

December 10, 2020

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

The Open Public Meetings Act statement was read and compliance noted. The statement on public comment during remote meetings was read.

AGENDA MATTER(S) REQUIRING RECUSAL(S)

Mr. Liedtka stated he will recuse himself from Resolution 2020-12-14

APPROVAL OF MINUTES

Mr. Dhopte made a motion seconded by Mr. Panfili to approve the minutes of November 12, 2020. Roll Call vote: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Liedtka – yes.

PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA - NONE

PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT ADA COMPLIANCE IMPROVEMENTS

Mayor Liedtka stated the public hearing has been postponed to December 16, 2020 at 10:00 AM. He asked if all could be in attendance. They all agreed.

FINANCIAL CORRESPONDENCE

Mr. Panfili made a motion seconded by Ms. Koetas-Dale to move the Bill List to after the Resolutions as some of the items on the bill list are subject to resolutions. All were in favor.

Mr. Dhopte made a motion seconded by Mr. Panfili to approve the reports. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Liedtka – yes.

REGULAR CORRESPONDENCE

Letter from Chief Ryan Lynch Chesterfield Township Fire Department requesting reappointment of Michael Stein to the position of Fire Police. Mr. Liedtka made the motion seconded by Ms. Koetas-Dale to appoint Michael Stein as Fire Police. Roll Call: Mr. Dhopte - yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Liedtka – yes.

ORDINANCES FOR ADOPTION/PUBLIC HEARING

Mr. Dhopte made a motion seconded by Mr. Panfili to open the public hearing for Ordinance 2020-13. All were in favor. Hearing no comments, Ms. Koetas-Dale made a motion to close public comment seconded by Mr. Panfili. All were in favor. Ms. Koetas-

Dale made a motion seconded by Mr. Dhopte to adopt Ordinance 2020-13. Roll Call was taken: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Liedtka – yes. Ordinance Adopted.

**TOWNSHIP OF CHESTERFIELD
ORDINANCE 2020-13**

**AN ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD
AMENDING CHAPTER 4 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD
TO ESTABLISH A SHADE TREE ADVISORY BOARD AND ECONOMIC
DEVELOPMENT ADVISORY COMMITTEE, AND CONSOLIDATE OTHER ADVISORY
BOARDS INTO THE SAME CHAPTER**

WHEREAS, the Township Committee has determined that it is appropriate to consolidate various Chapters of the Code of the Township of Chesterfield (“Code”), and to create a Shade Tree Advisory Board and an Economic Development Advisory Committee within the consolidated chapter; and

WHEREAS, N.J.S.A. 40A:63-7(d) allows a Township Committee to create such advisory councils to the municipality as the governing body may choose, including councils for the functions absorbed by them of any heretofore existing boards, commissions or districts; and

WHEREAS, the Township Committee deems it advantageous to the community to seek the advice of residents on a number of issues affecting the municipality, and therefore, to establish advisory boards and committees to assist the Township Committee in its various legislative and administrative undertakings.

NOW, THEREFORE, 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. Amended Chapters.

- A. Chapter Title. The Code of the Township of Chesterfield is hereby amended by revising Chapter 4, “Agricultural Advisory Board”, to be renamed: “Advisory Boards and Committees.”
- B. Chapter 4 shall be further amended to include “Article I Agricultural Advisory Board”, with the existing Code section numbers 4-1 through 4-3 remaining, and to include two new sections, 4-4 and 4-5 to be created and reserved for future use.
- C. Chapter 4 shall be further amended to include “Article II. Shade Tree Advisory Board”, which is hereby created and upon creation shall exist in sections 4-6 through 4-11 as follows, and as enumerated and outlined herein:

“Article II. “Shade Tree Advisory Board.”

- “4-6 Shade Tree Advisory Board Established; powers and duties; membership.
- “4-7 Terms of Office.
- “4-8 Powers and Duties.

“4-9 Officers; Rules and Regulations; Journal; Quorum.

“4-10 Reserved.

“4-11 Reserved.

“4-6 Shade Tree Advisory Board established; powers and duties; membership. There is hereby created a Shade Tree Advisory Board (Board) which, pursuant to this chapter, shall exercise the functions, powers and duties prescribed by this chapter. The Board shall consist of five (5) members appointed by the Mayor (except as otherwise provided below), and such members shall be residents of the municipality and shall serve without compensation, except in the case of the municipal staff member of the board who shall be permitted to reside outside the municipality.

“4-7 Terms of office.

“A. First Board Members.

1. The first Board Members shall be appointed annually, and their terms of office shall commence upon the day of their appointment and be for the following periods:
 - a. One (1) member for a two-year term who shall be selected by the Township Committee.
 - b. One (1) member for a two-year term who shall be selected from the Environmental Commission.
 - c. One (1) member for a three-year term who shall be selected from the staff of the Township.
 - d. One (1) member for a four-year term.
 - e. One (1) member for a five-year term.
2. The above terms shall be calculated from January 1, 2021. The term of each appointee shall be designated in the appointing resolution at the time of appointment.

“B. All subsequent appointments, except to fill vacancies, shall be for a full term of five (5) years, to take effect on January 1st.

“4-8 Powers and Duties.

“A. The Board shall advise and assist the Township Committee with respect to the selection, planting, care, culture, trimming and where appropriate, removal of shade trees in the township. It shall develop and recommend to the Township Committee a suitable shade tree program for the township.

“B. It shall be the responsibility of the Board to study, investigate, develop, and update as-needed and administer a policy for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan will be presented initially to the Township Committee for consent and approval, and as often as needed when modifications are made to the plan. The Shade Tree Advisory Board, when requested by the Township Committee, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work.

"4-9 Officers; Rules and Regulations; Journal; Quorum.

"A. The Shade Tree Advisory Board shall designate its own officers who shall, at a minimum, be the chairperson, vice-chairperson, and recording secretary, all selected from among its membership. The Board shall make its own rules for conducting meetings of the Board. The Board shall keep a journal or record of its proceedings and actions.

"B. A majority of the members shall constitute a quorum for the conduct of business.

"4-10 Reserved.

"4-11 Reserved.

D. Chapter 4 shall be further amended to include Article III, "Economic Development Advisory Committee", which is hereby created and upon creation shall exist in sections 4-12 through 4-17 as follows and as enumerated and outlined herein:

"4-12 Economic Development Advisory Committee

"4-13 Terms of Office.

"4-14 Powers and Duties.

"4-15 Officers; Rules and Regulations; Journal; Quorum.

"4-16 Reserved.

"4-17 Reserved.

"4-12. Economic Development Advisory Committee: Committee established; powers and duties; membership.

There is hereby created an Economic Development Advisory Committee which, pursuant to this chapter, shall exercise the functions, powers and duties prescribed herein. The Committee shall consist of five (5) members who shall be residents of the municipality and shall serve without compensation, and shall be appointed by the Mayor.

"4-13. Terms of Office.

"A. First Committee members.

1. The first committee shall be appointed following adoption of this ordinance, and the terms of office shall commence upon the day of the appointment and be for the following periods:

- a. One (1) member for a one-year term.
- b. Two (2) members for two-year terms.
- c. Two (2) members for three-year terms.

2. The term of each appointee shall be designated in members' appointments.

"B. All subsequent appointments, except to fill vacancies, shall be for the full term of three (3) years.

"4-14. Powers and duties.

"A. The Economic Development Advisory Committee shall advise and assist the Township Committee with respect to commercial and industrial development

which, in addition to the customary uses and industries, which shall also include supporting and development of the agri-commerce & agri-industry business.

“B. It shall be the responsibility of the Economic Development Advisory Committee to conduct research into potential economic development, work within the limits and appropriations provided by the Township Committee to periodically print, publish, and/or distribute such marketing materials which may be used to support and promote the township in the field of market research, and to perform such other duties and functions and may be periodically asked of them by the Township Committee.

“4-15. Officers; Rules and Regulations; Journal; Quorum.

“A. The Economic Development Advisory Committee shall designate its officers from its membership, who shall, at a minimum, be a chairperson, vice-chairperson, and recording secretary.

“B. The committee shall make its own rules of forum for conducting meetings of the committee.

“C. The committee shall keep a journal or record of its proceedings and actions.

“D. A majority of the members shall constitute a quorum for the conduct of meetings.

“4-16 Reserved.

“4-17 Reserved.”

“E. Chapter 4 shall be further amended to adopt existing Chapter 46 of the Code, “Recreation and Community Events Committee”, which shall be incorporated as Article IV of Chapter 4, and shall be enumerated as sections 4-18 through 4-21, and shall include two additional sections, 4-22 and 4-23 to be “Reserved.”

Article II. Repealer, Severability, Effective Date_

A. Repealer. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

B. Severability. All ordinances or parts of ordinances of the Township of Chesterfield heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

C. Effective Date. This ordinance shall take effect immediately upon final passage. Notice of adoption shall be published as provided by law.

~~~~~

Mayor Liedtka recused himself and left the meeting.

Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to open the public hearing for Ordinance 2020-14. All were in favor. Hearing no comments, Mr. Dhopte made a motion to close public comment seconded by Ms. Koetas-Dale. All were in favor. Ms.

Koetas-Dale made a motion seconded by Mr. Dhopte to adopt Ordinance 2020-14. Roll Call was taken: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes. Ordinance Adopted.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE NO. 2020-14**

**AN ORDINANCE AMENDING CHAPTER 130-40 OF THE TOWNSHIP CODE TO  
CREATE NON-CUSTOMARY ACCESSORY USES WITHIN THE PVD-3 DISTRICT**

**WHEREAS**, by Developer’s Agreement, the Township of Chesterfield reached certain agreements with both Traditions at Chesterfield, LLC and Chesterfield, LLC, regarding the development of property known as Block 202, Lots 24.01, 25.01, and 25.02 comprised of single-family residential dwelling units, duplex/triplex units, apartments, and commercial square footage located within Old York Village; and

**WHEREAS**, in consideration of the negative economic impacts created by the COVID-19 pandemic, and the desire to promote the completion of construction, and the occupancy of the last mixed-use building within Old York Village, Chesterfield, LLC has proposed a “Work/Live Unit concept”, whereby the predominant storefront portion of a suite is dedicated to commercial use, and a subordinate rear portion is a connected living space for the lessee/operator of the suite; and

**WHEREAS**, the work/live arrangement is intended to foster a supportive environment that encourages artisans to live and present their creative work in the Township of Chesterfield; and

**WHEREAS**, the work/live arrangement helps promote sound economic development and increase employment opportunities for the Township’s residents by responding to changing economic conditions; and

**WHEREAS**, the proposed work/live units will allow for the architecturally appropriate incorporation of residential uses into existing non-residential structures to ensure that any modifications are compatible with the surrounding commercial area’s design and character.

**NOW, THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Chesterfield, County of Burlington and State of New Jersey, that Chapter 130-40 of the Code of the Township of Chesterfield, is hereby amended as follows:

**ARTICLE I. Amended and New Sections.**

**§ 130-40. Use regulations.** § 130-40 of the Code of the Township of Chesterfield is hereby amended to re-number paragraph A(5) “Conditional Uses”, to A(6); and to add the following new subparagraph A(5):

- (5) Non-customary accessory uses (in PVD-3 District, Commercial Area Only)
  - (a) Work/Live Unit.

[1] Purpose. Artisans and creative professionals seek ways to closely integrate life and work. This section provides standards for the experimental development of work/live units to provide an affordable housing option for a specific genre of small businesses while also providing flexibility for development and preserving the

commercial vibrancy and viability of the area. Work/live units are intended to be occupied by business operators who live in the same structure that contains the commercial activity. A work/live unit is intended to function predominantly as work space with incidental residential accommodations that meet basic habitability requirements.

[2] Definition. "Work/live Unit" shall mean a unit configured for both commercial and residential use in which the primary activity is the commercial use and the residential use is clearly subordinate and ancillary to the primary commercial activity; which contains residential accommodations for the owner/operator of the business; that meets basic habitability requirements including a sleeping area, cooking facilities, and sanitary facilities. The work/live unit shall be the dwelling of the business owner/operator, and may not be sublet to employees or other third-parties. The resident shall be responsible for the work performed in the work/live unit and there shall be a valid business license associated with the premises, issued in the name of the occupant or the business owned by the occupant.

[3] Operating Requirements.

- i. Permitted commercial uses in work/live units is hereby limited to the following: Home studios of an artist and artisans, designer, photographer, craftsman, writer, composer, musician, or similar person except that home based hair and nail salons shall not to be considered studios as expressed herein, nor shall the offices of accountants; architects; computer software and multimedia related professionals; consultants; engineers; home-based office workers, insurance, real estate and travel agents; or other licensed professionals.
- ii. No more than two employees (excluding the resident of the dwelling unit) shall work or report to work on the premises at one time.
- iii. No portion of the work/live unit may be rented or sold separately. The premises may not sublet to any individual, including employees.

[4] Design Standards

- i. The residential component of a work/live unit shall comply with all Housing Code requirements.
- ii. A work/live unit shall contain no more than 600 square feet of gross floor area of the rental space devoted to the private residential portion of the unit.
- iii. Regardless of the allocation of square footage dedicated to "work" versus "live" within one of the two specific units, the accessory and subordinate nature of the "live" component, to the principle and primary nature of the "work" component, shall be based upon the total commercial square footage of the building within which the unit is situated. For example, if the unit is 1,200 square feet, but in order to meet habitability standards the "live" component must be 600 square feet, the "live" component is still subordinate and accessory to the "work" component because the space is defined by the total commercial square footage of the building and not the 1,200

square feet of the individual unit.

[5] Lease Required. The owner of the work/live unit shall agree that the commercial use will be maintained as the primary use of the unit, and that the work space will not be leased separately from the residential space.

[6] Prohibited Commercial Uses Within Work/Live Units.

- i. The retail sale of food and/or beverages.
- ii. Entertainment, drinking, and public eating establishments.
- iii. Veterinary services, including groom and boarding, and the breeding or care of animals for hire or for sale.
- iv. Adult-oriented businesses, astrology palmistry, massage, head shops, and similar uses.
- v. Sales, repair or maintenance of vehicles, including automobiles, boats, motorcycles, aircraft, trucks, or recreational vehicles;
- vi. Trade or Private Schools, including private instruction (except where specifically associated with a use permitted under A(5)(a)[3] above).
- vii. Any uses not consistent with those listed in subparagraph 5(a)[3](i) above.

(6) Conditional uses (in the PVD-3 District only), subject to the conditional use provisions in the Township's ordinances and subject to architectural design standards to ensure compatibility with traditional Central New Jersey village character.

(a) Independent living units and assisted living units for occupancy by residents of age 55 or over, with or without on-site nursing care and medical facilities.

[7] Strict Construction. This section permitting and regulating work/live units shall be strictly construed to limit the menu of uses to be allowed in such units, and any questions or interpretations of same shall be, in the first instance, in the discretion of the Township Zoning Officer; and if the assistance of the Township Planning Board is sought by the Zoning Officer, the matter may be referred to the Planning Board pursuant to N.J.S.A. 40:55D-25(b)(3).

**ARTICLE II. 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 six months after proper passage in accordance with the law.

~~~~~

~~~~~

~~~~~


Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to open the public hearing for Ordinance 2020-15. All were in favor. Mr. Liedtka rejoined the meeting. Hearing no comments, Mr. Dhopte made a motion to close public comment seconded by Mr. Panfili. All were in favor. Mr. Dhopte made a motion seconded by Mr. Liedtka to adopt Ordinance 2020-15. Roll Call was taken: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Liedtka – yes. Ordinance Adopted.

**TOWNSHIP OF CHESTERFIELD
ORDINANCE 2020-15**

**A CAPITAL ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD AUTHORIZING
THE APPROPRIATION OF \$14,654 FROM THE CAPITAL IMPROVEMENT FUND FOR
POLICE EQUIPMENT**

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, not to exceed the costs noted below:

<u>Project / Purpose</u>	<u>Amount Authorized</u>
POLICE EQUIPMENT	\$ 14,654

SECTION 2. There is hereby appropriated from the Chesterfield Township Capital Improvement Fund for the sum of \$14,654 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 capital budget 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.

~~~~~

**RESOLUTIONS**

Ms. Koetas-Dale made a motion seconded by Mr. Panfili to approve Resolution 2020-12-1 Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Liedtka – Yes. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2020-12-1**

**RESOLUTION APPOINTING EMERGENCY MANAGEMENT COORDINATOR**

**WHEREAS**, Police Chief Kyle Wilson was re-appointed as the Emergency Management Coordinator for Chesterfield Township by Resolution 2017-12-6 effective December 1, 2017; and

**WHEREAS**, that appointment expired November 30, 2020; and

**WHEREAS**, the Township Committee feels that Chief Wilson has done an excellent job in this capacity and continues to serve in this position;

**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 Kyle D. Wilson is hereby appointed to serve as Municipal Emergency Management Coordinator for the Township of Chesterfield, for the required three (3) year term, said term beginning December 1, 2020 and expiring November 30, 2023.

~~~~~                      ~~~~~                      ~~~~~

Mr. Sahol explained the necessity of the Live Scan System for the operation of the police department. Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolution 2020-12-2. All were in favor.

**TOWNSHIP OF CHESTERFIELD
RESOLUTION 2020-12-2**

**RESOLUTION AUTHORIZING THE PURCHASE OF A
LIVE SCAN SYSTEM THROUGH
NEW JERSEY STATE CONTRACT #18-TELE-00671**

WHEREAS, the Township of Chesterfield wishes to purchase a Live Scan System from an authorized vendor under the State of New Jersey

WHEREAS, N.J.S.A. 40A:11-12(a) permits the Township of Chesterfield to purchase items without the necessity of competitive bidding under the State of New Jersey Purchasing Program (NJSTART); and

WHEREAS, Idemia Identity and Security USA LLC has been awarded New Jersey Contract No# 18-TELE-00671 for a FBI Certified 10 Print Transportable Live Scan System and Duplex Fingerprint Card Printer with Maintenances; and

WHEREAS, the Police Chief and the Chief Financial Officer recommend the utilization of this contract on the grounds that it represents the best price available; and

WHEREAS, the actual cost for the purchase of the FBI Certified 10 Print Transportable Live Scan System and Duplex Fingerprint Card Printer with Maintenances is expected not to exceed \$14,654.00; and

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

1. The Qualified Purchasing Agent is hereby authorized to execute a Purchase Order to Idemia Identity and Security USA LLC in an amount not to exceed \$14,654.00 to supply FBI Certified 10 Print Transportable Live Scan System and Duplex Fingerprint Card Printer with Maintenances.
2. The Purchase is awarded without competitive bidding pursuant to N.J.S.A.40A:11-12(a) of the Local Public Contracts Law.
3. A Certification of Funds has been received for the said purchase assuring that there is sufficient appropriation to award this purchase and the availability of a sufficient appropriation to fund the purchase authorized in this resolution is an express and mandatory condition of the award of this contract.

~~~~~

Mr. Dhopte made a motion seconded by Mr. Panfili to approve Resolution 2020-12-3. All were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2020-12-3**

**RESOLUTION AUTHORIZING REFUND OF RECREATION DEPOSITS**

**WHEREAS**, Chapter 146 of the Code of the Township of Chesterfield Entitled "Parks and Recreational Areas" requires a deposit made for use of Recreation Facilities; and

**WHEREAS**, due to Covid-19, on March 13, 2020 all recreation activities at the Chesterfield Recreation Facilities were canceled; and

**WHEREAS**, fees were paid by Matt Harned in the amount of \$225.00, Kartik Gopal in the amount of \$150.00 and Sandesh Kamath in the amount of \$300.00 for Recreation Facility use; and

**WHEREAS**, Mr. Harned, Mr. Gopal and Mr. Kamath have requested the deposit be refunded to them.

**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 refund \$225.00 to Matt Harned, 5 Lathem Lane, Chesterfield, NJ 08515; \$150.00 to Kartik Gopal, 39 Brookdale Way, Chesterfield, NJ 08515 and \$300.00 to Sandesh Kamath, 12 Alluvial Drive, Chesterfield, NJ 08515.

~~~~~

Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolution 2020-12-4. All were in favor.

**TOWNSHIP OF CHESTERFIELD
RESOLUTION 2020-12-4**

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION UNDER
NJSA 40A:4-87 FOR NJDOT F/Y 2021 MUNICIPAL AID – WHITE PINE ROAD
PROJECT IN THE AMOUNT OF \$ 210,000.00 IN THE 2020 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 2020 in the sum of \$ 210,000.00, 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:
NJDOT – White Pine Rd \$ 210,000.00

BE IT FURTHER RESOLVED that a like sum of \$ 210,000.00; be and the same is hereby appropriated under the caption of:

General Appropriations
Operations – Excluded from “Caps”
Public and Private Programs Offset by Revenues:
NJDOT – White Pine Rd \$ 210,000.00

BE IT FURTHER RESOLVED, that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

~~~~~                      ~~~~~                      ~~~~~

Mr. Panfili made a motion seconded by Mr. Dhopte to approve Resolution 2020-12-5. All were in favor.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION NO. 2020-12-5**

**RESOLUTION AUTHORIZING CHANGE ORDER #2 FOR  
HARKER ROAD PHASE II IMPROVEMENTS PROJECT  
AWARDED TO GERALD A. BARRETT**

**WHEREAS**, the Township of Chesterfield awarded a contract to Gerald A. Barrett for the Harker Road Phase II Improvements Project in the amount of \$189,615.50; and

**WHEREAS**, Change Order #1 was approved by Resolution 2019-5-2 to increase the contract to a total of \$215,955.97; and

**WHEREAS**, the Contractor has provided change order #2 for a decrease of \$4,786.77 to reflect the actual constructed quantities which included additional paving work to complete the total length of Harker Road; and

**WHEREAS**, the Township Engineer has reviewed and recommends approval of Change Order # 2;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield hereby approves Change Order #2 and consequently amends the contract with Gerald A. Barrett to a revised contract amount of \$211,169.20.

~~~~~

Mr. Panfili made a motion seconded by Mr. Dhopte to approve Resolution 2020-12-6. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Liedtka – yes. Resolution approved.

**TOWNSHIP OF CHESTERFIELD
RESOLUTION 2020-12-6**

RESOLUTION AUTHORIZING APPROPRIATION TRANSFERS

WHEREAS, N.J.S.A. 40A:4-58 provides for appropriation transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation;

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 Treasurer be and the same is hereby authorized to make transfers among the 2020 budget in accordance with the following schedule:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>	<u>AMOUNT</u>
Property Maintenance – OE	3,500.00	Finance – OE	1,000.00
		Buildings & Grounds – OE	2,500.00
	<hr/>		<hr/>
	3,500.00		3,500.00

~~~~~

Mr. Dhopte made a motion seconded by Mr. Panfili to approve Resolutions 2020-12-7, 2020-12-8, 2020-12-9, 2020-12-10 and 2020-12-11. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Liedtka – yes. Resolutions approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2020-12-7**

**RESOLUTION DIRECTING THE DISTRIBUTION OF TOWNSHIP OF  
CHESTERFIELD'S NET RETURNED SURPLUS FUNDS HELD IN TRUST BY  
THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND**

**WHEREAS**, the Township of Chesterfield hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Burlington County Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 2007, January 1, 2008, January 1, 2010, January 1, 2011, January 1, 2012, January 1, 2013, January 1, 2014, January 1, 2015, **and**

**WHEREAS**, the FUND is a statutory filed municipal joint insurance fund as defined in N.J.A.C. 11:15-2.1 et seq., **and**

**WHEREAS**, the MUNICIPALITY joined the FUND knowing that membership carries with it joint and several liability with all other member municipalities for each year of the MUNICIPALITY's membership, **and**

**WHEREAS**, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any available statutory surplus will be released by the FUND, **and**

**WHEREAS**, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any projected deficit will be declared as an additional assessment due to the FUND, **and**

**WHEREAS**, the MUNICIPALITY understands that Available Statutory Surplus is defined to be the amount of money in excess of the projected value of claims by line of coverage, plus an actuarially determined value for Incurred But Not Reported claims, subject to the surplus reserve calculations as defined in N.J.A.C. 11:15-4.6 et seq., and subject to review and approval by the Department of Banking and Insurance and Department of Community Affairs, State of New Jersey, prior to release by the Executive Committee of the FUND, **and**

**WHEREAS**, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier release of Available Statutory Surplus due to the possibility that a FUND year wherein a return of Statutory Surplus has been duly authorized could later be presented with a claim for which it could be responsible causing a demand for an additional assessment from each participating member municipality of that FUND year, **and**

**WHEREAS**, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier collection of an additional assessment due to the possibility that a FUND year wherein an additional assessment has been duly authorized could later be presented with a need for additional assessments from each participating member municipality of that FUND year, **and**

**WHEREAS**, the MUNICIPALITY understands that its options for directing the distribution of its net share of released Statutory Surplus to be as follows:

1. Direct the FUND to apply the MUNICIPALITY's share to the MUNICIPALITY's premium as a credit in the next FUND fiscal year (N.J.A.C. 11:15-4.21(e)),
2. Direct the FUND to issue a check to the MUNICIPALITY for the MUNICIPALITY's share,
3. Direct the FUND to apply the MUNICIPALITY's share to the FUND's Aggregate Excess Loss Contingency Fund (A.E.L.C.F.), which provides member municipalities with an available individual contingency balance for use in satisfying any possible need for a supplemental assessment for any year they were a member and an annual capacity to use all or a portion of a member municipality's available balance in offsetting future premiums, **or**
4. Direct the FUND to apportion the MUNICIPALITY's share as a stated dollar amount among options 1, 2 and 3 above such that the sum total of allocated dollars equals the amount of the Net Distribution available to the MUNICIPALITY as noted above.

**NOW THEREFORE**, the MUNICIPALITY directs the FUND to distribute the MUNICIPALITY's share of its Net Distribution as follows (**check the boxes that apply**):

- Apply a portion of the amount as a credit to the MUNICIPALITY's next FUND Year premium.
- Apply a portion of the amount as a check to the MUNICIPALITY.
- Apply a portion or the full amount to the MUNICIPALITY's share of the FUND's Aggregate Excess Loss Contingency Fund (A.E.L.C.F.).

Designate the amount as follows (Sum of below must equal full dividend amount):

- **Credit**            \$ 11,473.66 (Requires signed Dividend Release form only)
  - **Check**            \$ \_\_\_\_\_ (Requires signed Dividend Release form and signed voucher)
  - **A.E.L.C.F.**        \$ 2,602.34 (Requires signed Dividend Release form and resolution)
- Total Dividend \$14,076.00

~~~~~

**TOWNSHIP OF CHESTERFIELD
RESOLUTION 2020-12-8**

**RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF
NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY
THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF
LAW AND PUBLIC SAFETY**

WHEREAS, the Township of Chesterfield wishes to apply for funding of approximately \$13,500 with a match of \$151,955.43 for an approximate project total cost

of \$165,455.43 for a project under the State of New Jersey Safe and Secure Communities Grant Program #21-0307; and

WHEREAS, the subaward period is 2/27/21 through 2/26/22; and

WHEREAS, the Chesterfield Township Committee has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Chesterfield for the purpose described in the application;

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:

1. As a matter of public policy the Township of Chesterfield wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.
5. The Mayor is authorized to sign the necessary documents for said grant.

~~~~~                      ~~~~~                      ~~~~~

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2020-12-9**

**RESOLUTION AUTHORIZING CANCELLATION  
OF TAXES ASSESSED TO MUNICIPAL PROPERTY**

**WHEREAS**, Traditions at Chesterfield, LLC transferred ownership of Block 206.218 Lot 1, open space property in Phase IV of Traditions at Chesterfield, to the Township of Chesterfield in 2019; and

**WHEREAS**, the property remained on the tax rolls for 2019 & 2020; and

**WHEREAS**, the 2019 4<sup>th</sup> quarter and all of 2020 property taxes should be cancelled as follows:

|      |           |
|------|-----------|
| 2019 | \$ 77.25  |
| 2020 | \$ 306.00 |

**WHEREAS**, the 2021 preliminary taxes shall be cancelled in the amount of \$153.00.

**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 Tax Collector is hereby authorized and directed to cancel 2019, 2020 & 2021 property taxes on Block 206.218 Lot 1 in the amount of \$77.25, \$306.00 and \$153.00 respectively.



**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2020-12-10**

**RESOLUTION TO CANCEL TAXES DUE TO VETERAN EXEMPTION  
FOR 48 COLEMANTOWN DRIVE KNOWN AS BLOCK 107.10 LOT 2  
AND AUTHORIZE REFUND OF OVERPAYMENT**

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

**WHEREAS**, Jeffrey G. and Sarah E. Medina own the property located at 48 Colemantown Drive known as Block 107.10 Lot 2 and recorded in deed dated October 22, 2020; and

**WHEREAS**, Jeffrey G. Medina is a 100% disabled Veteran; and

**WHEREAS**, Mr. Medina has completed form D.V.S.S.E. and provided the documentary proofs required to the Tax Assessor; and

**WHEREAS**, the Tax Assessor has reviewed and approved the Veteran Exemption effective November 12, 2020; and

**WHEREAS**, Keller Title Agency paid the property taxes at closing which will creating an overpayment in the amount of \$1,862.50.

**WHEREAS**, Keller Title Agency has requested the overpayment be refunded to the current homeowner Mr. & Mrs. Medina.

**NOW THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, hereby approves the veteran exemption on Block 107.10 Lot 2 effective November 12, 2020 and thereafter.

**BE IT FURTHER RESOLVED**, that the Tax Collector is hereby authorized to cancel 2020 taxes in the amount of \$1,862.50, 2021 preliminary taxes in the amount of \$6,842.16 and issue refund to Jeffrey & Sarah Medina in the amount of \$1,862.50 representing overpayment of 2020 taxes created by granting the veteran exemption.

~~~~~

**TOWNSHIP OF CHESTERFIELD
RESOLUTION 2020-12-11**

**RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX
OVERPAYMENT ON BLOCK 800 Lot 2.02**

WHEREAS, the property located at 198 Bordentown-Chesterfield Road was sold in October 2020; and

WHEREAS, Ridge Title Agency and Corelogic both made the 4th quarter payment in the amount of \$2,406.98; and

WHEREAS, the payment from Corelogic from the prior homeowner created an overpayment in the amount of \$2,406.98; and

WHEREAS, Corelogic has requested the overpayment be refunded to the prior home owner Jeffrey & Lisamarie Rogers; 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 the Tax Collector is hereby authorized to refund the overpayment in the amount of \$2,406.98 to Jeffrey & Lisamarie Rogers, 28150 Gaunts Bridge Road, Columbus, NJ 08022

~~~~~

Mr. Liedtka recused himself and left the meeting for resolution 2020-12-12, 2020-12-13 & 2020-12-14. Deputy Mayor Lido Panfili reigned over the meeting.

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolutions 2020-12-12 and 2020-12-13. Roll Call was taken: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes. Resolutions approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION NO. 2020-12-12**

**ACKNOWLEDGE SUBTITLE 1, TITLE 39 ENFORCEMENT  
AUTHORIZATION REQUEST FOR TITLE 39 TRAFFIC ENFORCEMENT  
IN PORTIONS OF OLD YORK VILLAGE UNDER OWNERSHIP OF  
CHESTERFIELD, LLC**

**WHEREAS**, the Chesterfield, LLC currently owns and maintains private improvements and infrastructure in portions of Old York Village; and

**WHEREAS**, as such a private owner of improvements like roads, alleys, sidewalks, future rights-of-way, and similar areas typically utilized by motor vehicles and pedestrians, Chesterfield LLC has the right to permit law enforcement of motor vehicle regulations on such private property; and

**WHEREAS**, in accordance with Subtitle 1 of Title 39 entitled Motor Vehicles, Chesterfield LLC has submitted written documentation authorizing motor vehicle law enforcement on properties which it currently owns and maintains; and

**WHEREAS**, the Mayor and Township Committee accept written authorization submitted by Chesterfield LLC, and wish to direct the Chesterfield Police Department, and all agencies assigned with similar law enforcement rights and responsibilities, to begin enforcement of applicable motor vehicle laws and regulations on all roads, alleys, sidewalks, and future rights-of-way within the area of Old York Village currently owned and operated by Chesterfield LLC.

**NOW, THEREFORE, BE IT RESOLVED** that the Chesterfield Township Chief of Police is hereby authorized to ensure that appropriate law enforcement agencies are notified of this private property owner approval under Subtitle 1, Title 39; and

**BE IT FURTHER RESOLVED** that the Chesterfield Township Chief of Police may require the installation of such signage as may be necessary to properly notify motorists and pedestrians of applicable laws in force in the various areas of Old York Village currently under ownership of Chesterfield LLC.

~~~~~                      ~~~~~                      ~~~~~

**TOWNSHIP OF CHESTERFIELD
RESOLUTION NO. 2020-12-13**

**ACKNOWLEDGE SUBTITLE 1, TITLE 39 ENFORCEMENT
AUTHORIZATION REQUEST FOR TITLE 39 TRAFFIC ENFORCEMENT
IN PORTIONS OF OLD YORK VILLAGE UNDER OWNERSHIP OF
TRADITIONS AT CHESTERFIELD, LLC**

WHEREAS, Traditions at Chesterfield, LLC currently owns and maintains private improvements and infrastructure in portions of Old York Village; and

WHEREAS, as such a private owner of improvements like roads, alleys, sidewalks, future rights-of-way, and similar areas typically utilized by motor vehicles and pedestrians, Traditions at Chesterfield LLC has the right to permit law enforcement of motor vehicle regulations on such private property; and

WHEREAS, in accordance with Subtitle 1 of Title 39 entitled Motor Vehicles, Traditions at Chesterfield LLC has submitted written documentation authorizing motor vehicle law enforcement on properties which it currently owns and maintains; and

WHEREAS, the Mayor and Township Committee accept written authorization submitted by Traditions at Chesterfield LLC, and wish to direct the Chesterfield Police Department, and all agencies assigned with similar law enforcement rights and responsibilities, to begin enforcement of applicable motor vehicle laws and regulations on all roads, alleys, sidewalks, and future rights-of-way within the area of Old York Village currently owned and operated by Traditions at Chesterfield LLC.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield Township Chief of Police is hereby authorized to ensure that appropriate law enforcement agencies are notified of this private property owner approval under Subtitle 1, Title 39.

BE IT FURTHER RESOLVED that the Chesterfield Township Chief of Police may require the installation of such signage as may be necessary to properly notify motorists and pedestrians of applicable laws in force in the various areas of Old York Village currently under ownership of Traditions at Chesterfield LLC.

~~~~~                      ~~~~~                      ~~~~~

Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolution

2020-12-14. Roll Call was taken: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes. Resolution approved.

## **RESOLUTION 2020-12-14**

### **RESOLUTION AUTHORIZING THIRD AMENDMENT TO DEVELOPER'S AGREEMENT WITH TRADITIONS AT CHESTERFIELD, LLC AND CHESTERFIELD LLC**

**WHEREAS**, by Developer's Agreement, entered into on or about May 23, 2013, the Township of Chesterfield reached certain agreements with both Traditions at Chesterfield, LLC and Chesterfield, LLC, regarding the development of property known as Block 202, Lots 24.01, 25.01, and 25.02 comprised of single-family residential dwelling units, duplex/triplex units, apartments, and commercial square footage located within Old York Village; and

**WHEREAS**, said Developer's Agreement was subsequently amended by a "First Amendment to Developer's Agreement", entered into on or about September 27, 2015, and then again by a "Second Amendment to Developer's Agreement" entered into on or about February 14, 2019; and

**WHEREAS**, in consideration of the negative economic impacts created by the COVID-19 pandemic, and the desire to promote the completion of construction, and the occupancy of the last mixed-use building within Old York Village, Chesterfield, LLC has proposed a "Work/Live Unit concept", whereby the predominant storefront portion of a suite is dedicated to commercial use, and a subordinate rear portion is a connected living space for the lessee/operator of the suite; and

**WHEREAS**, the work/live arrangement is intended to foster a supportive environment that encourages artisans to live and present their creative work in the Township of Chesterfield; and

**WHEREAS**, the work/live arrangement helps promote sound economic development and increase employment opportunities for the Township's residents by responding to changing economic conditions; and

**WHEREAS**, the proposed work/live units will allow for the architecturally appropriate incorporation of residential uses into existing non-residential structures to ensure that any modifications are compatible with the surrounding commercial area's design and character; and

**WHEREAS**, by Resolution 2019-12-7, the Township Committee declared the property giving rise to this new "work/live" arrangement, "an area in need of rehabilitation", in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A-12A-1, *et seq.*; and

**WHEREAS**, among the purposes of such a designation, is to provide tools for the further development, and economic viability, of the property, and the Township Committee has determined that the ability to provide this type of a use advances those goals; and

**WHEREAS**, to facilitate the “work/live” arrangement, and in furtherance of the declaration of the area as “in need of rehabilitation”, the Township Committee deems it appropriate to execute this “Third Amendment to Developer’s Agreement”, which is attached hereto and made a part of this Resolution, based upon the factual predicates set forth above, which are incorporated herein as if set forth at length, being the same is hereby approved;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the attached “Third Amendment to Developer’s Agreement”, be and the same as hereby approved, and the Deputy Mayor and Township Clerk are hereby authorized and directed to execute same.

~~~~~                      ~~~~~                      ~~~~~

Mr. Liedtka returned to the meeting.

PAYMENT OF THE BILLS

Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve the bill list. Roll Call was taken: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Liedtka – yes.

REPORTS & DISCUSSION

Township Committee Discussion Topics:

Pet Waste – Ms. Koetas-Dale stated she has been getting a lot of complaints regarding residents allowing their dogs to defecate on people’s lawns and not cleaning up in Old York Village. She wants to discuss having an ordinance regarding this issue with a fine. Mr. Panfili suggested adding a line to the leash ordinance that we currently have. Mr. Gillespie said he will take a look at it and put something together for the Committee to look at.

Boards, Commissions, Committees:

Historic Preservation Commission – Ms. Koetas-Dale stated that at the last Township meeting the Township Committee decided to have the HPC come to tonight’s meeting to discuss and answer questions regarding the HPC ordinance. Debbie Kelly from the HPC is present and said that she sent a memo to the Township Committee explaining the background of the Commission and how they are trying to become certified through the Local Government Program so they can apply for grants. These grants would help facilitate some of the tasks that most Historical Preservation Commissions are required to do. The first task they listed in the memo is the “Survey of Historic Resources”. Ms. Kelly said that their current survey was done in the 1970’s and is not as detailed as one that would be done today. Ms. Kelly said that the HPC has not been able to do a more recent survey due to the cost which would be approximately \$20,000.00. Ms. Kelly said that is why the HPC is trying to become part of the Certified Local Government program. They could then apply for a grant which would cover half the cost. The second task listed in the memo is the Historic Preservation Standards. If we do not have our own individual standards then the HPC has to use the Secretary of Interior Standards. She stated a

benefit of having our own standards is they are generally published and available to everyone so the homeowners would know ahead of time what would be acceptable for the type of improvement they want to do. Ms. Kelly said that the HPC is not trying to change any of the regulatory responsibilities in the ordinance currently, they are simply complying with the recommendations from the State Preservation Office. Ms. Kelly said that the HPC ordinance is the same one that was passed in 2016 as far as the specifics. She stated that the goal was to make the HPC an advisory commission to the Planning Board. Mayor Liedtka stated he does not like what is going on with the residents in Crosswicks who are trying to get things done. Mayor Liedtka asked is it benefiting the town or is it hindering them by putting these revisions in the ordinance just to receive \$10,000 grant money when the Township can put \$20,000 in the budget for next year and hire someone to write our own standards. Ms. Kelly said they would love to have their own standards but they don't have \$20,000 to hire someone to do it. Mayor Liedtka suggested putting out an RFP to see what it would cost to set our own criteria. Ms. Kelly said the criteria that the HPC uses is objective criteria and is based on the existing character of the village and home. Ms. Kelly said they have reviewed hundreds of applications and this is the first year any of the HPC decisions have been appealed. Ms. Kelly stated they really don't need to apply to the certified local government program. Only did to be proactive and find money out there to do projects. John Davis, HPC chair feels this will snowball once we allow homeowners to change the character of their historic property. He is concerned that all of the young people that move into Crosswicks will want a modern open floor plan like they see on HGTV and disregard the character of the buildings. The Township Committee need to decide if they want to preserve the look of the town or let people do whatever they want to do. Ms. Kelly said the HPC is not trying to make anything stricter just the character of the village to remain. Keeping the historic character enhances property values. Mr. Panfili would like a Chesterfield specific historical ordinance and believes we can create a balance between the characteristics we are looking for as well as rehabilitating the homes that need TLC. Mr. Panfili is concerned if some of the homes are not rehabilitated soon, it will be too late. Mr. Panfili asked if the Township Committee can fund the study, does it give them an advantage to make it specific for the characteristics of Chesterfield. Ms. Kelly replied yes. Mr. Panfili said he would rather Chesterfield has their own standards. Ms. Kelly said the advantage to having our own standards is that everyone would know ahead of time with the best approach for improvements. Mr. Panfili asked the rest of the Township Committee if this is something they would consider. The Township Committee agreed that the cost should be considered when preparing the upcoming budget. Ms. Kelly will send information to the Clerk to forward to the Township Committee.

Crosswicks Traffic – Mr. Panfili asked Mayor Liedtka to let Chief Wilson know that the increased presence of the Police in Crosswicks is very well received and has helped tremendously.

Reports & Administration - Mayor Liedtka asked Mr. Gillespie if he has heard from the Old York Country Club. Mr. Gillespie said that he along with Mr. Sahol, Mr. Hirsh and the Planner had an extensive discussion a few months ago per his memo to the Township Committee. The Committee will need to authorize Mr. Gillespie to return back to the table with the developer to find out what they are now planning. Mr. Panfili said they need to come to the Planning Board with an application given the uncertainty in town of what is going on. Mr. Panfili asked where we are at with the rehabilitation plan. Mr. Gillespie said that the Committee adopted the designation for rehabilitation back in June. They met with the developer and asked for more information. The only thing known is that they

want to build a warehouse. All the particular information is unknown. The professional staff now needs to sit down with the developers and then come back to the Township Committee with a plan. Ms. Koetas-Dale said that this discussion is wide spread in town and wants the process to be as transparent as possible and to keep the public abreast of what is happening. She asked if the information is public when he comes back to the committee after the discussion with the developer. Mr. Dhopte said the public feels we are doing things behind closed doors. He said it is very important that the process is transparent and the public sees the financials so they know the benefits before we make a decision. Mr. Gillespie said he cannot control what the public thinks or does not think whether we are transparent or not. Mr. Gillespie said there has been no discussion with the developer for the last 4 months so there is nothing to report. Mr. Dhopte said we need to give the public updates on a regular basis and if there is no progress we need to let the public know that. Mr. Gillespie said at the September 24th Township meeting which is reflected in the minutes, he reported that he had met with the developer and explained that the property is under contract and that the governing body voted unanimously to accept the recommendation of the Planning Board. The only thing the Township Committee has received is a draft redevelopment plan and that is not a public record as it is deliberative and subject to change. This is not hiding anything from the public because the Township Committee has not even discussed the draft plan. Mr. Gillespie said in his opinion there is not a community that he has worked with that is more transparent than Chesterfield Township. Everything is done in public. Ms. Koetas-Dale asked Mr. Gillespie if the plan can be changed once it is made public. He stated that you don't want to put something out there that is not completely thought out. You are going to know all the specifics and an acceptable plan. Mr. Gillespie said it would be like any other ordinance, it has a public hearing. The applicant will also go to the planning board for a site plan as well. Mr. Dhopte stated he would just like to give updates on a regular basis. Mr. Gillespie asked if he should move forward with the meetings with the developer otherwise, nothing else will be done. Mr. Panfili would like the professional staff to meeting with the developer so that there will be more information available to make an informed decision. He stated we need information about impervious coverage, setbacks, wet lands, building foot prints and traffic study. Mr. Gillespie asked if that is a consensus. All Township Committee members agreed and authorized Mr. Gillespie, Chris Dochney, Joe Hirsh and Tom Sahol to move forward with the meetings. Mr. Gillespie said he will try to set something up after the first of the year and report back at the February Township meeting.

Mr. Sahol reported that today the Township submitted for the Corona Relief Fund monies to the DCA. He stated this was a better option than the FEMA reimbursement.

Mr. Sahol stated he had a pre-bid meeting in the field with potential bidders for the mowing and maintenance of Old York Village. The bid opening is December 22nd and he hopes to have a recommendation to the Committee on December 30th.

Ms. Koetas-Dale asked Mr. Sahol what is the next step with the sidewalk study. Mr. Sahol said it is a very long and costly endeavor. He recommends starting with handicap ramps and sidewalks that are adjacent to municipal land and then contemplate how we handle the private sidewalks. Mayor Liedtka asked Mr. Sahol what we will do about the sidewalks that are a hazard. Mr. Sahol said those will be addressed first. Mayor Liedtka stated the one on Greenview is very bad and has been for over 4 years. Mr. Sahol said the property owner is supposed to fix it but if not then we will have to. Ms. Koetas-Dale would like to see a prioritized list of the ones that are a hazard. Mayor Liedtka is

concerned about the one on Greenview. Mr. Gillespie asked if we have the money to fix it. Mr. Sahol stated a notice was sent to the property owner with a timeframe for corrections. If not completed, then we will take care of and bill the homeowner. Mr. Sahol said the rest of the project will need to be budgeted for and it will be a topic at budget time.

Mayor Liedtka asked Mr. Sahol to give an update on the recreation project on Hogback Road. Mr. Sahol stated Chesterfield Township owns all of Hogback Road and some of the grass next to the road towards Joseph Lawrence Park which is owned by Bordentown Township. Bordentown Township is currently developing a recreation complex off of Hogback Road and will have 2 driveway openings which will service 175 parking spaces for 3 soccer fields and multi-use fields. Mayor Liedtka stated Hogback Road is currently in bad shape and Bordentown Township made no notice to Chesterfield Township about this project. Mr. Sahol's main concern is the loss of integrity of Hogback Road and the impact to drainage. Mr. Sahol would like Bordentown Township to attend a Planning Board meeting to do a review of their design on our property and how it will impact our community. Mayor Liedtka said that Bordentown Township told Mr. Sahol that no construction deliveries would take place. However, they started running in 400 loads of dirt already. Mr. Panfili said they have to give us a site plan and come before the Planning Board. Mayor Liedtka is worried that our road will get ruined. Mr. Panfili said our driveway permit allows DPW to issue a stop work order. Mr. Sahol said they have a meeting next Wednesday with their Township Administrator and Engineer. Mr. Hirsh said that Bordentown Township sent in a driveway permit application but it has not been approved yet. The Township Committee would like them to stop the project since they are tearing up Hogback Road. Mayor Liedtka asked Mr. Sahol to reach out to the Township Administrator at Bordentown Township and ask them to stop the import and export of material until they have a discussion with them. Mr. Sahol agreed to reach out early tomorrow morning.

Old Business:
Street Light on Thorn Lane –

Mayor Liedtka stated he received another request for a light on Thorn Lane. We have been discussing this for the past 2 years. The request came with 12 signatures from residents on Thorn that want the street light. Ms. Koetas-Dale asked what the cost would be. Mr. Hirsh said in April of 2018 the price was \$11,000. Mr. Sahol said it will be at least \$10,000. Mr. Sahol said that it is the longest run between intersections and it is very dark. Mr. Dhopte asked if we have done a study to see how many light poles we really need and if not how do we justify that only one will do the job. Mr. Hirsh stated that one light pole will not get the normal four foot-candle along the entire spread. Mr. Hirsh said he would estimate it would take 4-5 light posts to illuminate the entire stretch. Mr. Sahol said that it would look like daylight at night with that many lights. It would look like a commercial district. Mr. Dhopte asked how we determine where the light post goes on Thorn Lane. Mr. Sahol said one way of determining where it should go is to look at the distance between other lights and intersections in the development. Mr. Sahol thinks two lights centered along Thorn Lane would be enough. Mr. Sahol said he will work with Public Service and get a price on two or three lights. Mayor Liedtka said that he would rather have more than less lights for safety reasons. Mr. Sahol said he will get it going as quickly as possible.

COMMENTS FROM THE PUBLIC

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

Jignesh Shah from 11 Thorn Lane thanked Mr. Sahol for working on getting lights on Thorn Lane. He stated this will be for the safety of every resident since it is very dark.

Bob Plummer from 16 Church Street said that the HPC guidelines are a detriment to the town. Mr. Plummer said that he was just turned down by the HPC last night and was told he cannot add 20% square footage to his home and cannot alter the front elevation at all. The HPC told him this was because the Township Committee told the HPC these guidelines are what they need to go by. Mr. Plummer said that if he cannot add on to his home he is going to sell and move on. Mr. Plummer asked if he goes to the Planning Board and gets denied, what his next step is. Mr. Plummer said he has spoken to many people in town and they are very upset and asked that the Township Committee address this issue as soon as possible. Mayor Liedtka said they will look into it.

Terran Brown from 5 Thorn Lane thanked the Township Committee for looking into getting another street light on Thorn Lane. It is very dark at night and it's a safety issue said Mr. Brown. One light would be good but two would be even better.

Lalith Pasupuleti from 15 Thorn Lane said that the stretch of Thorn Lane is not safe and lights are greatly needed. There is a lack of awareness regarding residents cleaning up after their pets. He would like signage put up in parks and the square reminding residents to pick up after their pets. Mayor Liedtka said there is signage at all of the pet stations. Mr. Sahol said if we are going to put an ordinance in place we should put up some signs to let the residents know.

Nimit Shah from 27 Thorn Lane said lights on Thorn Lane will add safety and is a good idea. Dog waste is a bigger issue. The most abused area is Village Square Park and the area behind the school.

Aparna Shah from 11 Thorn Lane thinks the lights are a great investment for the town. She thanked Mr. Sahol and the Township Committee. She has been trying to get these lights since 2018.

Greg Hessinger from 122 Davenport Drive does not believe it is possible that a warehouse can be consistent with the master plan. He stated we should look into an amendment to the master plan if that is what the towns wants. Mr. Hessinger asked Mr. Gillespie if they gave consideration if this kind of development would require an amendment to the master plan. Mr. Gillespie said that is up to the Planning Board to decide if it is consistent with the master plan. They have already determined it to be an area in need of rehabilitation.

Tom Orban from 26 Church Street said that over the 36 years he has lived in Crosswicks every time he would start a project on his home he would receive scathing letters from Debbie Kelly, Karl Braun and Harry Williams objecting to his improvements. The authority that has been given to the HPC needs to be looked at by the Township Committee. He does not believe the HPC should have the authority that they do and should not be able to dictate what homeowners can or cannot do. He thinks the Township Committee needs

to seriously revisit the authority granted to the HPC. He is asking Mayor Liedtka and Deputy Mayor Panfili to take a hard look at this situation so that the residents are not damaged by this third party. Mr. Orban asked if the residents can be alerted on what is going to happen going forward with the HPC. Mr. Panfili stated any ordinance amendment would have public comment and would be listed on the agenda.

Hearing no further comments from the public, Mr. Liedtka made a motion seconded by Ms. Koetas-Dale close public comment. All were in favor.

Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to go into Executive Session at 9:35 PM to discuss issues regarding attorney-client privilege. All were in favor.

RESOLUTION 2020-12-15

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 December 10, 2020 that an Executive Session closed to the public shall be held at 9:35 PM 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.

~~~~~

The Township Committee returned to public session at 10:55. Hearing no further comments, Mr. Dhopte made a motion seconded by Mr. Panfili to adjourn the meeting. All were in favor. The meeting adjourned at 10:56 PM.

Respectfully submitted,

Caryn M. Hoyer, RMC  
Municipal Clerk