

**July 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, Committeewoman Andrea Katz, Committeemen Jeremy Liedtka and Shreekant Dhopte. Also present John Gillespie Township Attorney, Deputy Clerk Rachel Fryc and Township Clerk Caryn Hoyer. Township Administrator/Police Chief Kyle Wilson was absent

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**

Tom Flaherty – 151 Chesterfield-Georgetown Road – He is here regarding Resolution 2019-7-8. Mr. Flaherty is part of the pipeline task force and understands these are tough issues. He would like to know the rationale for settling, a summary of the terms and conditions, and he is requesting a postponement on the vote.

Agnes Marsala – 42 Cromwell Drive – She is here regarding Resolution 2019-7-8. She stated it is disheartening and the Township wasted money if we were just going to settle. She doesn't trust NJNG. Burlington County gets \$1,000,000 for permit. There are safety and traffic concerns. She asked if the Township cared about the other issues. She asked John Gillespie how Judge Bookbinder's decision plays into this.

Dawn Sheridan – 79 Bordentown-Chesterfield Road – She stated the Freeholders through Chesterfield Township under the bus. Only one Township Committeeman is impacted. She is upset that the Committee didn't care to ask the residents what they thought. She is concerned the committee is not being transparent.

Belinda Blazic – 228 Bordentown-Chesterfield Road – She stated the pipeline is going 40-50 feet in front of her house. She does not see a happy ending either way. The Township fought a hard fight for 4 years. She stated community groups & residents sent letters. No legislators wanted to help. This either ends with a pipeline and more taxes, because she doesn't think we can win, or a pipeline and something for the town. Governor Murphy is no help. He has the power to stop this. She stated we have been to the County Freeholder meetings and they still issued the permit. She believes the Township made sure the public was advised. She thinks the odds were against us.

Kennedy Ganti, MD – 8 Donlonton Circle – He stated it has been a good fight. If the pipeline takes place the Township needs to look at the health impacts. He would like to see resources available for continued monitoring of health issues. He believes we need to accept our "new neighbors" so we can get what we need from them.

Myra Wille – 9 Chesterfield-Georgetown Road – She agrees with Tom Flaherty. She feels the resolution was slipped into the meeting. She doesn't know what is in the resolution and that residents should have had input.

Pallavi Ashok – 113 Atsion Way - She has done her part but disturbed that it was not transparent. What is the settlement?

Patricia Caruso – 201 Provinceline Road, Upper Freehold – She thanked Rita for consistently supporting the efforts against the pipeline. She stated they have been fighting for 4 years going to meetings. She doesn't understand why only a handful of people are at this meeting.

Jignesh Shah – 11 Thorn Lane – He understands it is a losing battle, but why spend so much money if we were going to settle anyway. He urged the Committee to table until the residents get more information.

Christina Hogan – 396 Chesterfield-Jacobstown Road – She is speaking on behalf of herself as a resident and not as a member of the school board. She appreciates the work the Township Committee does. She does not understand why none of this was on social media. She is disappointed she heard about the settlement from someone outside of Chesterfield. The residents deserve information. How much was spent; how much is the town getting; what releases are we getting; what are we giving up; when was this decided; Is there a draft agreement; what provisions were made for road closure; are we getting anything additional that is not monetary and why was notice only made Tuesday night.

Hearing no further comments, Mr. Dhopte made a motion seconded by Ms. Katz to close public comment. All were in favor. Ms. Katz made a motion seconded by Mr. Liedtka to approve Resolution 2019-7-11 to go into executive session to discuss the matters the public raised and the settlement agreement and resolution with NJNG. All were in favor. Executive at 7:35 PM.

### **RESOLUTION 2019-7-11**

#### **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 July 25, 2019 that an Executive Session closed to the public shall be held at 7:35 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.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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The Township committee resumed regular session at 8:05 on a motion by Ms. Koetas-Dale and second by Mr. Dhopte. All were in favor.

Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to move to resolution 2019-7-8. All were in favor.

Mr. Gillespie addressed the public stating that this was a very civil presentation by the public. He stated he disagrees that this was slipped in as this was put on the agenda and published on the website the same as all Township Committee meeting agendas. He stated that the Township Committee had no obligation to show it on the agenda. They could have chosen not to have on the agenda, go into executive session at the end of the meeting, everyone would have left, come out of executive, added to the agenda and adopt the resolution. The July 8<sup>th</sup> special meeting the Township published public notice to pending litigation, NJNG is the only pending litigation the Township has. The committee had an obligation to consider everything and just recently began these discussions. He stated that to postpone the vote on the resolution would not change anything. There would be nothing regarding the terms and conditions that could be available to them. It was still in litigation and considered confidential until the resolution is approved. He has cautioned the Township Committee not to disclose anything. The governing body considered every aspect when discussion the terms of the settlement. Mr. Gillespie stated he has been a municipal attorney for 34 years. This Township Committee has been the most transparent among any of the other he has represented. The settlement negotiations are confidential.

Mr. Liedtka made a motion seconded by Mr. Dhopte to adopt Resolution 2019-7-8. All were in favor.

Mr. Gillespie proceeded by reading Resolution 2019-7-8 in full.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2019-7-8**

**RESOLUTION AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT &  
RELEASE, AND CONSENT ORDER, WITH NEW JERSEY NATURAL GAS  
RELATING TO THE SRL PIPELINE PROJECT.**

**WHEREAS**, in both February 2016 and March 2016, the New Jersey Board of Public Utilities (“NJBPU”) issued Orders that jointly gave permission to New Jersey Natural Gas Company (“NJNG”) to proceed with the construction of a natural gas pipeline known as the “Southern Reliability Link” (“SRL”) along County Route 528 (Bordentown-Chesterfield Road) within the Township of Chesterfield; and

**WHEREAS**, following the issuance of said Orders, the Township of Chesterfield filed appeals with the State of New Jersey, Superior Court, Appellate Division, seeking review and reversal of the NJBPU’s two (2) Orders; and

**WHEREAS**, in or about February 2016, NJNG also filed suit in the Superior Court of New Jersey, Law Division, against the Burlington County Board of Chosen Freeholders (“Burlington County”) to challenge the County’s road opening policy which had been adopted by the County on December 28, 2015, and the Township of Chesterfield sought, and received, permission to intervene in said litigation with Burlington County as an “Intervening Party”; and

**WHEREAS**, the Township of Chesterfield also filed an appeal with the Appellate Division challenging a certain approval granted to NJNG for the SRL Pipeline, by the State of New Jersey Pinelands Commission, which appeal is also pending before the Appellate Division, but for which the Township of Chesterfield has not submitted briefs in support of its position; and

**WHEREAS**, the Township of Chesterfield has been given access over the past several months by the County to review NJNG’s submissions and plans for a County Road Occupancy Permit the SRL Pipeline Construction Project, in an effort to best protect the interests of the Township, its residents, and the traveling public; and

**WHEREAS**, representatives of the Township of Chesterfield and NJNG have recently engaged in discussions designed to address the Township’s concerns with regard to the issues raised in the various lawsuits and appeals; and

**WHEREAS**, the Township of Chesterfield has also continued its discussions with Burlington County regarding the imposition of certain conditions that the Township feels are essential to be included on any Road Occupancy Permit issued by Burlington County for the use of County Route 528 for construction of the SRL Pipeline; and

**WHEREAS**, the County did issue a Road Opening Permit to New Jersey Natural Gas on July 15, 2019, which Permit includes numerous conditions intended to further protect the interests of the residents of the Township of Chesterfield; and

**WHEREAS**, the Township of Chesterfield has now reached agreement with NJNG on the issues important to the Township arising from and/or related to the SRL Pipeline Construction Project which issues include, but are not limited to:

1. Reimbursement to the Township of Chesterfield in the amount of Five Hundred Fifty Thousand Dollars (\$550,000.00) for all professional fees incurred by the municipality in its various lawsuits relating to the SRL Pipeline Construction Project;
2. Establishment of a One Million Dollar (\$1,000,000.00) Construction Compensation Fund for the to provide a fair mechanism for the payment of compensation to property owners in Chesterfield Township who suffer legally cognizable damages to their property as a result of the construction work performed in installing the SRL Pipeline;
3. Payment to the Township of Chesterfield of Two Million Seventy One Thousand Four Hundred Forty Dollars (\$2,071,440.00) to compensate for foreseeable community impacts as a result of SRL Construction activities, including, but not limited to, road repair and repaving costs that may be incurred to, or suffered by, certain Detour Roads utilized during the course of the Project;
4. Limitations on the work schedule and the attendant requirement that security for same fall under the jurisdiction of the Chesterfield Township Police Department;
5. Other considerations that were important to the Township;

**WHEREAS**, a form of “Settlement Agreement and Release”, and a form of “Consent Order” (which addresses the Construction Compensation Fund) have been exchanged, and reviewed, by the Township Committee, the Township Attorney, the Township Administrator/Chief of Police, all of whom have approved the language and substance of said documents, as well as the dismissal of the pending appeals in the Appellate Division.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, State of New Jersey that the Township Solicitor, Township Administrator, Township Clerk, and such other officials as may be required, are hereby authorized and directed to execute the attached “Settlement Agreement and Release”, and “Consent Order” (which governs the Construction Compensation Fund referenced above), and the Township Attorney is hereby directed, following execution of said documents by all necessary parties, to file dismissals with prejudice of the appeals currently pending in the Appellate Division relating to the two (2) NJBPU Orders, and the decision of the State of New Jersey Pinelands Commission.

#### **CHESTERFIELD TOWNSHIP COMMITTEE**

Mr. Gillespie stated that if we didn't take the consideration of the residents' concerns into account, we would continue to fight. The Township demanded a number of items before they would even consider settlement. The Township Committee did not

capitulate. The Township withdrew their appeals. The Pineland Preservation Alliance and Sierra Club are still going forward with their appeals. The Township was only involved regarding the conflict of interest issue and the Pinelands have covered that portion very well. As far as emergency vehicles, Judge Bookbinders order are regarding road closure. They are not closing the road. So that only comes into play if they change their plan and close the road. Emergency vehicles must have access to pass as well as school buses. The question raised about funds for health concern can be discussed in the 2020 budget.

### **CONSENT AGENDA**

Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve the minutes from June 27<sup>th</sup> and July 8<sup>th</sup> as well as the Tax Collection, Construction, Township Administrator, Finance, Sewer Operator May & June, Sewer Collection and MTAC reports. All were in favor except Mr. Liedtka who abstained from June 27<sup>th</sup> minutes as he was not present at that meeting.

### **ENGINEER REPORT**

Mr. Hirsh stated he has submitted the plans to NJDOT for 2019 grant awarded for approval to go out to bid. He also submitted the grant application for Sykesville Road Phase II.

Galestown Circle Playground Resurfacing is now in the hands of public works. They will be putting down topsoil and seeding.

Planning Board updates, Phase III of Traditions paving work has been completed. He has been working on the Performance Bond release punch list. Phase I they are working on the Maintenance Bond Release punch list. Heritage North Phase 4, 5 & 6 he is awaiting proposal from KHov for regrading of the swale behind phase 6 and notice of roadway crack sealing.

### **ORDINANCE FOR INTRODUCTION**

Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to introduce Ordinance 2019-17. All were in favor. Public Hearing is scheduled for August 22, 2019.

## **TOWNSHIP OF CHESTERFIELD ORDINANCE 2019-17**

### **A CAPITAL ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD AUTHORIZING THE APPROPRIATION OF \$ 95,000.00 FROM THE RECREATION FUND FOR VARIOUS PARK PORJECTS**

**BE IT ORDAINED** by the Township Committee of the Township of Chesterfield as follows:

**SECTION 1.** There is hereby approved as capital projects within the Township of Chesterfield, but not limited to, parking improvements; improvements for fitness trail/signs on walking trails; canoeing & kayaking launch area; dog park; outdoor volleyball courts; tennis panel and pickle ball lines added to existing tennis court(s) not to exceed \$95,000.00.

**SECTION 2.** There is hereby appropriated from the Chesterfield Township Recreation Fund the sum of \$ 95,000.00 to cover the cost of the projects described in Section 1.

**SECTION 3.** This ordinance shall take effect upon final adoption and publication in accordance with the law.

**SECTION 4.** The Recreation Fund of the Township of Chesterfield is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk of the Township and is available for public inspection.

**CHESTERFIELD TOWNSHIP COMMITTEE**



Introduced: July 25, 2019

Adopted:

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



Mr. Liedtka made a motion seconded by Ms. Katz to introduce Ordinance 2019-18. All were in favor. Public Hearing is scheduled for August 22, 2019.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE NO. 2019-18**

**AN ORDINANCE TO AMEND ORDINANCE 2019-14, AND TO FURTHER AMEND CHAPTER 182, SECTION 26, TO PROHIBIT STOPPING AND STANDING AT ALL TIMES ON A PORTION OF OLD YORK ROAD WITHIN THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY**

**WHEREAS**, by Ordinance 2019-14, the Township Committee of the Township of Chesterfield amended Chapter 182, Section 26 to prohibit parking at all times on both sides of Old York Road (County Route 660), for a distance of 2,000 feet toward Route 206 from the starting point of the intersection of Old York Road with Bordentown-Georgetown Road (County Route 545); and









Introduced: June 27, 2019

Adopted: July 25, 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   |     |    |    |     |     | S Dhopte      | X   |     |    |    |     |     |
| A Katz                                                                                 | X   |     |    |    |     | X   | A Katz        | X   |     |    |    |     |     |
| D Koetas-Dale                                                                          | X   |     |    |    | X   |     | D Koetas-Dale | X   |     |    |    |     | X   |
| J Liedtka                                                                              |     |     |    | X  |     |     | J Liedtka     | X   |     |    |    | X   |     |
| R Romeu                                                                                | X   |     |    |    |     |     | R Romeu       | X   |     |    |    |     |     |
| X – Indicates Vote    NV – Not Voting    AB – Absent    ORD – Motion    SEC - Seconded |     |     |    |    |     |     |               |     |     |    |    |     |     |

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Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to open the public hearing for Ordinance 2019-16. All were in favor. Hearing no public comments, Ms. Koetas Dale made a motion seconded by Mr. Dhopte to close public hearing. All were in favor. Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to adopt Ordinance 2019-16. All were in favor.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE NO. 2019-16**

**AN ORDINANCE TO AMEND CHAPTER 110 AND 130 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD, SPECIFICALLY ARTICLE II SCHEDULE OF FEES AND ARTICLE XIV GOVERNING DEVELOPMENT REVIEW PROCEDURES AND PLAT DETAILS**

**WHEREAS**, the Township Planning Board has reviewed the development review procedures and plat details as well as the schedule of fees; and

**WHEREAS**, the Planning Board recommends the changes to more efficiently process development applications; and

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Township Committee of the Township of Chesterfield, County of Burlington and State of New Jersey as follows:

**ARTICLE I. AMENDED SECTION.** Section 110-130 of the Code of the Township of Chesterfield, entitled “Schedule of Fees” is hereby amended.

- A. Informal Discussion.
  - (1) Unchanged
  - (2) Escrow fee \$500.

**ARTICLE II. AMENDED SECTION.** Section 130-93 of the Code of the Township of Chesterfield, entitled “Provisions required for all subdivisions” is hereby amended.

- A. (1) Applicant’s name, address, telephone, facsimile number (if any) and email address
- (2) Owner’s name, address, telephone, facsimile number (if any) and email address

**ARTICLE III. AMENDED SECTION.** Section 130-97 of the Code of the Township

of Chesterfield, entitled “Informal review/concept plan” is hereby amended.

- A. An informal submission is optional and may be held with the professional staff with reference to any informally prepared plat of sufficient accuracy to be used for the purpose of discussion. The purpose of such a discussion is to review development concepts in order to assist the applicant in the preparation of subsequent plans. No decisions will be made and no formal action taken on an informal discussion. Discussions and recommendations shall be informal and shall not be binding on the professional staff or applicant.
  
- B. The data included on an informal submission of a site plan shall include sufficient basic data to enable the professional staff and the applicant to comment upon design concepts such as building location, ingress and egress, parking, major natural features that will have to be recognized or may influence certain design criteria and the applicant’s basic intent for water, sewage treatment and storm drainage facilities. Informal submissions should be sketches to scale of possible plan(s) for development. They are not binding on the municipality or upon the developer. Precise engineered drawings are not necessary

**ARTICLE IV. REPEALER, SEVERABILITY AND EFFECTIVE DATE.**

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
  
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
  
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

**CHESTERFIELD TOWNSHIP COMMITTEE**

Introduced: June 27, 2019

Adopted: July 25, 2019

RECORD OF VOTE													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
Dhopte	X						Dhopte	X					X
Koetas-Dale	X					X	Koetas-Dale	X				X	
Katz	X				X		Katz	X					



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

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION  
UNDER N.J.S.A. 40A:4-87 FOR MUNICIPAL DRUG ALLIANCE PROGRAM GRANT  
IN THE AMOUNT OF \$15,130.00 IN THE 2019 MUNICIPAL BUDGET**

**WHEREAS**, N.J.S.A. 40A: 4-87 (Chapter 159, P.L. 1948) provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget,; and

**WHEREAS**, the said Director may also approve the insertion of an item of appropriation for equal amount; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Township Committee of the Township of Chesterfield hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$15,130.00, which is now available as revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written  
Consent of Director of Local Government Services-  
Public and Private Revenues Offset with Appropriations:

Municipal Drug Alliance Program	\$ 12,104.00
Municipal Drug Alliance Trust	\$ 3,026.00

**BE IT FURTHER RESOLVED** that a like sum of \$15,130.00; be and the same is hereby appropriated under the caption of:

General Appropriations

Operations – Excluded from “Caps”  
Public and Private Programs Offset by Revenues:

Municipal Drug Alliance Program	\$ 12,104.00
Municipal Drug Alliance Matching Funds	\$ 3,026.00

**CHESTERFIELD TOWNSHIP COMMITTEE**

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Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approved Resolution 2019-7-4. All were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2019-7-4**

**RESOLUTION AMENDING 2019 CAPITAL BUDGET**

**WHEREAS**, the Local Capital Budget for the year 2019 was adopted on the 25<sup>th</sup> day of April, 2019; and

**WHEREAS**, it is desired to amend said adopted capital budget section.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Chesterfield, County of Burlington, that the following amendment to the adopted Capital Budget section of the Township of Chesterfield be made.

Capital Budget (Current Year Action) 2019

| <u>Project</u>                          | <u>Estimated Total Cost</u> | <u>Capital Improvement</u> | <u>Grants in Aid and Other Funds</u> | <u>Debt Authorized</u> |
|-----------------------------------------|-----------------------------|----------------------------|--------------------------------------|------------------------|
| Various Recreation Capital Improvements | \$235,000.00                | \$ _____                   | \$ 235,000.00                        | \$ _____               |
| Improvements to Squad Building          | \$ 10,000.00                | \$ 10,000.00               | \$ _____                             | \$ _____               |
| <b>TOTALS – ALL PROJECTS</b>            | <b>\$1,100,000.00</b>       | <b>\$ 119,250.00</b>       | <b>\$ 235,000.00</b>                 | <b>\$ 745,750.00</b>   |

Three-Year Capital Program 2019-2021  
Anticipated Project Schedule  
And Funding Requirements

| <u>Project</u>                          | <u>Estimated Total Cost</u> | <u>Estimated Completion Time</u> | <u>Funding Amount Per Year - 2019</u> |
|-----------------------------------------|-----------------------------|----------------------------------|---------------------------------------|
| Various Recreation Capital Improvements | \$235,000.00                | 1 Year                           | \$ 235,000.00                         |
| Improvements to Squad Building          | \$ 10,000.00                | 1 Year                           | \$ 10,000.00                          |
| <b>TOTALS – ALL PROJECTS</b>            | <b>\$1,100,000.00</b>       |                                  | <b>\$ 900,000.00</b>                  |

Three-Year Capital Program 2019-2021  
Summary of Anticipated Funding Sources and Amounts

| <u>Project</u>                          | <u>Estimated Total Cost</u> | <u>Capital Improvement</u> | <u>Grants-In-Aid and Other Funds</u> | <u>Bond &amp; Notes 7A-General</u> |
|-----------------------------------------|-----------------------------|----------------------------|--------------------------------------|------------------------------------|
| Various Recreation Capital Improvements | \$ 235,000.00               | \$ _____                   | \$ 235,000.00                        | \$ _____                           |

|                                |                |               |               |               |
|--------------------------------|----------------|---------------|---------------|---------------|
| Improvements to Squad Building | \$ 10,000.00   | \$ 10,000.00  | \$ _____      | \$ _____      |
| TOTALS-ALL PROJECTS            | \$1,100,000.00 | \$ 119,250.00 | \$ 235,000.00 | \$ 745,750.00 |

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolution 2019-7-5. All were in favor.

**CHESTERFIELD TOWNSHIP  
RESOLUTION 2019-7-5**

**RESOLUTION ACCEPTING AND ADOPTING THE  
BEAVER MANAGEMENT PLAN AS RECOMMENDED BY THE  
TOWNSHIP ENVIRONMENTAL COMMISSION**

**WHEREAS**, numerous trees within the Old York Village section of the township has been destroyed by beavers; and

**WHEREAS**, the beaver activity has also created issues within the infrastructure at Old York Village and flooding along steams; and

**WHEREAS**, the Chesterfield Township Environmental Commission has wrapped trees with wire in an attempt to deter the beaver; and

**WHEREAS**, the tree wrapping has made an impact on the beaver presence, however, some beaver activity is still present; and

**WHEREAS**, the Chesterfield Township Environmental Commission was tasked with finding a solution to the beaver population to alleviate further damage to the infrastructure and landscape material; and

**WHEREAS**, the Beaver Management Plan is attached to this resolution.

**NOW THEREFORE IT BE RESOLVED** the Chesterfield Township Committee hereby adopts the Beaver Management Plan as recommended by the Chesterfield Township Environmental Commission.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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Mr. Gillespie explained that Resolution 2019-7-6 accepts the recommendation made by the Planning Board.



Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolution 2019-7-6. All were in favor.

## TOWNSHIP OF CHESTERFIELD

### RESOLUTION 2019-7-6

**RESOLUTION ACCEPTING RECOMMENDATION OF TOWNSHIP PLANNING BOARD REGARDING TO DECLARE A CERTAIN PROPERTY FAMILIARLY KNOWN AS “THE TILGHMAN’S CORNER AREA” (Block 1102, Lot 6.03, and Block 1103, Lot 8.01) AS AREAS IN NEED OF NON-CONDEMNATION REDEVELOPMENT AND/OR REHABILITATION PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.**

**WHEREAS**, by Resolution 2019-3-8, the Chesterfield Township Committee, adopted on March 28, 2019 authorized and directed the Chesterfield Township Planning Board to conduct a preliminary redevelopment investigation to determine whether a certain property within the municipality qualified under the statutory criteria as an “area in need of redevelopment”, or alternatively, as an “area in need of rehabilitation”, within the meaning and intendment of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the “Study Area”); and

**WHEREAS**, the property in question, and comprising the “Study Area”, is known and identified as Block 1102, Lot 6.03, and Block 1103, Lot 8.01; and

**WHEREAS**, the Chesterfield Township Planning Board conducted a public hearing on the matter on June 18, 2019, as a result of which hearing, the Planning Board made recommendations to the Township Committee regarding the Study Area, which recommendations were memorialized in Resolution 2019-12, adopted by the Planning Board on July 16, 2016; and

**WHEREAS**, contemporaneous with said Resolutions, the Planning Board transmitted to the Township Committee the Study Report dated May 31, 2019 prepared by Clarke, Caton & Hintz; and

**WHEREAS**, said Report recommended designation of Block 1102, Lot 6.03, and Block 1103, Lot 8.01 as Areas in Need of Non-Condemnation Redevelopment and/or Rehabilitation; and

**WHEREAS**, the area to be recommended for determination as a Non-Condemnation Redevelopment and Rehabilitation area is more specifically described in said Report, and the boundaries of same are shown on the map attached to same, which map is incorporated herein by reference; and

**WHEREAS**, the Township Committee reviewed said Report.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chesterfield County of Burlington, State of New Jersey, as follows:

1. The foregoing recitals are incorporated herein and adopted hereby as the factual predicate, along with those set forth below, for the adoption of this Resolution.

2. In accordance with the provisions of N.J.S.A. 40A:12A-14, the Township Committee, as the governing body of this municipality, hereby accepts the factual findings set forth in the aforementioned Report prepared by the Planning Board, dated May 31, 2019, and approved by Planning Board Resolution 2019-12;

3. The Township Committee hereby accepts the recommendations of the Planning Board regarding the geographical boundaries for same and hereby declare said Block 1102, Lot 6.03 and Block 1103, Lot 8.01 to constitute Non-Condensation Redevelopment and Rehabilitation Areas.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Chesterfield Township Planning Board, to the Burlington County Office of Land Use Planning, to the Department of Community Affairs; that a copy be posted on the municipal bulletin board; and that a copy be published in the *Burlington County Times* within fourteen (14) days of the date of the adoption of this Resolution.

### **CHESTERFIELD TOWNSHIP COMMITTEE**

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Mr. Gillespie talked to the developer about a short term and long term Pilot. They are not interest in a long term as they already have their plans at the Planning Board level. The Planning Board does not need to do a redevelopment plan for a 5 year pilot. Ms. Katz asked what happed after the 5 years. Mr. Gillespie stated it is treated as any other property on the tax rolls. The Township Committee authorized Mr. Gillespie to prepare and ordinance for the August meeting for the 5 year pilot.

Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approved Resolution 2019-7-7. All were in favor.

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

**RESOLUTION AMENDING RESOLUTION 2019-6-9, 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 A CERTAIN AREA IN THE CENTER OF CROSSWICKS VILLAGE, FAMILIARLY KNOWN AS THE “HAMILTON UNIFORM PROPERTY”, IS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT, OR REHABILITATION, WITHIN THE MEANING AND INTENDMENT OF SAID STATUTE**

**WHEREAS**, by Resolution 2019-6-9, the Township Committee of the Township of Chesterfield directed the Township Planning Board to undertake an investigation as to whether certain property familiarly known as “the Hamilton Uniform” property, 5 Crosswicks-Chesterfield Road, Crosswicks, NJ 08515, also

known as Block 302, Lot 1, and comprised of approximately 3 +/- acres, should be determined to be an Area In Need of Redevelopment or Rehabilitation; and

**WHEREAS**, the Resolution inadvertently omitted reference to whether the Township Committee wanted same to be considered an area in which the use of Eminent Domain would be one of the power available to the governing body (thereby known as a "Condemnation Redevelopment Area"), or excluding the use of Eminent Domain (thereby declaring the area to be a "Non-Condemnation Redevelopment Area"); and

**WHEREAS**, the Township Committee wishes to make it clear to the Planning Board that the designation it seeks would be one where Eminent Domain would not be utilized, and thus the study would be whether or not the property qualifies as a "Non-Condemnation Redevelopment Area."

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that Resolution 2019-6-9 be and the same is hereby clarified to reflect that the Township Committee's assignment of the investigation to the Planning Board is to consider whether same qualifies as a "Non-Condemnation Redevelopment Area."

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolution 2019-7-9. All were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2019-7-9**

**RESOLUTION AUTHORIZING APPROVAL FOR SUBMISSION OF A GRANT APPLICATION TO NEW JERSEY DEPARTMENT OF TRANSPORTATION, MUNICIPAL AID GRANT PROGRAM FOR IMPROVEMENTS TO SYKESVILLE ROAD PHASE II**

**NOW THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chesterfield formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor, Clerk and Township Engineer are hereby authorized to submit an electronic grant application identified as MA-2020-Sykesville Road Phase 2-00066 to the New Jersey Department of Transportation on behalf of the Township of Chesterfield.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Chesterfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**CHESTERFIELD TOWNSHIP COMMITTEE**



Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to add Resolution 2019-7-10 to the agenda. Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to approve Resolution 2019-7-10. All were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2019-7-10**

**RESOLUTION AUTHORIZING THE EXTENSION OF THE GRACE PERIOD  
FOR 2019 THIRD QUARTER TAX PAYMENTS**

**WHEREAS**, in accordance with Resolution 2019-1-5, the Township Committee of the Township of Chesterfield has established rates in interest for delinquent taxes; and

**WHEREAS**, New Jersey Statute requires that tax bills must be mailed at least twenty-five (25) days before the third installment of taxes is due; and

**WHEREAS**, due to a delay on the part of Burlington County in striking the tax rate, there was a delay in the Township receiving, preparing and mailing the tax bills; and

**WHEREAS**, the 2019 Final /2020 Preliminary tax bills will be mailed no later than August 5, 2019;

**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 the 2019 third quarter tax installments are due August 1, 2019, however, the grace period for payment of the third quarter taxes has been extended to the 30th day of August 2019. Payments received after August 30, 2019 will be assessed interest charges that will be calculated from August 1, 2019.

**BE IT FURTHER RESOLVED** that the certification of mailing of tax bills will be attached to this Resolution and made a part thereof.

**CHESTERFIELD TOWNSHIP COMMITTEE**



**DISCUSSION**

**Eagle Scout Project – Andrew Cincotta –**

Andrew Cincotta explained his Eagle Scout Project. He has been working with Greg Lebak, Public Works Director, on the relocation of the flag pole at the old municipal building to the Fenton Lane Park by the Recreation Building. Lighting will be installed. He will plant some low maintenance shrubs around the pole. He is hoping to complete the project mid-September to mid-October. He has all of his sources taken care of.

The Committee thanked him for his presentation and wished him luck with the project.

### Fenton Lane Sewer Extension

The committee was advised the Clerk had review several years' worth of minutes and there was no commitment to extending the sewer line only listing it in the sewer service area. One of the residents along Fenton Lane came to the municipal building inquiring about the sewer and was advised of the findings.

### Harvest Fest Solicitations

Ms. Fryc stated the donations requests to businesses last year was very successful and helped offset a lot of the costs of the Harvest Fest. She asked for permission to do the same this year. The committee were in favor however asked for a list of the businesses and a copy of the letter that will be sent.

### Letter from Country Pool Club

The clerk asked if any of the Township Committee members were members of the Pool Club. Ms. Katz stated she was and recused herself from the discussion. Mr. Sikorski spoke on behalf of the Country Pool Club. He stated they are a big part of the community. They have 100 kids on the swim team and 60% of them are not members of the Pool Club. The laws have changed over the last couple of years and it is making it difficult for many swim clubs. Ms. Koetas-Dale asked if there was a fee for the swim team. Mr. Sikorski stated \$50 for members and \$225 for non-members. Ms. Romeu asked if they were a private club. Mr. Sikorski stated they are a private non-profit club. Mr. Liedtka asked if they would consider being open to the public. Mr. Sikorski stated they are looking into having community events and open times for public. Mr. Dhopte asked how they plan on spending a recreation grant from the Township. Mr. Sikorski stated they are requesting funds to help with capital improvements, benches, painting the pool, expand pool yard to name a few. Mr. Dhopte stated the Township would require submittal of the Pool Club financials. Mr. Sikorski agreed. Mr. Liedtka stated he would like to sit down and talk about how it can be open to the public. Mr. Sikorski stating he is willing to have that discussion. Mr. Gillespie stated he needs to make sure that it would be legal for us to provide the grant to a private club. Mr. Sikorski stated the Boy Scouts use their facility and the fire company uses it for water rescue drills.

Ms. Katz is now participating in the meeting.

Mr. Katz thanked the PD, Public Work and staff on how everything was handled throughout the storm. Also thanked the Township Administrator who came back from vacation to deal with issues relating to the storm.

### **PAYMENT OF BILLS**

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

## **COMMENTS FROM THE PUBLIC AND COMMITTEE**

Ms. Koetas-Dale made a motion seconded by Ms. Katz to open the meeting to the public. All were in favor.

Tom Cancelliere – Magical Acres – He submitted plans to build a barn in the center of the property. It is a 40x100 horse barn with 30 stalls to care for standard bred horses. Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to approve subject to it meets being used as an ordinary use of horse farm and zoning approval. All were in favor.

Nichole Bencivengo – 5 Bordentown-Chesterfield Road – She is concerned in about 5-6 years when she may want to move. She has spoken with a realtor and was told it would not affect the value. But no one will want to purchase her home because of the pipeline. Will that be covered under the \$1,000,000? Mr. Gillespie stated that would not be covered. He stated that your realtor would be the expert regarding selling the property and they advised you it would not affect resale. Ms. Koetas-Dale stated that baseline studies are done. We will look at next year's budget to include funds for addressing health issues. Ms. Romeu stated the task force will remain in effect.

Agnes Marsala – 42 Cromwell Drive – She thanked the committee. She thinks the Township Committee did a good job and thanked John Gillespie for answering questions. She asked when the construction will start. Mr. Gillespie stated that the permit issued by the County has a lot of conditions including a traffic plan. NJNG has also stated they need bid the project. He would guess a few months at the earliest.

Christina Hogan – 396 Chesterfield-Jacobstown Rd – She stated a lot of the questions were answered. She thanked the Township Committee and it is obvious that a lot of thought went into the settlement.

There being no further public comments, Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to close public comment.

Mr. Gillespie stated to Dawn Sheridan's point on NJNG, Transco was subject to federal jurisdiction and the County had no control. He was in a conference call with the mayor and FERC didn't want to hear anything regarding the issues. NJNG is on a County road and not subject to FERC. On the County Road, the permit is under the jurisdiction of the County and they can pull the permit at any time an issue arises. In addition, they must have someone available 24/7 to address issues as they come up. We are significantly relying on the County. After all the meetings with the County Engineers office, they have shown good faith to us in showing the plans. The Township Engineer, Jeremy Liedtka, Mayor Romeu, Mr. Gillespie and Kyle Wilson met on a number of occasions to view the plans. Mr. Liedtka stated the County will also have an inspector on site.

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 9:23 PM.

While some public was still present, the meeting was reconvened at 9:26 PM as it was discovered that there would not be a majority present at the next meeting of August 22, 2019. Ms. Katz made a motion seconded by Ms. Koetas-Dale to reconvene the meeting. Mr. Liedtka made a motion seconded by Mr. Dhopte to add Resolution 2019-

7-12 to the agenda. All were in favor. Mr. Liedtka made a motion seconded by Mr. Dhopte to adopt Resolution 2019-7-12. All were in favor.

**RESOLUTION 2019-7-12**

**RESOLUTION AMENDING RESOLUTUION 2019-1-1  
ESTABLISHING MEETING DATES OF THE  
TOWNSHIP COMMITTEE FOR THE YEAR 2019**

**BE IT RESOLVED** by the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey that during the year 2019 the regular monthly meetings of the Chesterfield Township Committee will be held the second and fourth Thursdays of each month, unless otherwise indicated, at the hour of 7:00 PM at the Municipal Building, 295 Bordentown-Chesterfield Road in Chesterfield Township. Formal action may be taken on any matters within the purview of the Committee and any meeting may be cancelled if found to be unnecessary, with the proper notification. The amended scheduled meeting dates for 2019 are:

|             |           |              |
|-------------|-----------|--------------|
| January 24  | May 9     | September 26 |
| February 14 | May 23    | October 10   |
| February 28 | June 13   | October 24   |
| March 14    | June 27   | November 14  |
| March 28    | July 25   | December 12  |
| April 11    | August 29 | December 30  |
| April 25    |           |              |

2020 REORGANIZATION JANUARY 2, 2020

**CHESTERFIELD TOWNSHIP COMMITTEE**

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There being no comments, Ms. Koetas-Dale made a motion seconded by Ms. Katz to adjourn the meeting. All were in favor. The meeting adjourned at 9:28 PM.

Respectfully submitted,

Caryn M. Hoyer, RMC  
Municipal Clerk