

**March 26, 2020**

The Township Committee met on the above date via Conference Bridge with Township Clerk Caryn Hoyer calling the meeting to order at 7:00 PM. Roll call was taken showing present: Mayor Jeremy Liedtka, Deputy Mayor Lido Panfili, Committeemen Shreekant Dhopte and Michael Russo and Committeewoman Denise Koetas-Dale. Also present John Gillespie Township Attorney.

The Open Public Meetings Act statement was read and compliance noted.

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

None

**CONSENT AGENDA**

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve the March 12, 2020 minutes. All were in favor.

**ORDINANCE FOR ADOPTION**

Mr. Liedtka made a motion seconded by Mr. Panfili to open the public hearing on Ordinance 2020-5. All were in favor. Hearing no public comment, the public hearing was closed on a motion by Mr. Liedtka seconded by Mr. Dhopte. All were in favor. Mr. Liedtka made a motion seconded by Mr. Russo to adopt Ordinance 2020-5. Roll Call vote indicated all were in favor.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE NO. 2020-5**

**AN ORDINANCE AUTHORIZING THE APPROVAL AND PAYMENT OF CLAIMS  
BETWEEN MEETINGS OF THE GOVERNING BODY**

**WHEREAS**, N.J.S.A. 40A:5-17 authorizes the governing body of a municipality to permit, by Ordinance, the approval or disapproval, and payment or non-payment, of claims, bills, invoices, and purchase orders between meetings of the governing body; and

**WHEREAS**, given the State of Emergency recently announced by the Governor of the State of New Jersey on March 9, 2020, Executive Order 103, resulting from the Coronavirus/COVID-19 virus, as well as guidance developing daily from the New Jersey Department of Health and the U.S. Center for Disease Control, and the possibility that meetings of the governing body may have to be cancelled, rescheduled, or otherwise suspended, such that bills which are normally paid by the governing body every two (2) or four (4) weeks, may be unable to be approved by the governing body, but still need to be paid; and

**WHEREAS**, the procedures for "Payment of Claims" set forth in Chapter 13 of the Code of the Township of Chesterfield may become unavailable, infeasible or temporarily incapable of compliance, and exceptions from same need to be created; and

**WHEREAS**, N.J.S.A. 40A:5-17(a) & (b) establish a procedure for the payment of such claims in between meetings of the governing body, and the governing body wishes to prepare for the possibility that a situation may arise where it is unable to meet in a timely fashion to approve said payments.

**NOW, THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, the following:

**SECTION 1. Emergency Procedures Authorized.** The Township Committee hereby designates the Township's Chief Financial Officer as the "Approval Officer" within the meaning of N.J.S.A. 40A:5-17(a)(1) who shall be authorized, after consultation with the Township Administrator (and in the absence of the Administrator, the Mayor, and Committee Members Liaison to the appropriate department), to approve payments of claims that would normally be considered by the Township Committee, at its regular meetings, and which must be paid in order to comply with State law and/or contractual requirements with the vendor, and which otherwise would not be able to await a meeting of the governing body, subject, nevertheless, to sufficient appropriations being available for the payments to be made; and subject further to a determination by the Approval Officer that there is legal authority for the payments, which shall be evidenced by the action of the appropriate Department or Purchasing Agent or Officer in respect to the goods or services so ordered having authorized same, and the incurring of the expense having already occurred therefore.

**SECTION II.** Prior to making payment on such claims, the Approval Officer shall receive the same certification as the Township Committee would receive before authorizing payment, under N.J.S.A. 40A:5-16(b), that the claims were properly incurred and should be paid.

**SECTION III.** Following payment of the claims, the Approval Officer shall certify same to the governing body, by providing the same list the governing body would have received had it approved said payments, which certification and list(s) shall be provided to the Township Committee for its review at the next meeting, and which shall be entered into the minutes of said meeting as having been paid.

Notwithstanding the foregoing, the Approval Officer shall not make payment upon any claim in excess of Two Thousand Five Hundred Dollars (\$2,500.00), without having first secured verbal approval of at least a quorum of the governing body to pay said bill. This exception shall not apply to the payment of invoices for goods and/or services where the governing body has previously authorized that particular expenditure, nor to the payment of taxes due to the School Districts, Fire District, and County; nor to the payment of insurance premiums and debt payments.

**ARTICLE III. 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 immediately upon proper passage in accordance with the law.

**CHESTERFIELD TOWNSHIP COMMITTEE**

Introduced: March 12, 2020  
Adopted: March 26, 2020

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					
D Koetas-Dale	X					X	D Koetas-Dale	X					
J Liedtka	X						J Liedtka	X				X	
L Panfili	X				X		L Panfili	X					
M Russo	X						M Russo	X				X	

X – Indicates Vote    NV – Not Voting    AB – Absent    ORD – Motion    SEC - Seconded

**RESOLUTIONS**

Mr. Liedtka made a motion seconded by Mr. Panfili to approve Resolution 2020-3-7. Roll call indicated all were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2020-3-7**

**RESOLUTION AUTHORIZING AWARD OF EMERGENCY CONTRACTS UNDER SECTION 6 OF THE LOCAL PUBLIC CONTRACTS LAW**

**WHEREAS**, the Township of Chesterfield, along with all other public entities in the State of New Jersey, is operating under a State of Emergency declared by the Governor as a results of the State’s efforts to appropriately prepare for and respond to the public health hazards posed by Coronavirus Disease 2019 (“COVID-19”); and

**WHEREAS**, the Township of Chesterfield is also undertaking to coordinate efforts to prepare for and respond to those hazards posed by COVID-19; and

**WHEREAS**, the Township Committee is aware that situations may arise which necessitate the purchase of goods and/or services without the ability to do so in a time frame that would otherwise be required under the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, N.J.S.A. 40A:11-6 authorizes any contract to be negotiated or awarded “without public advertising for bids and bidding therefore, notwithstanding that the contract price will exceed the bid threshold, when an emergency effecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services”, provided that the awarding of such contracts is made in the manner set forth in said statute, one of which requirements is that “the official in charge of the agency wherein the emergency occurred, or such other officer or employee as may be authorized

to act in place of that official, shall notify the Purchasing Agent, a supervisor of the Purchasing Agent, or a designated representative of the governing body, as may be appropriate to the form of government, of the need for the performance of a contract, the nature of the emergency, the time of its occurrence and the need for invoking this section; [and] if that person is satisfied that an emergency exists, that person shall be authorized to award a contract or contracts for such purposes as may be necessary to respond to the emergent needs, [which] notification shall be reduced to writing and filed with the Purchasing Agent as soon as practicable”; and

**WHEREAS**, the Township Committee of the Township of Chesterfield deems it appropriate to designate the Township Emergency Management Coordinator, in conjunction with both the Mayor and applicable Department Liaison(s), as the person(s) authorized to make said purchases; and to notify the Purchasing Agent of the need for and the ordering of said goods and services; and

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

1. Based upon the existence of the State’s emergent efforts to prepare for and respond to the public health hazards posed to COVID-19, and Governor Murphy’s issuance of Executive Order 107 and other Executive Orders, as well as the recognition by the State Legislature that the State of New Jersey is now in a period of emergency affecting the public health, safety and welfare of its residents, the Township Committee hereby determines that the provisions of N.J.S.A. 40A:11-4.6 involving emergency contracts, shall be and is hereby implemented.
2. The Township Emergency Management Coordinator, in consultation with the Mayor and the applicable Township Committee Liaison(s), is hereby authorized to make such purchases of goods and services as are necessary to implement the appropriate protective standards and/or undertake such other actions as are necessary, without resort to public bidding, where time does not otherwise permit compliance with the bidding requirements of the Local Public Contracts Law, and upon the furnishing of such goods or services, the contractor furnishing such goods or services shall be entitled to be paid therefore and the Township shall be obligated for said payment.
3. The Township’s Purchasing Agent shall cooperate with the Township’s Emergency Management Coordinator in facilitating the acquisition of the applicable goods and services.

**CHESTERFIELD TOWNSHIP COMMITTEE**

~~~~~

Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to approve Resolution 2020-3-8. Roll call vote indicate all were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2020-3-8**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF CHESTERFIELD TO USE  
THE STORM RECOVERY TRUST FUND FOR EMERGENCY EXPENDITURES  
RELATED TO THE CORONAVIRUS RESPONSE**

**WHEREAS**, the Township of Chesterfield, along with all other public entities in the State of New Jersey, is operating under a State of Emergency declared by the Governor as a result of the State's efforts to appropriately prepare for and respond to the public health hazards posed by Coronavirus Disease 2019

**WHEREAS**, the Township of Chesterfield has a Storm Recovery Trust Fund approved by the Division of Local Government Services on January 31, 2014; and

**WHEREAS**, as per N.J.S.A. 40A:4-62.1, the Storm Recovery Trust Fund may be used for any purpose necessary to protect the safety, security, health, and welfare of its citizens from the damage caused by an emergency declared by the Governor; and

**WHEREAS**, the Township of Chesterfield hereby authorizes the Storm Recovery Trust Fund to be used for expenditures related to the Coronavirus Disease 2019 preparation and response.

**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 Township CFO is hereby authorized to charge expenditure related to the Coronavirus preparation and response to the Storm Recovery Trust Fund; and

**BE IT FURTHER RESOLVED** that any reimbursement of these expenditures shall be deposited back to the Storm Recovery Trust Fund; and

**BE IF FURTHER RESOLVED** that a copy of this resolution be filed with the Director of the Division of Local Government Services.

**CHESTERFIELD TOWNSHIP COMMITTEE**

~~~~~

~~~~~

~~~~~

**PAYMENT OF BILLS**

Mr. Liedtka made a motion seconded by Mr. Russo to approve the bills list. All were in favor.

**COMMENTS FROM THE PUBLIC**

Mike Stein – 19 Greenview Drive – Mr. Stein thanked the Township Committee for having the meeting and stated the audio quality was very good.

Hearing no further comment, Mr. Liedtka made a motion seconded by Mr. Russo to adjourn the meeting. All were in favor. The meeting adjourned at 7:08 PM.

Respectfully submitted,

Caryn M. Hoyer, RMC  
Municipal Clerk