

**March 28, 2019**

The Township Committee met on the above date with Mayor Romeu calling the meeting to order at 7:00 PM. The meeting opened with the flag salute and a moment of silence. Roll call was taken showing present: Mayor Rita Romeu, Deputy Mayor Denise Koetas-Dale, Committeeman Shreekant Dhopte and Committeewoman Andrea Katz. Also present Natalia Teekah Township Attorney, Kyle Wilson Chief of Police/Township Administrator and Township Clerk Caryn Hoyer. The Open Public Meetings Act statement was read and compliance noted. Mr. Liedtka was not present.

**AGENDA MATTER(S) REQUIRING RECUSAL(S)**

Ms. Katz recused herself from Resolution 2019-3-9.

**COMMENTS FROM THE PUBLIC MATTERS ON THE AGENDA ONLY**

None.

**CONSENT AGENDA**

Ms. Koetas-Dale made a motion seconded by Ms. Katz to add March 11<sup>th</sup> minutes to the agenda. All were in favor. Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve the minutes from March 11<sup>th</sup> & March 14<sup>th</sup>. All were in favor.

**TOWNSHIP ENGINEER REPORT**

Mr. Hirsh and Mr. Wilson met with Crestwood Construction this morning. They have 26 lots that are adjacent to Traditions. Crestwood has already been approved but came in for an extension because they were waiting for sewer to come through Traditions before they start building. They still need to come before the Planning Board for final approval. Mr. Dhopte asked Mr. Hirsh how long construction will take. Mr. Hirsh replied one and a half years. However, they will indicated they will not start building for over a year.

Mr. Hirsh reported that we received the DOT grant of \$250,000 for Sykesville Road.

**ORDINANCES FOR PUBLIC HEARING**

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to open the public hearing for Ordinance 2019-8. All were in favor. Hearing no public comments, Mr. Dhopte made a motion seconded by Ms. Katz to close public hearing. All were in favor. Ms. Katz made a motion seconded by Mr. Dhopte to adopt Ordinance 2019-8. Roll Call was taken indicating all were in favor.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE 2019-8**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**WHEREAS**, the Local Government CAP Law, N.J.S.A. 40A:4-45.1 et. seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by Ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by Ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two (2) succeeding years; and

**WHEREAS**, the Township Committee of the Township of Chesterfield in the County of Burlington finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$ 110,013.51 in excess of the increase in final appropriations otherwise permitted by the Local Government CAP Law, is advisable and necessary; and

**WHEREAS**, the Township Committee hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Chesterfield in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY2019 budget year, the final appropriations of the Township of Chesterfield shall, in accordance with this Ordinance and N.J.S.A. 40A:4.45.14 be increased by 3.5% amounting to \$110,013.51 and that the CY2019 municipal budget for the Township of Chesterfield be approved and adopted in accordance with this Ordinance; and

**BE IT FURTHER ORDAINED** that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED** that a certified copy of this Ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and

**BE IT FURTHER ORDAINED** that a certified copy of this Ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

**CHESTERFIELD TOWNSHIP COMMITTEE**

Introduced: March 14, 2019

Adopted: March 28, 2019

RECORD OF VOTE													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
S. Dhopte	X					X	S Dhopte	X					X
A Katz	X						A Katz	X				X	
J. Liedtka	X				X		J. Liedtka				X		
D Koetas-Dale	X						D Koetas-Dale	X					
R. Romeu	X						R Romeu	X					
X – Indicates Vote    NV – Not Voting    AB – Absent    ORD – Motion    SEC - Seconded													



**RESOLUTIONS**

Ms. Katz made a motion seconded by Mr. Dhopte to adopt Resolution 2019-3-6. Roll Call was taken indicating all were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2019-3-6**

**RESOLUTION AUTHORIZING EMERGENCY  
TEMPORARY APPROPRIATION**

**WHEREAS**, an emergency condition has arisen in that the Township is expected to enter in contracts, commitments or payments prior to the 2019 budget and no adequate provision has been made in the 2019 temporary budget for the aforesaid purposes, and

**WHEREAS**, the Township Committee will not consider adoption of the 2019 Municipal Budget prior to the meeting of April 25, 2019, and

**WHEREAS**, the total emergency temporary appropriation resolutions adopted in the year 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$ 1,165,000.00 for the Municipal Budget and \$ 241,000.00 for the Sewer Utility Budget

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$1,165,000.00 for the Municipal Budget and \$241,000.00 for the Sewer Utility Budget as follows:

<b>Attachment "A" for Municipal Budget</b>	<b>\$ 1,165,000.00</b>
<b>Attachment "A" for Sewer Budget</b>	<b>\$ 241,000.00</b>

2. Said emergency temporary appropriations will be provided for in the 2019 budget.
3. That one certified copy of this resolution be filed with the Director of the Division of Local Government Services.

<b>ATTACHMENT "A"</b>		
<b>Department</b>	<b>Type</b>	<b>3/28/2019</b>
Administration	S&W	\$ 5,000.00
	OE	\$ 5,000.00
Mayor & Council	S&W	\$ 8,000.00
	OE	\$ 2,000.00
Clerk	S&W	\$ 25,000.00
	OE	\$ 6,000.00
Finance	S&W	\$ 17,000.00
	OE	\$ 3,000.00
Audit	OE	\$ 5,000.00
	S&W	\$ 7,000.00
Tax Assessor	OE	\$ 3,000.00
	OE	\$ 500.00
Maint of Tax Maps	OE	\$ 500.00
	S&W	\$ 5,000.00
Collection of Taxes	OE	\$ 3,000.00
	OE	\$ 20,000.00
Legal	OE	\$ 20,000.00
Engineering	OE	\$ 20,000.00
Buildings & Grounds	S&W	\$ 1,000.00
	OE	\$ 7,000.00
Historic Preservation Comm	OE	\$ 100.00
Planning Board	S&W	\$ 1,500.00
	OE	\$ 5,000.00
Environmental Commission	S&W	\$ 500.00
	OE	\$ 2,000.00
Recycling	S&W	\$ 100.00

Liability Insurance	OE	\$ 21,000.00
Workers Compensation	OE	\$ 52,000.00
Group Health	OE	\$ 25,000.00
Police Department	S&W	\$ 175,000.00
	OE	\$ 10,000.00
New Vehicle	OE	\$ 10,000.00
First Aid	OE	\$ 1,000.00
Animal Control	S&W	\$ 500.00
	OE	\$ 500.00
Streets & Roads	S&W	\$ 20,000.00
	OE	\$ 5,000.00
Maintenance of Vehicles	OE	\$ 5,000.00
Board of Health	S&W	\$ 2,000.00
	OE	\$ 100.00
Parks & Playgrounds	S&W	\$ 1,000.00
	OE	\$ 15,000.00
Celebration of Public Events	OE	\$ 4,000.00
Electricity	OE	\$ 20,000.00
Street Lighting	OE	\$ 30,000.00
Telephone	OE	\$ 3,000.00
Natural Gas	OE	\$ 1,000.00
Telecommunications	OE	\$ 1,000.00
Gasoline	OE	\$ 10,000.00
Construction Code	S&W	\$ 22,000.00
	OE	\$ 1,000.00
Property Maintenance	OE	\$ 5,000.00
PERS	OE	\$ 90,707.00
Social Security	OE	\$ 9,907.00
PFRS	OE	\$ 182,586.00
Ambulance - OUT OF CAP	S&W	\$ 10,000.00
Court	OE	\$ 15,000.00
Bond Principal	OE	\$ 175,000.00
Bond Interest	OE	\$ 90,000.00

**TOTAL** **\$ 1,165,000.00**

**SEWER**

Salary & Wage	\$ 5,000.00
Other Expenses	\$ 75,000.00
Bond Principal	\$ 150,000.00
Bond Interest	\$ 10,000.00

Social Security	\$	1,000.00
Prior Year Bill-Treasurer		
<b>TOTAL</b>	<b>\$</b>	<b>241,000.00</b>

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Ms. Katz made a motion seconded by Ms. Koetas-Dale to adopt Resolution 2019-3-7. All were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2019-3-7**

**RESOLUTION MEMORIALIZING RENEWAL OF CONTRACT  
WITH ONSITE LANDSCAPE MANAGEMENT  
FOR GROUNDSKEEPING SERVICES**

**WHEREAS**, N.J.S.A. § 40A:11-4.1 et seq. permits a municipality to engage the services of a grounds keeping services through competitive contracting rather than through the typical bid process; and

**WHEREAS**, the statute authorizes a contract for up to five years for said services; and

**WHEREAS**, the Township Committee properly awarded a contract to On Site Landscape Management in accordance with Resolution 2017-4-8 for a one year term, April 15, 2017 through October 31, 2017; and

**WHEREAS**, the Agreement has a provision to renewal the contract for two (2) two-year terms; and

**WHEREAS**, the residents of Chesterfield will benefit from renewing the agreement with On Site Landscape Management; and

**WHEREAS**, Renewal Term #1 commences January 1, 2018 through October 31, 2019; and

**WHEREAS**, this contract is subject to the rules concerning certification of availability of funds.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey do hereby renew the contract with On Site Landscape Management, to perform grounds keeping services according to the terms and conditions of the proposal specification

including Option 2 & 3 for two years commencing on January 1, 2018 for a cost of Forty Thousand One Hundred Ninety Eight Dollars (\$40,198.00) and said contract may be renewed by the Township, in its sole discretion, for up to one (1) additional two-year renewal.

**BE IT FURTHER RESOLVED**, that the Mayor and Township Clerk are hereby authorized to enter into a Contract to fulfill the terms of this agreement upon approval of the document by the Township Solicitor.

**BE IT FINALLY RESOLVED**, that the Township Clerk shall publish notice in the official newspaper summarizing the award of a contract to include the name of the vendor, duration and nature of the contract and a statement that the resolution and contract are on file and available for public inspection.

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Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to adopt Resolution 2019-3-8. All were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2019-3-8**

**RESOLUTION AUTHORIZING AND DIRECTING THE CHESTERFIELD TOWNSHIP PLANNING BOARD TO CAUSE A PRELIMINARY INVESTIGATION TO BE MADE PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW, AS TO WHETHER CERTAIN AREAS ARE “AREAS IN NEED OF REDEVELOPMENT” WITHIN THE MEANING AND INTENDMENT OF SAID STATUTE**

**WHEREAS**, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (“the Act”) allows municipalities to identify certain areas within their geographical boundaries as “Areas in Need of Redevelopment”, one of the purposes of which, among others, is to encourage private investment in certain properties through, e.g., the demolition, clearance, or removal of buildings, the construction and rehabilitation of existing buildings, the creation of new job opportunities and ratables within municipalities, etc.; and

**WHEREAS**, the Act empowers municipalities to authorize and direct their Municipal Planning Boards to cause preliminary investigations to be made to determine whether areas exist within the municipality that are “in need of redevelopment”, N.J.S.A. 40A:12A-6; and

**WHEREAS**, the Township of Chesterfield has determined that: (1) Block 1102, Lot 6.03 and Block 1103, Lot 8.01, are properties that may benefit from the tools available to municipalities under the New Jersey Housing and Redevelopment Law; and (2) that there is a need for increased employment opportunities, tax ratables, and other

benefits which communities generally derive from the redevelopment of commercial corridors within these areas; and

**WHEREAS**, the Township Committee of the Township of Chesterfield has determined that it is in the best interest of the Township of Chesterfield, in order to compete with neighboring municipalities for new commercial and other opportunities which will result in increased employment opportunities, and tax ratables for the municipality, to further study this area of the Township in that general vicinity, to determine if same or portions of same, are “in need of redevelopment”, so that this municipality can undertake various initiatives to incentivize commercial and other developers to locate their businesses with this municipality; and

**WHEREAS**, the Planning Board shall undertake this investigation and shall determine whether or not the Redevelopment Area shall authorize the municipality to use all those powers provided by the Legislature for use in a Redevelopment Area, excluding the power of Eminent Domain; and

**WHEREAS**, the New Jersey Redevelopment and Housing Law empowers municipalities to authorize and direct their Municipal Planning Boards to undertake such studies and investigations.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, that the Chesterfield Township Planning Board be and is hereby authorized and directed to cause a preliminary investigation to be made pursuant to the New Jersey Redevelopment and Housing Law as to whether Block 1102, Lot 6.03 and Block 1103, Lot 8.01, and surrounding and nearby areas as described above, within the Township of Chesterfield, are in need of redevelopment or rehabilitation within the meaning and intendment of the statute.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be filed with the Chairperson and Secretary of the Chesterfield Township Planning Board, and with the Burlington County Office of Land Use Planning, within ten (10) days of adoption, and that the Planning Board be urged to complete its preliminary investigation and file its written report within the Township Committee upon completion of same.

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Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to add Resolution 2019-3-9 to the agenda. All were in favor except Ms. Katz who abstained.

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to adopt Resolution 2019-3-9. All were in favor expect Ms. Katz who abstained.



**TOWNSHIP OF CHESTERFIELD  
RESOLUTION NO. 2019-3-9**

**RESOLUTION AUTHORIZING SETTLEMENT UNWINDING  
SALE OF AFFORDABLE UNIT AT MARKET RATE**

**WHEREAS**, on October 26, 2007, a Mortgage was issued encumbering the affordable housing unit at the property located at 46 Saddle Way, Chesterfield, NJ 08515; and

**WHEREAS**, on May 18, 2016, Ocwen Loan Servicing, LLC ("Ocwen") filed an Amended Complaint in Mortgage Foreclosure in the Chancery Division of the Burlington County Superior Court against the borrower, and other entities, docketed at Case Number F-010710-16; ("the Foreclosure Action") and

**WHEREAS**, during the pendency of the Foreclosure Action, Chesterfield Township filed a Notice of Motion to Preserve Affordability Controls, which Motion was granted by Order dated March 3, 2017. A certified copy of the Court's March 3, 2017 Order was recorded with the Clerk's Office of Burlington County on July 12, 2017. Pursuant to same, the affordable housing deed restrictions recorded against the property in the Burlington County Clerk's Office were ordered to remain of record and in full force and effect; and

**WHEREAS**, on June 21, 2017, a Final Judgment was entered in favor of Ocwen in the Foreclosure Action; on October 19, 2017, Ocwen purchased the Property at Sheriff's Sale; and

**WHEREAS**, notwithstanding said deed restriction and Order, on April 10, 2018 Ocwen sold the property at market rate to Taurus Gemini Property Management, LLC ("Taurus"); and

**WHEREAS**, on May 8, 2018 Ocwen transferred the Property to Taurus. As Taurus's title insurer, Fidelity National Title Insurance Company ("Fidelity") issued Taurus a title policy in connection with this transaction, which title policy did not reflect the existence of the affordable housing restrictions; and

**WHEREAS**, disputes have arisen between Ocwen, the Township and Taurus regarding the property and Ocwen's sale of the property to Taurus, which disputes are currently pending in the Foreclosure Action, including a motion to enforce litigant's rights filed by the Township; and

**WHEREAS**, in order to avoid the cost, delay and uncertainty of further litigation, the Parties desire to compromise and settle all disputes and claims which exist among them arising out of this matter; and

**WHEREAS**, the Township Committee has determined that this settlement, which reinstates the affordable housing deed restriction, is in the best interests of the Township; and

**WHEREAS**, the parties have reduced the terms and conditions of the Settlement Agreement to writing which will “unwind the sale” and keep the affordable housing deed restrictions in place on the property; and

**WHEREAS**, a proposed form of Settlement Agreement documenting the foregoing and setting forth the other terms and conditions of settlement is attached hereto and made a part hereof as Exhibit “A”. The terms of the Agreement are incorporated by reference herein as if set forth herein at length; and

**WHEREAS**, the intent and purpose of this Resolution is to approve the general form and content of the Settlement Agreement, subject to such changes in revisions as may be determined by the Township attorney and ordered by the court, and to authorize its execution by the Mayor and Municipal Clerk.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chesterfield that the proposed Settlement Agreement attached hereto as Exhibit “A” is hereby approved as to form and content subject to the foregoing recital and that the Mayor and Municipal Clerk be and are hereby authorized to execute the Agreement on behalf of the Township of Chesterfield.

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**Payment of Bills**

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve the bill list. All were in favor.

**Discussion**

**Beaver Management Plan**

The Township Committee would like to have Nancy Scarifile come to the next meeting and give everyone a summary of her plan before the Committee votes on it. Ms. Koetas-Dale will reach out to Nancy. Ms. Katz asked how much it costs to trap the beavers. Ms. Hoyer replied that there is not cost.

**Training for Township Committee**

Mayor Romeu asked that the Township Committee to finish the JIF Cyber online training by the end of the week. They all agreed. Mayor Romeu asked Glenn McMahon to reach out to JIF for some free training for the Township Committee on racial diversity, sexual harassment, ethics in government and any other suggestions they might have. Mr. Wilson and Mr. McMahon have already been working with the JIF to set up some lunch & learns for all of the employees and the Township Committee. There will be one held on June 6<sup>th</sup> on diversity.

### Update on Old Municipal Building Rental

Mr. Wilson reported that he spoke to the Realtor and someone is currently interested in the building for a Café. They are working out the loan issues. There are also some people looking to buy the building vs renting it.

Ms. Koetas-Dale would like to re-visit letting the Crosswicks Library use the building. They are interested in moving there. Ms. Koetas-Dale plans to sit down with the Library Board to discuss. As well as speak to Burlington County to find out if they are willing to help with the cost of refurbishing the building. Mayor Romeu plans to join them.

### Update on Recreation Subcommittee Meeting

Ms. Katz and Ms. Koetas-Dale met with the Recreation Committee this past Monday. The Committee consisted of 10 people so far. Ms. Koetas-Dale said that they discussed the dog park, walking fitness track and other items on the list. Their next meeting is April 29<sup>th</sup> at 7pm. Mr. Dhopte mentioned that several people have reached out to him about the bicycle trail which is a different committee. Mr. Dhopte asked Ms. Koetas-Dale if she can send out an update periodically on what the Recreation Committee is working on. She agreed.

### Comments to the Public and Committee

Ms. Katz made a motion seconded by Ms. Koetas-Dale to open to public comment. All were in favor. Hearing no comments, Ms. Koetas-Dale made a motion seconded by Ms. Katz to close public comment.

Ms. Koetas-Dale made a motion seconded by Ms. Katz to go into Executive Session at 8:00 pm. All were in favor.

## **RESOLUTION 2019-3-10**

### **A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

**WHEREAS**, the Township Committee of the Township of Chesterfield is subject to certain requirements of the Open Public Meetings Act, NJSA 10:4-6, et. seq.; and

**WHEREAS**, the Open Public Meetings Act, NJSA 10:4-12 provides that an Executive Session not open to the public may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Committee of the Township of Chesterfield to discuss, in a session not open to the public, certain matters relating to the item or items authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Committee of the Township of Chesterfield to discuss, in a session not open to the public, certain matters relating to the item or items authorized by NJSA 10:4-12b and designated below:

- Matters required by law to be confidential.
- Matters where the release of information would impair the right to receive funds.
- Matters involving individual privacy.
- Matters relating to collective bargaining agreements.
- Matters relating to the purchase, lease, or acquisition of real property or the investment of public funds.
- Matters relating to public safety and property.
- Matters relating to litigation, negotiations and the attorney-client privilege.
- Matters relating to the employment relationship.
- Matters relating to the potential imposition of a penalty.
- Matters relating to deliberations on administrative and/or quasi-judicial matters.
- Matters relating to contract negotiations.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, assembled in public session on March 28, 2019 that an Executive Session closed to the public shall be held at 8 PM in the Chesterfield Township Municipal Building for the discussion of matters relating to the specific items designated above. It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

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Returned to regular session at 8:14 pm.

With no further comment Ms. Katz made a motion seconded by Ms. Koetas-Dale to adjourn the meeting. All were in favor. The meeting adjourned at 8:15 PM

Respectfully submitted,

Rachel Fryc, RMC  
Deputy Municipal Clerk