

September 26, 2019

The Township Committee met on the above date with Mayor Rita 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 Jeremy Liedtka, Shreekant Dhopte and Committeewoman Andrea Katz. Also present Natalia Teekah Township Attorney, Municipal Clerk Caryn Hoyer and Township Administrator/Police Chief Kyle Wilson. The Open Public Meetings Act statement was read and compliance noted.

Ms. Koetas-Dale asked for an update on the "Dirt Pile" behind the Municipal Building. Mr. Wilson anticipates the contractor starting the removal sometime next week but that is not definite.

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 Mr. Dhopte to approve the August 29th minutes. All were in favor. Ms. Romeu and Ms. Katz recused themselves. Ms. Katz made motion seconded by Mr. Dhopte to approve the Tax Collection, Construction, Township Administrator, Finance, Sewer Collection and MTAC reports. All were in favor.

AUDIT REPORT

Township Auditor, Robert Marrone from Bowman & Company was present to go over how the audit went and the process as well as some important items in the audit. Mr. Marrone thanked the Township Departments for giving full cooperation to them during the audit process. Mr. Marrone said that our CFO is on top of everything and made their job very easy.

ENGINEER REPORT

2019 NJDOT Municipal Aid Grant Application: 9/26/19 Received NJDOT comments on plans and specs on 9/18/19. Working on plan and spec revisions for resubmission.

2020 NJDOT Municipal Aid Grant Application: 9/26/19 Awaiting awards

2019 Municipal Parks Grant Application: 9/26/19 Grant applications are due October 1, 2019. We are submitting for a practice tennis court with concrete wall and rest room structure at Fenton Lane Park. The grant funding request is in the amount of +/- \$272,000. Awards anticipated by the end of October.

Galestown Circle Playground Resurfacing: 9/26/19 Playground improvement have been completed.

Planning Board Projects:

Traditions Update: 8/29/19 – Phase I/II Maintenance Bond and Phase III Performance bond Punch Lists issued.

PUBLIC SAFETY REPORT

Chief Wilson gave the monthly report for August. There were a total of 291 calls.

To highlight:

20 Alarms, 13 Arrests, 1 Missing Person, 5 Disputes, 21 EMS, 1 DWI, 7 MVA, 2 CDS, 2 Theft and 1 attempted Theft.

Department Training Day – PT Test; Jiu Jitsu; Written Test; EMT Refresher; Sims; Rifle Qualification

ORDINANCE FOR INTRODUCTION

Ms. Koetas-Dale made a motion seconded by Ms. Katz to introduce Ordinance 2019-22. All were in favor. Public Hearing is scheduled for October 10, 2019

**TOWNSHIP OF CHESTERFIELD
ORDINANCE NO. 2019-22**

**AN ORDINANCE ESTABLISHING THE POSITION OF
ADMINISTRATIVE ASSISTANCE IN AND FOR
THE TOWNSHIP OF CHESTERFIELD**

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

ARTICLE I. Creation of Position; Compensation; Duties & Responsibilities; etc.

- A. Office Created. There is hereby created in and for the Township of Chesterfield the position of “Administrative Assistant” who shall be appointed annually by the Township Committee. Compensation shall be in accordance with the Township Salary Ordinance.
- B. Duties & Responsibilities. It shall be the duty and responsibility of the Administrative Assistant to greet the public; answer phone calls; sort mail and distribute to appropriate department; collect and distribute paperwork dropped off by the public; process tax payment and assist with mail of tax bills and notices; assist with processing sewer payments, sewer bills & notices; assist in preparing and mailing purchase orders; prepare bill list for Committee meetings; mail out checks; payroll check distribution; update excel spreadsheets at year end; filing for all departments; assist HPC with paperwork and filing; assist in preparing construction permit jackets and undertake other such duties as time to time may be assigned by the Township Administrator.

ARTICLE II. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

Introduced: September 26, 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				X		S Dhopte						
A Katz	X					X	A Katz						
D Koetas-Dale	X						D Koetas-Dale						
J Liedtka	X						J Liedtka						
R Romeu	X						R Romeu						
X – Indicates Vote NV – Not Voting AB – Absent ORD – Motion SEC - Seconded													

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Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to introduce Ordinance 2019-24 by title only. All were in favor. Public Hearing is scheduled for October 10, 2019.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE NO. 2019-24**

**AN ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE TOWNSHIP OF  
CHESTERFIELD AND ESTABLISHING THE POSITION OF PUBLIC WORKS  
FOREMAN IN AND FOR THE TOWNSHIP OF CHESTERFIELD**

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ORDINANCES FOR PUBLIC HEARING

Mr. Liedtka made a motion seconded by Ms. Katz to open the public hearing for Ordinance 2019-20. All were in favor. Hearing no public comments, Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to close public hearing. All were in favor. Ms. Koetas-Dale made a motion seconded by Mr. Liedtka to adopt Ordinance 2019-20. All were in favor.

**TOWNSHIP OF CHESTERFIELD
ORDINANCE 2019-20**

**ORDINANCE AUTHORIZING DISBURSEMENT FROM THE TRANSPORTATION
IMPROVEMENT DISTRICT FUND WITH RESPECT TO THE FINAL AMOUNT
DUE TO K. HOVNANIAN AT CHESTERFIELD, LLC FROM PAYMENTS MADE INTO
THE FUND BY SUBSEQUENT DEVELOPERS**

WHEREAS, the Township Committee, with respect to the development of Old York Village, set up by ordinance a Transportation Improvement District (the "TID") to provide a mechanism to balance the fair share obligation of developers for roadway improvements related to their various development projects; and

WHEREAS, pursuant to ordinance provisions, developers who constructed more than their fair share of roadway improvements are entitled to reimbursement for such excess improvements from payments to the TID Fund (the "Fund") by developers constructing less than their fair share of the roadway improvements, if, as and when such funds may be deposited to the Fund; and

WHEREAS, K. Hovnanian is a major developer in the Old York Village neighborhood who has constructed a significant portion of the roadway improvements; and

WHEREAS, in accordance with various developers agreements executed by K. Hovnanian and others, K. Hovnanian is entitled to receive from the Fund the sum of \$1,153,255.04, if, as and when such amount is deposited into the Fund by other developers; and

WHEREAS, a partial payment in the amount of \$185,000.00 was authorized by Ordinance 2015-13 and paid to K Hovnanian in October 2015; and

WHEREAS, a second partial payment in the amount of \$614,485.04 was authorized by Ordinance 2018-15 and paid to K Hovnanian in August 2018; and

WHEREAS, there currently exists in the Fund a sufficient balance of money paid in by other developers to make the final payment to K. Hovnanian Homes in the amount of \$353,770.00; and

WHEREAS, the Governing Body has determined that it is appropriate at this time to authorize this final payment to K Hovnanian from the Fund,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington, and State of New Jersey that the Township Clerk and CFO are hereby authorized to make payment to K. Hovnanian from the Transportation Improvement District Fund in the amount of \$353,770.00; and

BE IT FURTHER ORDAINED that the Township Administrator, Township Clerk, and CFO are authorized to take such steps and execute such documents as are necessary to carry out the intent and purposes of this Ordinance.

CHESTERFIELD TOWNSHIP COMMITTEE

Introduced: August 29, 2019
 Adopted: September 26, 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					
A Katz				X			A Katz	X					
D Koetas-Dale	X						D Koetas-Dale	X				X	
J Liedtka	X					X	J Liedtka	X					X
R Romeu				X			R Romeu	X					
X – Indicates Vote NV – Not Voting AB – Absent ORD – Motion SEC - Seconded													



Mr. Liedtka made a motion seconded by Ms. Katz to open the public hearing for Ordinance 2019-21. All were in favor. Hearing no public comments, Ms. Koetas-Dale

made a motion seconded by Ms. Koetas-Dale to close public hearing. All were in favor. Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to adopt Ordinance 2019-21. All were in favor.

TOWNSHIP OF CHESTERFIELD

ORDINANCE NO. 2019-21

AN ORDINANCE AUTHORIZING A TAX ABATEMENT AGREEMENT PURSUANT TO N.J.S.A 40A:21-1 et seq.

WHEREAS, Article VIII, Section 1, paragraph 6 of the New Jersey Constitution permits municipalities to grant tax exemptions or abatements, or both, in areas in need of redevelopment or rehabilitation; and

WHEREAS, the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq., requires that municipalities, seeking to utilize such abatements or exemptions, shall adopt an ordinance setting forth the eligibility or non-eligibility of dwellings, multiple dwellings, or commercial and industrial structures, or all of the above, for exemptions or abatements from taxation in areas in need of redevelopment; and

WHEREAS, the Township Committee has previously enacted Resolution 2019-6-9, designating certain lands as “an area in need of rehabilitation,” including Block 1103, Lot 8.01; and

WHEREAS, 2019 Monmouth Wrightstown LLC (“Redeveloper”) seeks to redevelop Block 1103, Lot 8.01, with development consistent with its rehabilitation; and

WHEREAS, the Redeveloper has agreed and sworn to file a timely application for the utilization of a Five Year Exemption Agreement pursuant the Tax Exemption Law; and

WHEREAS, after careful analysis and deliberation, the Township Committee has determined that the redevelopment of the Property will provide new development and jobs to the Township and be of benefit to the public interest; and

WHEREAS, pursuant to and in accordance with the Tax Exemption Law, the Township desires to conclude an agreement with the Redeveloper to bring these and other benefits to the Township, and has agreed to enter into a Five Year Tax Exemption Agreement.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey authorizes a Five Year Tax Abatement Agreement with the Redeveloper to be prepared by the Township Attorney and to be approved by Resolution of the Township Committee at the appropriate time.

BE IT FURTHER ORDAINED AND ENACTED, that the development of Block 1103, Lot 8.01 is hereby approved for the grant of a tax exemption pursuant to the Tax Exemption Law and in conformity with the provisions of the same.

BE IT FURTHER ORDAINED AND ENACTED, that the exemption contemplated herein shall be applicable by way of the provisions of N.J.S.A. 40A:21-10(c), the Township choosing a "tax phase-in basis," pursuant to which the Redeveloper shall pay to the municipality,

full taxes on the land component of the property, and then, a separate payment on the improvements, in an amount equal to a percentage of taxes which would otherwise be due, according to the following schedule:

- (a) In the first full year after completion, no payment due;
- (b) In the second tax year, an amount equal to 20% of the taxes otherwise due;
- (c) In the third tax year, an amount equal to 40% of taxes otherwise due;
- (d) In the fourth tax year, an amount equal to 60% of taxes otherwise due;
- (e) In the fifth tax year, an amount equal to 80% of taxes otherwise due.

The Township Committee makes such determinations and findings by virtue of, pursuant to, and in conformity with the Tax Exemption Law.

BE IT FURTHER ORDAINED AND ENACTED, that this Ordinance shall take effect upon proper passage in accordance with the law;

BE IT FURTHER ORDAINED AND ENACTED, that within thirty (30) days after the execution of the Agreement to be signed by and between the parties, the Township Clerk shall forward a copy of the Agreement to the Director of the Division of Local Government Services and the Department of Community Affairs.

CHESTERFIELD TOWNSHIP COMMITTEE

Introduced: August 29, 2019

Adopted: September 26, 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					
J. Liedtka	X					X	J. Liedtka	X					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													

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**RESOLUTIONS**

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approved Resolution 2019-9-1. All were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2019-9-1**

**RESOLUTION CERTIFYING COMPLIANCE WITH THE REGULATIONS PROMULGATED BY  
THE LOCAL FINANCE BOARD REGARDING THE 2018 MUNICIPAL AUDIT**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Recommendations"; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52 – "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chesterfield hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

### **CHESTERFIELD TOWNSHIP COMMITTEE**

I, Caryn M. Hoyer, Clerk of the Township of Chesterfield in the County of Burlington and State of New Jersey do hereby certify the foregoing Resolution to be a true and accurate copy of the Resolution approved by the Township Committee at a duly advertised meeting held on August 29, 2019 at which a quorum was present.



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Mr. Liedtka made a motion seconded by Ms. Katz to approve Resolution 2019-9-2. All were in favor.

**TOWNSHIP OF CHESTERFIELD
RESOLUTION 2019-9-2**

**RESOLUTION RESCINDING RESOLUTION 2019-8-7
APPOINTING EVAN BEVERE AS A PART-TIME CLASS II POLICE OFFICER**

WHEREAS, Resolution 2019-8-7 appointed Evan Bevere as a part-time officer to fill a vacant position; and

WHEREAS, Evan Bevere secured a position with another agency prior to his start date of September 11, 2019; and

WHEREAS, the Township Committee believes it is in the best interest of the public to fill the vacant position; and

WHEREAS, Evan Bevere possesses all of the qualifications required by State Statute and Township Ordinance for a part-time Class II officer;

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 Resolution 2019-8-7 appointing Evan Bevere has been rescinded.

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Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to approve Resolution 2019-9-3. All were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2019-9-3**

**RESOLUTION APPOINTING KEVIN SCHEUREN  
AS A FULL-TIME POLICE OFFICER**

**WHEREAS**, the Township Police Department has a vacant full-time position due to the resignation of Travis Hoffman; and

**WHEREAS**, the Township Committee believes it is in the best interest of the public to have the vacancy filled; and

**WHEREAS**, Kevin Scheuren possesses all of the qualifications required by State Statute and Township Ordinance; and

**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 Kevin Scheuren is hereby appointed as full-time Police Officer for the Township of Chesterfield, effective October 1, 2019; and

**BE IT FURTHER RESOLVED** that Kevin Scheuren is hired at Step 1 of the Collective Bargaining Agreement between the Township of Chesterfield and the Chesterfield Police FOP Lodge 114, Fraternal Order of Police/New Jersey Labor Council;

**BE IT FURTHER RESOLVED** that this appointment is subject to the probationary period outlined in Chapter 42 Section 8A(1) of the Code of the Township of Chesterfield, waiver of Class II to full certification and successful completion of EMT with defibrillation certification.

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Ms. Katz made a motion seconded by Mr. Dhopte to approve Resolution 2019-9-4. All were in favor.

**TOWNSHIP OF CHESTERFIELD
RESOLUTION 2019-9-4**

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION UNDER
N.J.S.A. 40A:4-87 FOR DRUNK DRIVING ENFORCEMENT FUND GRANT
IN THE AMOUNT OF \$5,718.81 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 \$5,718.81, 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:

Drunk Driving Enforcement Fund \$ 5,718.81

BE IT FURTHER RESOLVED that a like sum of \$5,718.81; be and the same is hereby appropriated under the caption of:

General Appropriations		
Operations – Excluded from “Caps”		
Public and Private Programs Offset by Revenues:		
Drunk Driving Enforcement Fund		\$ 5,718.81
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Ms. Katz made a motion seconded by Mr. Dhopte to approve Resolution 2019-9-5. All were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2019-9-5**

**RESOLUTION AUTHORIZING APPLICATION TO THE BURLINGTON COUNTY  
BOARD OF CHOSEN FREEHOLDERS FOR THE MUNICIPAL PARK PROGRAM**

**WHEREAS**, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust fund (“Trust Fund”) and established a Municipal Park Development Program (“Program”) to provide grant funds in connection with municipal acquisition of lands for County park, recreation conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

**WHEREAS**, the Governing Body of Chesterfield Township desires to obtain County Municipal Park Development Program funds in the amount of \$272,692.00 to construct a Tennis Wall and Restrooms at Fenton Lane Park; and

**WHEREAS**, the total cost of the project including all matching funds is estimated to be \$300,000.00; and

**Whereas**, Chesterfield Township is the owner of and controls the project site.

**NOW, THEREFORE, BE IT RESOLVED BY THE CHESTERFIELD TOWNSHIP  
COMMITTEE THAT:**

1. Environmental Resolutions, Inc., the Township Administrator and Clerk are authorized to (a) make an application to the County of Burlington for Municipal Park Development Program Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Park Development Program and (c) act as the municipal contact person and correspondent of the above named municipality;
2. The Township of Chesterfield is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and

3. If awarded a grant by the County of Burlington under the Municipal Park Development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Township Administrator and Clerk are hereby authorized to sign and execute any required documents, agreements and amendments thereto with the County of Burlington for the approved Funds; and
5. This resolution shall take effect immediately.

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Mr. Dhopte made a motion seconded by Ms. Katz to approve Resolution 2019-9-6. All were in favor.

TOWNSHIP OF CHESTERFIELD

RESOLUTION 2019-9-6

RESOLUTION ACCEPTING EXECUTION OF AN ASSIGNMENT AND RELEASE RELATING TO THE CHESTERFIELD TRANSPORTATION IMPROVEMENT DISTRICT

WHEREAS, the Township Committee with respect to the development of Old York Village created a Transportation Improvement District (“TID”) to provide a mechanism to balance the fair share obligation of developers for roadway improvements related to multiple projects; and

WHEREAS, a developer that constructs more than its fair share is eligible for reimbursement from payments made to the TID Fund by subsequent developers constructing less than their fair share of the roadway improvements, if and when funds are deposited into the fund; and

WHEREAS, K. Hovnanian at Chesterfield, LLC and M&M Investments LP seek reimbursement from the fund and developed an agreement assigning and releasing the

remaining funds and discharging any future responsibilities, duties or obligations by the Township;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the Township accepts the attached executed "Assignment and Release Relating to Disbursement from the Transportation Improvement District Fund with Respect to the Remaining Portion of the Money Due to K. Hovnanian from Payments Made Into the Fund by Subsequent Developers" Agreement.

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**ASSIGNMENT AND RELEASE RELATING TO DISBURSEMENT FROM THE TRANSPORTATION IMPROVEMENT DISTRICT FUND WITH RESPECT TO THE REMAINING PORTION OF MONEY DUE TO K. HOVNANIAN FROM PAYMENTS MADE INTO THE FUND BY SUBSEQUENT DEVELOPERSTHIS ASSIGNMENT AND RELEASE** (the "Release"), effective as of _____, 2019 ("Effective Date"), is being provided to CHESTERFIELD TOWNSHIP ("Chesterfield"), a body corporate and politic located in Burlington County, State of New Jersey; K. HOVNANIAN AT CHESTERFIELD, LLC, with offices at 110 Fieldcrest Avenue, Edison, New Jersey 08837; THE MATZEL and MUMFORD ORGANIZATION, INC. and K. HOVNANIAN HOLDINGS NJ, LLC, as the only general and limited partners, respectively of M&M Investments, LP and as successors in interest to M&M Investments, LP, with offices located at 110 Fieldcrest Avenue, Edison, New Jersey 08837;

**WHEREAS**, the Township Committee of Chesterfield, with respect to the development of Old York Village, set up by Ordinance a Transportation Improvement District (the "TID") to provide a mechanism to balance the fair share obligations of developers for roadway improvements related to their various development projects;

**WHEREAS**, pursuant to Ordinance provisions, developers who construct more than their fair share of roadway improvements are entitled to reimbursement for such excess improvements from payments to the TID Fund (the "Fund") by subsequent

developers constructing less than their fair share of the roadway improvements, if, as, and when such funds may be deposited to the Fund;

**WHEREAS**, K. Hovnanian at Chesterfield, LLC (“K. Hovnanian”) is the developer of “Heritage at Chesterfield” and “Cross Creek(s) I and II”, and M&M Investments, LP (“M&M”) is the developer of “Chesterfield Downs” (K. Hovnanian at Chesterfield, LLC and M&M Investments, LP are hereafter collectively referred as “these Developers”);

**WHEREAS**, these Developers are major developers in the Old York Village neighborhood who have constructed a significant portion of the roadway improvements;

**WHEREAS**, in accordance with various Developers’ Agreements executed by K. Hovnanian, M&M, and others, these Developers are entitled to receive from the Fund the sum of \$1,153,255.04, if, as, and when such amount is deposited into the Fund by other developers;

**WHEREAS**, a partial payment in the amount of \$185,000.00 was authorized by Ordinance 2015-03 and paid to K. Hovnanian in October 2015;

**WHEREAS**, a partial payment in the amount of \$614,485.04 was authorized by Ordinance 2018-15 and paid to K. Hovnanian in August 2018;

**WHEREAS**, there currently remains due to these Developers from the Fund the amount of \$353,770.00; and

**WHEREAS**, Chesterfield has acknowledged that there currently exists in the Fund a sufficient balance of money paid in by other developers to make the final payment to these Developers from the Fund in the amount of \$353,770.00.

**WHEREAS**, The Matzel and Mumford Organization, Inc. and K. Hovnanian Holdings NJ, LLC, are the only general and limited partners, respectively of M&M Investments LP, and are successors-in-interest to M&M Investments LP, and therefore each joins in this document as one of “these Developers” and are bound to the representations and promises set forth herein;

**NOW, THEREFORE**, for and in consideration of the payment of the remaining amount to which these Developers may seek from the Fund in the amount of \$353,770.00, and other good and valuable consideration, K. Hovnanian hereby provides as follows:

1. The Matzel and Mumford Organization, Inc. and K. Hovnanian Holdings NJ, LLC, as the only general and limited partners, respectively of M&M Investments, LP, and as successors in interest to M&M Investments, LP, hereby assign any and all rights, title and interest of M&M Investments, LP, The Matzel and Mumford Organization, Inc. and K. Hovnanian Holdings NJ, LLC to any and all reimbursement or payment from the Fund to K. Hovnanian at Chesterfield, LLC.

2. The Matzel and Mumford Organization, Inc. and K. Hovnanian Holdings NJ, LLC, as the only general and limited partners, respectively of M&M Investments, LP, and as successors in interest to M&M Investments, LP, hereby authorize and request that the Final Payment be made payable to K. Hovnanian at Chesterfield, LLC.

3. K. Hovnanian and M&M hereby acknowledge that by and through receipt of the final payment of \$353,770.00 (the “Final Payment”) to K. Hovnanian, they have been paid in full any and all amounts due to them from the Fund and that Chesterfield has no further obligations to make any additional payments from the Fund to these Developers.

4. The Matzel and Mumford Organization, Inc. and K. Hovnanian Holdings NJ, LLC, as the only general and limited partners, respectively of M&M Investments, LP, and as successors in interest to M&M Investments, LP, on behalf of themselves and as the representatives of M&M Investments, LP, hereby release and discharge Chesterfield, and its past and present officers, Township Committee members, agents, attorneys, subcontractors or employees, from any and all claims relating to the payment to K. Hovnanian at Chesterfield, LLC of the Final Payment or any other rights to any further payments from the Fund.

5. K. Hovnanian at Chesterfield, LLC hereby release and discharge Chesterfield, and its past and present officers, Township Committee members, agents, attorneys, subcontractors or employees, from any and all claims relating to the payment of the Final Payment or any other rights to any further payments from the Fund.

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DISCUSSION

Farmland Lease Expires 12/31/2019 – Ms. Hoyer notified the Township Committee that the lease is up at the end of the year on the Township farmland that is leased out every two years. Ms. Hoyer asked the committee for approval to put an ad in the newspaper on Monday for the bid. The Township Committee agreed for Ms. Hoyer to do so.

Facilities for Senior Citizens – Mr. Dhopte has been approached by several senior citizens asking what programs the Township has in place for them if any. Mr. Wilson replied that we have a senior program in town called “The Keenagers. They meet twice a month in the Community Room at the Municipal Building. They have lunch, guest speakers, classes, trainings and their meeting. All are welcome. Mr. Dhopte asked if we provide any transportation services for seniors. Ms. Katz that Burlington County does. Mr. Wilson asked Rachel to post that information on the Township website.

Truck Traffic in Crosswicks – Ms. Koetas-Dale was asked to put this on the agenda by residents in Crosswicks. There has been a lot of concern about the amount of trucks going through Crosswicks. Chief Wilson has reached out to the County Engineer and asked for a traffic count for Main Street. With that they will be able to determine how many trucks are going down Main Street. However, they will not be able to determine how many of those trucks are local deliveries.

Professional Services RFP’s – Mr. Wilson asked the Township Committee for approval to send out the 2020 RFP’s. Mr. Wilson said that they are looking to send them out in October and they would be due back in November. He would like for the Township Committee to set up interviews the week of November 11<sup>th</sup>. The Committee gave Mr. Wilson permission to send out the RFP’s.

Old Municipal Building – Ms. Koetas-Dale suggested that we develop a group of community members to discuss what the plans are for the old municipal building based on Mr. Hirsch’s suggestions. Ms. Koetas-Dale would also like to apply for some of the grants that are available. Ms. Katz suggested putting this on the agenda for the next Township meeting. All agreed.

Addition TDR Preserved Property – Ms. Hoyer said that The Hoffman’s dropped off a rough draft of what they are planning for their home per our request. Mr. McMahon has reviewed the draft and agrees that it will fit within our TDR Restrictions. The Township Committee gave their approval to move forward with the zoning application.

Pipeline & Compressor Station Task Force – Mayor Romeo reported that the Pipeline & Compressor Station Task Force is proposing to give an information session at the Chesterfield Elementary School to all Chesterfield residents on October 22<sup>nd</sup>. They have put together a flyer and are asking the Township Committee to approve it so that they can post and circulate it. The Township Committee made a few changes. The revised flyer will be sent to Mr. Wilson who will send to the Committee for approval.

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

Mr. Liedtka made a motion to open to the public seconded by Mr. Dhopte. All were in favor.

Bonnie Lynch at 466 Main Street – Is concerned with all of the trucks that caravan everyday down Main Street in Crosswicks. She said that this went on for a couple weeks every day for hours at a time. Mrs. Lynch wants dump trucks banned from Crosswicks. Mrs. Lynch said that one truck hit her rake as she was gardening in front of her home. Mrs. Lynch would like all of the vehicles ticketed for going over 25 mph. She would also like the side streets to be down to 20 mph. Mrs. Lynch would like the following in Crosswicks: more cross-walks, electric speed sign (that can be moved around town), speed bumps.

Mrs. Lynch plans to come back next month to see what progress has been made.

Nancy Mrzlek from 1 New Street spoke to Kyle two months ago about this issue and that they need a new sign at the crosswalk by the Community Center. But Chief Wilson said that people steal it. Mrs. Mrzlek said that people are speeding and not stopping in Crosswicks. She would like speed bumps in Crosswicks. Also, the school bus stops on Main Street everyday and the cars speed up to go around in so that they don’t have to wait. Mrs. Mrzlek is afraid that someone will get hit if nothing is done. Mrs. Mrzlek said they will go to the County, send letters, whatever needs to get done.

Kathy Krupa from 431 Ellisdale Road wants to know what happened to the “by pass” road that was supposed to come in with the development. She said it’s in the Master Plan and wants to know how to make this happen.

Eric Talley from 485 Main Street – Said that he counted 35-45 dump trucks an hour coming down Main Street every day for a couple of weeks. The trucks spilled dirt, concrete and rocks. Mr. Talley left a message with the Public Works Director but did not receive a phone call back. Chief Wilson will call the County Highway Department tomorrow and have them pick up the concrete.

Don Czehut from 468 Main Street is asking for the Township Committee's help. He has lived in Crosswicks for 42 years and wants to work with our County Freeholders to have changes made due to it being a Historical District. He would like for the speed limit to be changed from 25 mph to 20 mph in Crosswicks and for the Police to enforce that speed limit.

Lorraine Panfili from 518 Ward Avenue said that she was almost hit by cars and trucks in Crosswicks 4 times the other day walking to the Post Office. Additionally, the 35 mph sign in front of her home is blocked by trees. This sign is important since it's when you are entering into Crosswicks. Ms. Panfili asked if Church Street can be made a "one way" street so that cars cannot go straight across at the intersection.

Ms. Panfili was very upset. She said her daughter cannot even ride her bike through town because she is afraid she will be hit by cars and trucks.

Lauren Santise from 10 Church Street believes speeding tickets need to be written. She has not seen the police in Crosswicks in months.

James Codella from 470 Main Street – Regrets moving to Chesterfield. He believes it's an enforcement issue in Crosswicks. People are flying down Church Street and Main Street. Mr. Codella says he never sees police in Crosswicks and when he does see them they are texting in their cars.

Jaclyn Guthry from 452 Main Street – Says that people are not stopping at the stop sign in front of Osteria Pizza. She is worried for her son to cross the street since the cars are going so fast.

Doreen Codella from 470 Main Street – Said it is very difficult to live on Main Street. Something else has to be done. She wants more tickets given out in Crosswicks.

Jennifer Lynch from 437 Ellisdale Road – Asked for speed limit signs that aluminate in Crosswicks. She is very upset of the amount of traffic in Crosswicks since the development was built. Mrs. Lynch wants to know why the Town did not anticipate this and why they did not have the developer pay for a better solution to the traffic. Mrs. Lynch said that the children are like prisoners. They cannot go outside and play freely because of all of the cars and trucks.

Kara Niebo from 33 Church Street – Said that the Police are wonderful and they've helped them on many occasions. However, she has never seen them pull over cars/trucks and give out tickets. Mrs. Niebo asks how the dump trucks were going through town for over 3 weeks and the police did not know about it. Chief Wilson said that the County study will consist of all of Crosswicks Village. Mrs. Niebo said that in 2017 the Bridge going into Crosswicks from Hamilton failed. She is worried how all of these dump trucks are driving on it based on it failing. Chief Wilson will look into that. Mrs. Niebo said that the new Kayak Launch that the Town is constructing is a "death trap" she does not know how cars and trucks will get in and out of there without having an accident.

Chip Katona 355 Ellisdale Road – Believes that most of the trucks are local deliveries. He suggests putting up signs certain times of the day that trucks cannot go down those streets in Crosswicks.

Bonnie Lynch 466 Main Street said that in the winter when it snows the snow plows go so fast that they dump the snow right back onto the sidewalk. She wants the trucks to go slower. Chief Wilson will put in a request at the County Highway Department.

Doreen Codella from 471 Main Street – wants to know how the Township is going to make a change. She wants to know what the next step is. Chief Wilson said he has been taking notes with all that has been said tonight. He plans to address the following; a greater police presence during peak hours, why certain buses are not being followed by the police. He will set up a meeting with the County Engineer, a meeting can be set up with the group of residents in Crosswicks and meet at the Community House to once we get some plans and idea. We can ask the County to put up some illuminating signs. Chief Wilson said he is not sure if this will be ok with the Historical Commission. Ms. Koetas-Dale said that safety should come first.

Chief Wilson said that he has already put in the request with the County for the study on Main Street. That should take one week to collect the data and run the report. Then the following week they will go to New Street, then another street in Crosswicks, etc.

Mr. Liedtka suggested that the Township Engineer Mr. Hirsch lay out speed bumps throughout Crosswicks.

Mayor Romeu said that she plans to oversee the data collection and report on it at every meeting until her term is up. An update will be on the Engineer's report and under discussion for every meeting.

Mr. Liedtka recommends everyone on the Township Committee look at the Master Plan and the by-pass.

Dana Boyadjian from 15 Buttonwood Street – Suggests putting one more speed bump on Buttonwood. Currently there are only 2 and he believes 3 would help slow down the cars. Mr. Boyadjian told Mr. Liedtka to have his drivers slow down. Chief Wilson said that the original plan asked for 3 speed bumps not sure why it wasn't done. Chief will look into that.

Jennifer Heuisler from 18 Front Street - Loves everything in the town and hopes the speed limit in Crosswicks can be reduces and this problem can be resolved.

Lisa Plummer from 16 Church Street – Asked Chief Wilson to give more tickets in Crosswicks to keep the children safe.

Lido Panfili from 518 Ward Avenue – Told the residents to reach out to the Police when there is a problem. Mr. Panfili said that anytime he has ever called the Police they came out right away. Mr. Panfili agrees that 25 mph is too high in Crosswicks and believes the intersection coming into Crosswicks from Hamilton should be turned into a 4 way stop. Mr. Panifili assures everyone that the Planning Board is looking at the by-pass as an option.

Christina Hoggan Thanked Ms. Koetas-Dale and Mayor Romeu for their support. She agrees to put in speed bumps in Crosswicks and asks the Committee to keep this in the forefront.

Hearing no further comments, Mr. Liedtka made a motion to adjourn at 9:35 pm seconded by Ms. Katz. All were in favor.

Respectfully submitted,

Rachel Fryc, RMC
Deputy Municipal Clerk