

April 25, 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, Committeemen Shreekant Dhopte and Jeremy Liedtka and Committeewoman Andrea Katz. Also present John Gillespie Township Attorney, Kyle Wilson Chief of Police/Township Administrator, Wendy Wulstein, CFO and Township Clerk Caryn Hoyer. The Open Public Meetings Act statement was read and compliance noted.

AGENDA MATTER(S) REQUIRING RECUSAL(S)

None

COMMENTS FROM THE PUBLIC MATTERS ON THE AGENDA ONLY

None.

CONSENT AGENDA

Ms. Koetas-Dale made a motion seconded by Ms. Katz to approve the minutes of March 28, 2019. All were in favor except Mr. Liedtka who abstained.

Departmental Reports will be emailed to Committee to accept at the next meeting.

Ms. Koetas-Dale made a motion seconded by Mr. Liedtka to approve the Proclamation for National Donate Life Month. All were in favor.

PROCLAMATION

NATIONAL DONATE LIFE MONTH

WHEREAS realizing the urgent need for organ and tissue donors across the country, the NATIONAL DONATE LIFE MONTH observance promotes a greater understanding about the life-saving benefits of donation and transplantation. Moreover, the need is increasing. NJ Sharing Network is committed to addressing that need through increased awareness; and

WHEREAS, the transplantation of organs and tissue is a miracle of modern medicine made possible through the compassion of organ and tissue donors, enabling surgeons to save thousands of lives every year. One organ donor can save eight lives and one tissue donor can restore health to over 75 others. People of all ages, ethnic backgrounds and religions are touched by donation and by the serious shortage of organ donors that exists. Currently, there are nearly 4,000 New Jersey residents and 115,000 Americans awaiting life-saving transplant operations; and

WHEREAS, every capable person should support this vital effort by registering as an organ and tissue donor, making their family aware of their wishes and being willing to give the precious gift of health, sight and life to people in need; and

WHEREAS, registering as an organ and tissue donor at a local Motor Vehicle Agency or online at www.NJSharingNetwork.org signifies our fundamental human responsibility to help others; and

WHEREAS, as Mayor of Chesterfield Township, I recognize **NATIONAL DONATE LIFE MONTH** as an opportunity to join NJ Sharing Network in its life-saving mission.

NOW, THEREFORE, I, Rita Romeu, Mayor, do hereby proclaim April as:

DONATE LIFE MONTH

in Chesterfield Township, New Jersey, I urge all residents to join me in promoting organ and tissue donor education throughout **NATIONAL DONATE LIFE MONTH**.

Rita Romeu
Mayor

TOWNSHIP ENGINEER REPORT

None as Mr. Hirsh was not present.

PUBLIC HEARING ON BUDGET

Mr. Liedtka made a motion seconded by Ms. Katz to open the meeting to the public for the budget hearing. All were in favor.

Ms. Wulstein gave a power point presentation. She thanked the Budget Advisory Committee for reviewing the budget and providing feedback which the Township took into consideration during the budget process. She stated the Township has been trying to keep a slow steady increase as shown in the 10 year tax history with the exception of the year 2012. The proposed municipal budget is \$5,290,000. Surplus utilized in 2019 will be \$1,312,000 leaving a surplus balance after the budget of \$2,061,001.47. The development area is nearing completion. The use of surplus continues to be examined. The proposed rate for 2019 for the Township is 34.0 cents. Ms. Wulstein noticed the new shared services agreement for the Municipal Court with Bordentown Township which began this year. This is projected to have a savings of \$30,000. The Fire Districts completed their merger and are now Fire District #1. The merger eliminated the need to hire fire personnel. The Township budget supports outside organization that provide service to our community. These organizations provide an opportunity to volunteer or support any way you can. They are the Crosswicks Library, Crosswicks Community Association, Crosswicks Historical Society and Chesterfield Keenagers. She stated we are all aware of the CAP waiver needed each year. Ms. Wulstein, Kyle Wilson and Mayor Romeu attended the Finance Board meeting this year on April 10th and it was granted. The budget was prepared in conjunction with a 5 year forecast of the effect of the CAPs. The appropriation CAP will be addressed when a referendum is need for the levy CAP. The forecast shows the CAP referendum may occur in 2022 or 2023 depending on the surplus situation. Projects that were completed since the last budget were the Municipal Park Playground, Paving of Harker Road and the recreation survey. Projects still in process or planned for this coming year are the Cricket Field which is just waiting for the "carpet" to be installed; Saddle Way Gazebo will have the

benches and picnic tables installed shortly; the Monument and Memorial Bricks in front of the old municipal building will be moved to our present location; Recreation projects based on the recreation survey are currently being discussed and prioritized and all projects are considered in conjunction with grant opportunities.

Mayor Romeu asked for public comment, hearing none, Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to close the public hearing on the budget.

RESOLUTIONS

Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to approve Resolution 2019-4-9. All were in favor.

**RESOLUTION 2019-4-9
RESOLUTION AUTHORIZING THE ADOPTION OF THE
2019 MUNICIPAL BUDGET**

BE IT RESOLVED by the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey that the budget hereinbefore set forth is adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization in the amount of \$2,724,562.48 for municipal purposes, and

SUMMARY OF REVENUES

Surplus Anticipated	\$ 1,312,000.00
Miscellaneous Revenues Anticipated	\$ 1,053,437.52
Receipts from Delinquent Taxes	\$ 200,000.00
Amount to be Raised by Taxation Municipal	\$ 2,724,562.48
TOTAL REVENUES	\$ 5,290,000.00

SUMMARY OF APPROPRIATIONS

General Appropriations within "CAPS":	
Operations Including Contingent	\$ 2,870,798.00
Deferred Charges & Statutory Expenditures	\$ 446,149.48
General Appropriations Excluded from "CAPS":	
Operations	\$ 912,052.52
Capital Improvements	\$ 25,000.00
Municipal Debt Service	\$ 536,000.00
Reserve for Uncollected Taxes	\$ 500,000.00
TOTAL APPROPRIATIONS	\$ 5,290,000.00

CHESTERFIELD TOWNSHIP COMMITTEE

RECORDED VOTE						
TWP COMMITTEE	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
S. Dhopte	X					
A. Katz	X					
D. Koetas-Dale	X					X
J. Liedtka	X				X	
R. Romeu	X					

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Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolution 2019-4-1. All were in favor.

### **RESOLUTION 2019-4-1**

#### **RESOLUTION ACKNOWLEDGING ARBOR DAY CELEBRATION**

**WHEREAS**, the Legislature of the State of New Jersey has adopted an Act designating Arbor Day; and

**WHEREAS**, it is the purpose of the designation of this day throughout the nation to encourage the planting of shade and forest trees, to encourage the harvesting of our forest crops by approved conservation methods, and to encourage the protection of our forests from the scourge of devastating fires, insects and diseases that destroy the beauty and usefulness of our woodlands as well as their wildlife; and

**WHEREAS**, through the cooperation of all residents of this community, the beneficial effects of forest tree plantings, proper conservation practices in harvesting timber, and the protection of the forest from natural enemies can be materially increased, and we can pass on an enduring heritage of a vital natural resource to succeeding generations.

**WHEREAS**, the Arbor Day celebration this year will take place on April 27, 2019 at the Green Fair by distributing tree seedlings and tree planting instructions, distributing information on spotted lantern fly and sponsoring a phot contest entitled "Local Landscapes".

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chesterfield, in the County of Burlington and the State of New Jersey do hereby acknowledge the celebration of Arbor Day for April 27, 2019 at the Green Fair.

#### **CHESTERFIELD TOWNSHIP COMMITTEE**

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Ms. Koetas-Dale made a motion seconded by Mr. Liedtka to approve Resolution 2019-4-2. All were in favor.

RESOLUTION 2019-4-2

RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT ON BLOCK 502 LOT 30.04 TO CORELOGIC

WHEREAS, N.J.S.A. 54:4-3.30A allows for the exemption from taxation from real and personal property for any citizen and resident of the State who has a total or 100% permanent disability as defined by this statute; and

WHEREAS, Resolution 2018-8-2 authorized the property tax exemption as of June 12, 2018; and

WHEREAS, the first quarter payment was submitted as part of a bulk payment by Corelogic and had to be applied to the account; and

WHEREAS, the Mortgage Company, PNC Bank, requested the overpayment be refunded to Corelogic.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, hereby approves the refund of property tax overpayment in the amount of \$4,235.97 to the Corelogic, Refund Dept., P. O. Box 9205, Coppell, TX 75019-9710.

CHESTERFIELD TOWNSHIP COMMITTEE

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Ms. Katz made a motion seconded by Mr. Dhopte to approve Resolution 2019-4-3. All were in favor.

**RESOLUTION 2019-4-3**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF CHESTERFIELD  
TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR  
COOPERATIVE  
PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974**

**WHEREAS**, certain federal funds area available to Burlington County under Title I of the Housing and Community Development Act of 1987. Public Law 93-383, as amended; and

**WHEREAS**, it is necessary to establish a legal basis for the County and its people to benefit from this Program; and

**WHEREAS**, an Agreement has been proposed under which the Township of Chesterfield and the County of Burlington in cooperation with the other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq., and

**WHEREAS**, it is in the best interest of the Township of Chesterfield that the Agreement entitled "Agreement between the County of Burlington and certain municipalities located therein for the establishment of a cooperative means of conducting certain community development activities", a copy of which is on file at the Municipal Clerk's Office; and

**WHEREAS**, the Township of Chesterfield shall enter into the Agreement with the County of Burlington mentioned with all supplements and agreements thereto. The Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of the Township of Chesterfield and affix thereunto the Official Seal; and

**WHEREAS**, all resolutions or parts of resolutions which are inconsistent herewith are hereby repealed in the extent of their inconsistency; and

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, County of Burlington and State of New Jersey to authorize an Agreement with Burlington County for cooperative participation in the Community Development Act of 1974.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately after passage and publication as provided by law.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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Ms. Katz made a motion seconded by Ms. Koetas-Dale to approve Resolution 2019-4-4. All were in favor.

RESOLUTION 2019-4-4

RECYCLING TONNAGE GRANT

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2018 **Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of Chesterfield Township to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution acknowledges **Jennifer Smith** is a *Certified Recycling Professional* to ensure the application is properly completed, signed and timely filed under the law.

NOW THEREFORE BE IT RESOLVED that **Chesterfield Township** hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

CHESTERFIELD TOWNSHIP COMMITTEE

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Mayor Romeu stated the title of Resolution has changed slightly but substance of the Resolution remains the same. Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2019-4-5. All were in favor.

**RESOLUTION 2019-4-5**

**AUTHORIZING EXECUTION OF SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF MANSFIELD FOR INSURANCE COSTS**

**WHEREAS**, pursuant to N.J.S.A. 40A:65-1 et seq., any municipality of the State may enter into a contract with any other municipality or municipalities for the joint provision within their several jurisdictions of any service which any party to the Agreement is empowered to render within its own jurisdiction; and

**WHEREAS**, Mansfield currently provides insurance coverage for Mansfield Township Ambulance Corps "MTAC"; and

**WHEREAS**, through a competitive contracting process pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-4, et seq., Chesterfield is in the process of contracting with MTAC for emergency service response; and

**WHEREAS**, pursuant to that process it was determined that the most economical method to provide insurance is for Chesterfield to provide an annual sum to Mansfield to pay for a portion of insurance premium costs associated with MTAC; and

**WHEREAS**, the parties have negotiated a Shared Services Agreement, a copy of which is attached hereto; and

**WHEREAS**, the parties desire to enter into this Shared Services Agreement to establish all obligations in connection with this insurance reimbursement, which will become effective following adoption of this Resolution, a corresponding Resolution by Mansfield Township, and execution by both entities of the Shared Services Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the Mayor and Township Clerk be and are hereby authorized to execute a Shared Services Agreement with the Township of Mansfield for the provision of insurance to MTAC for coverage of services performed for Chesterfield pursuant to a separate agreement between Chesterfield and MTAC; and

**CHESTERFIELD TOWNSHIP COMMITTEE**

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Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2019-4-6 with the addition in the resolution to include contingent upon agreement with Mansfield Township and or proof of insurance. All were in favor.

RESOLUTION 2019-4-6

RESOLUTIONS AWARDING CONTRACT TO MANSFIELD TOWNSHIP AMBULANCE CORP FOR EMERGENCY MEDICAL SERVICES

WHEREAS, Chesterfield Township, in cooperation with Chesterfield Emergency Squad, desires to supplement the volunteer services with another EMS service provider to handle daytime calls; and

WHEREAS, N.J.S.A. § 40A:11-4.1 et seq. permits a municipality to engage the services of a qualified emergency medical technicians 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 proposal was properly advertised and opened on March 12, 2019; and

WHEREAS, the Township Administrator, Clerk and Chief Financial Officer have reviewed the submissions by the vendors against the competitive contracting criteria established and announced in the bid specifications; and

WHEREAS, the review committee created a report detailing the proposals and made same available to the public by announcement on the Township bulletin board; said report made part of the public record at the time of the adoption of this Resolution; and

WHEREAS, the review committee recommends award of the contract to Mansfield Township Ambulance Corps; and

WHEREAS, the Township Solicitor's office has confirmed that the submission is compliant with the New Jersey Local Public Contracts Law; and

WHEREAS, this contract is subject to the rules concerning certification of availability of funds and an executed agreement with Mansfield Township regarding insurance coverage or proof of adequate insurance.

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 award a contract to Mansfield Township Ambulance Corps, to perform emergency medical services according to the terms and conditions in the bid specification for a one year contracting commencing on May 1, 2019 for a cost of One Hundred Fourteen Thousand Dollars and said contract may be renewed by the Township, in its sole discretion for up to two (2) two-year renewal terms.

BE IT FURTHER RESOLVED, that the Township Administrator 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 and the shared services agreement with Mansfield Township and or proof of adequate insurance.

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.

CHESTERFIELD TOWNSHIP COMMITTEE

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Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2019-4-7. All were in favor.

**RESOLUTION 2019-4-7**

**RESOLUTION AUTHORIZING PRIVATE SALE OF PROPERTY  
NO LONGER NEEDED FOR PUBLIC USE**

**WHEREAS**, by Resolution 2019-2-9, the Township Committee authorized the public auction of certain dirt and soil comprising approximately 7,000 cubic yard +/-, no longer needed for public use, at a minimum bid price of Seventeen Thousand Dollars (\$17,000.00); and

**WHEREAS**, there were no bidders at that minimum price, as a result of which the governing body then determined to proceed with a second effort at public auction with a minimum bid of Ten Thousand Dollars (\$10,000.00) required; and

**WHEREAS**, on the date set for said auction, there were still no bidders for the 7,000 cubic yard +/- of dirt and soil; and

**WHEREAS**, State law allows the governing body to now sell the property at private sale, or at public auction, to the highest bidder, and the governing body is desirous of having the pile of dirt and soil removed from the former municipal complex, and is satisfied that the minimum prices as previously established are above market value and therefore will not satisfied.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the Township Administrator be and is hereby authorized to seek a purchaser for said dirt and soil, at the best price that the Administrator is able to achieve.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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Mr. Wilson suggested postponing Resolution 2019-4-8 “RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION WITH K. HOVNANIAN AT CHESTERFIELD, LLC” to the May 9, 2019 meeting because of a few outstanding issues/questions which need to be answered by Mr. Hirsh who is not presently. All were in favor.

DISCUSSION

Letter of Intent to Rent Portion of Old Municipal Building – Mr. Wilson stated that we have an offer to rent the upper part of the Municipal Building. It would be a one year lease. After much discussion, Mr. Gillespie stated this needs to be discussed further in executive session.

Contractor Registration – The Clerk explained the Planning Board is recommending the Township Committee consider the contractor registration ordinance. Ms. Koetas-Dale explained that the Planning Board is concerned that the design standards for the development and the historic areas. She stated that right now everyone in the historic district is aware they must go before the HPC prior to doing improvements. Mr. Dhopte was concerned that it would take away competition and cause the homeowner to pay more for any work to be done. Ms. Koetas-Dale stated the contractor registration would not have a cost associated to it. It is not to make money just educate the contractors. There was discussion that it requires all contractor to register, however it would not affect any area outside of Old York Village or the Historic District since there are not any standards there. Mr. Gillespie pointed out a lot of discrepancies within the ordinance presented. Under 96-1 it says particularly in the PVD and Historic and that contractors should. So it is not clear. It also stated that persons licensed and regulated by the State of NJ are exempted. That will not accomplish what you want to do. Mr. Gillespie recommends this ordinance go back to the Planning Board for further discussion and clarification. All agreed.

PAYMENT OF BILLS

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

COMMENTS FROM THE PUBLIC AND COMMITTEE

Dale Walton – 179 Chesterfield-Crosswicks Road – He is concerned about the dirt pile. Wanted to know if it can be given to residents or spread out. He seed that some has been removed from the back of the pile. Mr. Wilson stated there is some topsoil and that is being used by the Township. The remainder is fill dirt and not ideal to plant grass. Mr. Liedtka stated that to spread behind the building, the topsoil would have to be stripped first.

Mr. Walton asked what the purpose is of the contractor registration. Mr. Wilson stated to make sure design standards are met. Mr. Walton stated that if design standards are already available to the public, they he doesn't see the need to have contractors register. Ms. Koetas-Dale stated the Planning Board is concerned that a lot of work went into creating the design standards and that over the years they will not be continued. The Contractor registration would be at no fee and just to educational contractors.

Dawn Sheridan Donahue – 79 Bordentown-Chesterfield Road – She stated the contractor registration is crazy. She would want to go to whoever she wants to do work at her property. She would like to see this sent back to the Planning Board.

She thanked Shreekant, Denise, Rita and Jeremy for attending the last freeholders meeting. She hope that all the Committee can attend the next meeting.

Belinda Blazic – 228 Bordentown-Chesterfield Road – She asked if there was a breakdown of the other tax rates for 2019. Ms. Wulstein stated we will not have them until all the budgets are passed.

Hearing no further comment, public comment was closed on a motion by Ms. Koetas date and second by Mr. Dhopte. All were in favor.

Mr. Gillespie stated there is a need for executive session to discuss litigation and the letter of intent to rent the old municipal building. It is not anticipated that any action will be taken.

Mr. Dhopte made a motion seconded by Mr. Liedtka to go into Executive Session at 8:03 pm. All were in favor.

RESOLUTION 2019-4-10

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 contact negotiations.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield, assembled in public session on April 25, 2019 that an Executive Session closed to the public shall be held at 8:03 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 9:44 pm.

With no further comment Ms. Koetas-Dale made a motion seconded by Ms. Katz to adjourn the meeting. All were in favor. The meeting adjourned 9:44 PM

Respectfully submitted,

Caryn M. Hoyer, RMC  
Municipal Clerk