community Affairs for an exemption to not have to have a Principal Public Works Manager (a certified position) and the exemption expires on November 23, 2018. She further noted that the Resolution is to authorize the application for the exemption.

Mr. Terrigno made a motion, seconded by Mr. Stanzione to adopt Resolution #18-159. Roll Call Vote:

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

The Clerk presented Resolution #18-160- Authorizing The Exclusion Of The Public From A Meeting Of The Township Committee Of The Township Of Deerfield To Be Held On November 7, 2018 – Said Meeting Is Pertaining to Contract Negotiations And The Sale Of Lincoln Square. Mr. Stanzione made a motion, seconded by Mr. Terrigno to adopt Resolution #18-160. Roll Call Vote:

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

Old Business

The Clerk presented reports from Department Chairs. Mr. Stanzione noted that he received request forms from fire and rescue for purchases to cover the end of the year. He further noted that they did not spend all their money, but a few of the requests need to be reviewed. Mr. Stanzione stated that there are no complaints and things seem to be going well. He further stated that there has been some word about a possible new

ambulance. Chairperson O'Brien inquired about the new billing company and if it seems more profitable. Mr. Brago indicated that he hasn't spoken to the rescue chief. Chairperson O'Brien noted that there had been a request for more man hours but only if the billing supported it. Mr. Brago stated that it will probably take longer than the current year for that to happen.

Mr. Terrigno reported on streets and roads and Poplar Street is finished and looks good and that the work on Landis Avenue has been completed. Mr. Danna reported that there was an issue with a resident on Poplar Street complaining that the road was now too high and water was going to run onto her property. He noted that there are several cars that park at that location and are parking on the side of the road. Mr. Danna stated that the construction company went back to make sure there are no issues.

Chairperson O'Brien stated that the County submitted the 5-year plan for roads and asked the Clerk to include the list in the minutes for public information. (List is attached to these minutes).

Chairperson O'Brien indicated that at the Cumberland Development Corp meeting the members discussed the CCTECH and its impact on our regional high school and will be working with the Freeholders so hopefully by the end of the year to come up with a solution. She noted that the high school is struggling with the funding that's being diverted from them to the CCTECH to accommodate the students that are going there. Mr. Terrigno stated that he spoke with Freeholder Barber and the burden is not so much the CCTECH as it is students doing the School Choice Program and sending their students out to Pittsgrove and other places. He further stated that it's becoming more of a problem as there is one more option for the students. Chairperson O'Brien noted that the largest number of students not going to the high school are going to CCTECH, but the hope is to accommodate all of the schools and opportunities and the municipalities need to work with the Freeholder Board to make sure the regional school and the options remain viable.

With regard to animal control, Mr. Brago stated that he has not spoken with the animal control officer as he is away.

Mr. Brago also noted that the Deerfield Township School had their Trunk or Treat and was very successful and was grateful for the use of the park and would like to collaborate with the Township on a couple of events.

As to streets of roads, Mr. Brago noted that there is a very deep pothole on Morton Avenue near the bank and there are cars hitting it all day long. Mr. Danna stated that he saw some county workmen and they are aware of the pothole. Mr. Stanzone noted the County just got a new pothole filler.

Mr. Brago stated that Breakfast with Santa will be December 1st. He also noted that public works has been working around the building scraping and painting and it looks good.

Chairperson O'Brien added to the note regarding Breakfast with Santa and that Recreation will be meeting and wrapping the presents on Wednesday, November 28th.

The Clerk presented Discussion Regarding Animal Sheltering. Chairperson O'Brien indicated that at the CDC meeting it was discussed the numbers received from the SPCA for 2019 and it is a little bit less than this year. She further indicated that there are no other options and recommends the signing of the Agreement. Chairperson O'Brien stated that Mayor Ridgway from Pittsgrove is now leading the subcommittee and is going to involve some "heavy hitting" towns to come up with some options. Chairperson O'Brien noted that animal cruelty calls are also a factor and that it is also why the

municipalities are trying to get some mutual aid agreement with some of the neighboring towns that might have more capacity. Mr. Brago also noted some of the recommendations to save money. He further noted that it would be worthwhile to have the animal control officer go out this winter and try to register more animals.

Mr. Terrigno noted that the money budgeted for overages that might occur this year has not been hit as much as we planned and anticipated for. He further noted that as a whole everyone is trying to deal with it to the best of our abilities.

New Business

The Clerk presented Discussion And Motion Regarding Renewing Shared Service Agreement With Upper Deerfield Township For Construction Department Services. The Clerk noted that the proposed new Agreement is in the packet and it's similar to the one coming to an end. It was clarified that Upper Deerfield will be keeping the permit fees. Mr. Stanzione noted that they never come to the office here, inspect the buildings and when there is an issue with structural damage no one was available. Mr. Stanzione agreed that they are doing everything but their building inspector doesn't come here. Discussion was held regarding paying a stipend versus Upper Deerfield keeping the permit fees. Mr. Stanzione felt it was important that someone come here one day a week but cost is always a factor.

Mr. Terrigno made a motion, seconded by Mr. Brago to table the approval of a new shared services agreement with Upper Deerfield Township for Construction Office Services. Roll Call Vote:

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

The Clerk presented Discussion And Motion Approving The Best Practices Checklist For 2018. Chairperson O'Brien questioned a couple of the questions regarding shared services. She noted that when they met with the Governor he specifically asked what the problems of a small town were and those reasons were shared and then the Legislature made a recommendation to consolidate small towns for the reasons that were stated. Chairperson O'Brien found it an interesting way to get the information from the Mayors of the towns. She wanted to make sure whoever is reading this cannot use that as an opportunity to make us merge with a larger town. Mr. Stanzione noted that we have mostly all shared services. Chairperson O'Brien wanted to make sure we did not look like a town that was not willing to work with other towns for shared services or get put on a list of towns to be consolidated. Chairperson O'Brien also wanted to address the question on the PACE program and clean energy and felt that should be answered "yes" as it would leave us open to take advantage of that opportunity.

The Clerk noted that the Township has an appropriate amount of answers to obtain the full state aid and that it needed to be approved as the checklist was due back. Mr. Terrigno made a motion, seconded by Mr. Danna to approve the 2018 Best Practices Checklist as amended. Roll Call Vote:

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

The Clerk presented Motion To Approve Receipt Of JIF Dividend In The Sum Of \$8,436.00 And Return Said Dividend To The Current Fund. Mr. Danna made a motion, seconded by Mr. Brago to approve the dividend and return it to the current fund. Roll Call Vote:

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

Mr. Brago noted that he and the Mayor and the public works supervisor met with a lady from Vineland who sells playground equipment. He further noted that it was a very positive meeting and was provided 2 quotes to replace the current swing set at LoBiondo Park. Mr. Brago indicated that it could be purchased from the Recreation budget this year. He further stated that he would like to see the Township encumber the money for a swing set by the end of year and it could be installed in the Spring of 2019. Mr. Brago noted that due to the amount another quote would be required.

Mr. Brago stated that he met with Mr. Granato of Bulb World with regard to the lights at the park and getting those replaced. He further stated that there are grants that will reimburse the Township for half of the cost of the fixtures. He did not believe all of them could be done at one time, but a few each year would be worthwhile.

Chairperson O'Brien noted that the Township should be hearing about the DCA accessibility grant by the end of the year which would also provide the Township with a large sum of money to upgrade the playground equipment at Johnson Park and LoBiondo Park. She further noted that any new playground equipment purchased in the meantime could be put in Carmel Park. Chairperson O'Brien indicated that it is the intention to upgrade all the playground equipment in all the parks in the next couple of years.

Communications

The Clerk stated that there are no communications this evening.

The Clerk presented Resolution #18-161 For The Payment Of Bills. Mr. Danna made a motion, seconded by Mr. Terrigno, to adopt Resolution #18-161. Roll Call Vote:

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

Public Comment

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

Peter Brown of 172 Rogers Avenue came before the Committee. Mr. Brown stated that he was before the Committee to ask for some resolution to the Halloween event held at Southwind Winery. Mr. Brown noted that it was the second year in a row for this event and the music goes on until 3 or 4 o'clock in the morning. He asked that the Committee consider imposing a time limit. Mr. Brown noted a time limit on the Harvest Festival and there should be one for this event.

Mr. Brown stated that last year Committeeman Laurella put him in touch with the Zoning/Housing Officer, Mr. Lamanteer. He further stated that this year when he became aware of the event he attempted to call Mr. Lamanteer on Saturday evening at 7 and again at 9 pm.

Mr. Brago indicated that Mr. Brown reached out to him via email and Mr. Brago confirmed that he did check with Mr. Lamanteer and everything to hold that event was done appropriately. Mr. Brago noted that there was a special safety meeting with the fire, ems, State Police and the County Health Department.

Chairperson O'Brien noted that the event is held on private property and as long as they abide by the Ordinances the Township does not need to approve it. However, there is a Township noise ordinance. Mr. Brago stated that everything was approved by Mr. Lamanteer, but there is a noise issue that went on past the Township noise ordinance. He further stated that he provided Mr. Brown with the noise ordinance.

Discussion was held as to the property being private and leasing of the property and abiding with Township ordinances. It was the Solicitor's recommendation that the Zoning/Housing Officer speak with the event planner and property owner prior to the event and make them fully aware of the Township noise ordinance.

The Committee agreed that they were not aware of the event and Mr. Brown noted that it's not locally advertised. Mr. Stanzione felt that the Zoning/Housing Officer should advise the Committee when an event like this is going to happen. Additional discussion was held regarding being informed. It was recommended that a letter be sent to the property owner making them aware of the complaint and that any future use of the property will be held to Township ordinances.

John Paneshin, 184 Rogers Avenue came before the Committee. Mr. Paneshin stated that they were out of town last year and not aware of the event but got a full dose this year. He further stated that Mr. Lamanteer told him that they had a permit to play until 2am. Mr. Paneshin indicated that he left a call for Mr. Lamanteer on Saturday night and didn't get a return call until Monday night. He told Mr. Lamanteer that it was very noisy and the noise ordinance states that violation occurs within 150 feet. Mr. Paneshin noted that they are 10 times the distance from the winery. He also noted that you can find the event under "electric Halloween". Mr. Brago indicated that the Township did not approve a change of ordinance for 2 am. Discussion was held with Mr. Paneshin regarding his concerns.

There being no further comment from the public, Mr. Stanzione made a motion, seconded by Mr. Terrigno to close the public portion of the meeting. The Committee approved.

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

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

Mr. Stanzione made a motion, seconded by Mr. Terrigno to reconvene the Regular Meeting. The Committee approved.

Mr. Terrigno made a motion, seconded by Mr. Stanzione to authorize the Solicitor to proceed with a quiet title action for Block 19, Lot 9 and to research title on Lincoln Square West. Roll Call Vote:

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

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

Abigail P. O'Brien, Chairperson
Township of Deerfield

ATTEST: _____
Karen Seifrit, Clerk
Township of Deerfield