

**May 13, 2021**

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, Committeemen Shreekant Dhopte and Michael Russo, Committeewoman Denise Koetas-Dale. Also present Administrator, Thomas Sahol; Township Clerk, Caryn Hoyer and Township Attorney, George Morris.

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)** – None

**REGULAR CORRESPONDENCE** - None

**APPROVAL OF MINUTES**

Mr. Russo made a motion seconded by Mr. Dhopte to approve the minutes from April 22, 2021. All were in favor.

**PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA** – None

**BOARD OF HEALTH**

It was noted for the record that Mr. McMahon is present for the Board of Health meeting. The application is a Septic Waiver – Mounded System – Block 901 Lot 9 – 149 Chest-Georgetown Rd. Mr. Hirsh stated the application is before the Board of Health requesting a waiver for a mounded system exceeding 2' to replace an existing septic. The septic field meets all state septic requirements. The 4.5' mounded system will be in the back yard. Mr. Hirsh recommends approval of waiver as there are no other options. Mr. McMahon made a motion seconded by Ms. Koetas-Dale to approve the septic waiver. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Russo – yes; Mr. Panfili – yes; Mr. Liedtka – yes; Mr. McMahon – yes.

**ORDINANCE FOR INTRODUCTION**

Mr. Dhopte made a motion seconded by Mr. Russo to introduce Ordinance 2021-5. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Russo – yes; Mr. Panfili – yes; Mr. Liedtka – yes. The public hearing for this ordinance will be at the Township Committee meeting of May 27<sup>th</sup>.

# TOWNSHIP OF CHESTERFIELD, NEW JERSEY

## ORDINANCE-2021-5

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**BOND ORDINANCE AUTHORIZING THE DEMOLITION OF AN EXISTING MUNICIPAL BUILDING IN AND FOR THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$85,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$80,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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**BE IT ORDAINED** by the Township Committee of the Township of Chesterfield, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

**Section 1.** The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Chesterfield, County of Burlington, New Jersey ("Township").

**Section 2.** It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$85,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$80,750; and
- (c) a down payment in the amount of \$4,250 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

**Section 3.** The sum of \$80,750, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$4,250, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$80,750 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$80,750 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$17,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

| <b><u>Purpose/Improvement</u></b>   | <b><u>Estimated Total Cost</u></b> | <b><u>Down Payment</u></b> | <b><u>Amount of Obligations</u></b> | <b><u>Period of Usefulness</u></b> |
|---|------------------------------------|----------------------------|-------------------------------------|------------------------------------|
| A. Demolition and Removal of Old Municipal Building, as more fully described in information on file in the Township Clerk's office, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | \$85,000                           | \$4,250                    | \$80,750                            | 15 years                           |

**Section 8.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

**Section 9.** The supplemental debt statement provided for in Section 10 of

the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$80,750 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13.** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such

information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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**ORDINANCE FOR ADOPTION**

Mr. Panfili made a motion seconded by Ms. Koetas-Dale to open the public hearing on Ordinance 2021-4. Roll Call vote recorded all were in favor. Hearing no public comment, Mr. Russo made a motion seconded by Mr. Panfili to close the public hearing. Roll Call vote recorded all were in favor. Mr. Panfili made a motion seconded by Mr. Dhopte to adopt Ordinance 2021-4. Roll call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Russo – yes; Mr. Panfili – yes; Mr. Liedtka – yes.

**TOWNSHIP OF CHESTERFIELD, NEW JERSEY**

**ORDINANCE 2021-4**

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**BOND ORDINANCE AUTHORIZING RENOVATIONS AND IMPROVEMENTS TO THE STORM WATER SYSTEM IN AND FOR THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$100,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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**BE IT ORDAINED** by the Township Committee of the Township of Chesterfield, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

**Section 1.** The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Chesterfield, County of Burlington, New Jersey ("Township").

**Section 2.** It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$100,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$95,000; and
- (c) a down payment in the amount of \$5,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

**Section 3.** The sum of \$95,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$5,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$95,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$95,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in

Section 20 of the Local Bond Law, *N.J.S.A.* 40A:2-20, shall not exceed the sum of \$20,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

| <u>Purpose/Improvement</u>                                                                                                                                                                                      | <u>Estimated Total Cost</u> | <u>Down Payment</u> | <u>Amount of Obligations</u> | <u>Period of Usefulness</u> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|---------------------|------------------------------|-----------------------------|
| A Renovations and Improvements to the Storm Water System in and for the Township; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | \$100,000                   | \$5,000             | \$95,000                     | 20 years                    |

**Section 8.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

**Section 9.** The supplemental debt statement provided for in Section 11 of the Local Bond Law, *N.J.S.A.* 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, *N.J.S.A.* 40A:2-43, is increased by this Bond Ordinance by \$95,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 10.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The Township hereby declares its intent to reimburse itself from

the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

**Section 13** The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 14.** The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 15.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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**RESOLUTIONS**

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolution 2021-5-1. All were in favor. Resolution approved.



**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-5-1**

**RESOLUTION AUTHORIZING SUBMISSION OF  
GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE  
FISCAL GRANT CYCLE JULY 1, 2021 TO JUNE 30, 2022**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Burlington;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Chesterfield, County of Burlington, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Chesterfield Municipal Alliance grant for fiscal year 2022 in the amount of:

|            |             |
|------------|-------------|
| DEDR       | \$ 7,850.00 |
| Cash Match | \$ 1,962.50 |
| In-Kind    | \$ 5,877.50 |

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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Mr. Russo made a motion seconded by Mr. Dhopte to approve Resolution 2021-5-2. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-5-2**

**RESOLUTION AUTHORIZING THE TOWNSHIP ENGINEER TO PREPARE  
PLANS, SPECIFICATIONS AND SOLICIT BIDS FOR THE DEMOLITION  
OF THE FORMER MUNICIPAL BUILDING**

**WHEREAS**, the Mayor and Township Committee wish to direct the Township Engineer, Joseph Hirsh, P.E., C.M.E., to prepare plans, specifications and solicit bids in accordance with N.J.S.A. 40A:11-3 et. seq. for the demolition of the former municipal building located at 300 Bordentown-Chesterfield Road; and

**WHEREAS**, at the Township Committee meeting of February 11, 2021, the Township Administrator discussed the four (4) options available to the Township Committee which were to (1) sell the property; (2) remediate and sell; (3) remediate and keep; or (4) remove the building and keep the property; and

**WHEREAS**, at the Township Committee meeting of February 25, 2021, the Township Committee unanimously agreed to demolish the building based on its poor condition.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, that the Township Engineer is hereby authorized to prepare plans, specifications and solicit bids for the demolition of the former Municipal Building located at 300 Bordentown-Chesterfield Road.

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Mr. Panfili made a motion seconded by Mr. Russo to approve Resolution 2021-5-3 & 2021-5-4. All were in favor. Resolutions approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-5-3**

**RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX  
OVERPAYMENT ON BLOCK 202.30 LOT 13.02 C1302  
KNOWN AS 99 BORDENTOWN-CROSSWICKS ROAD**

**WHEREAS**, property tax payments were received on Block 202.30 Lot 13.02 C1302 for the second quarter payment in the amount of \$371.02 from Fulton Financial and Wells Fargo; and

**WHEREAS**, the payment by Wells Fargo created an overpayment in the amount of \$371.02; and

**WHEREAS**, Wells Fargo Real Estate Tax Services has requested the overpayment 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 Tax Collector is hereby authorized to refund the overpayment on Block 202.30 Lot 13.02 C1302 in the amount of \$371.02 to Wells Fargo Real Estate Tax Services, Attn: Refunds/Financial Support, P. O. Box 14506, Des Moines, IA 50328.

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**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-5-4**

**RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX  
OVERPAYMENTS TO CORELOGIC FOR VARIOUS PROPERTIES**

**WHEREAS**, a bulk property tax payment for second quarter was made by Corelogic on various properties; and

**WHEREAS**, the payment by Corelogic created overpayments of \$24,248.08 in total on the following properties:

|               |          |                       |             |
|---------------|----------|-----------------------|-------------|
| Block 107     | Lot 26   | 78 Bord-Crosswicks Rd | \$ 1,279.73 |
| Block 107.14  | Lot 4    | 44 Colemantown Drive  | \$ 3,672.00 |
| Block 202.20  | Lot 10   | 4 Preservation Blvd   | \$ 3,871.66 |
| Block 202.35  | Lot 2    | 8 Berryland Street    | \$ 2,942.95 |
| Block 202.119 | Lot 11   | 64 Harness Way        | \$ 3,055.41 |
| Block 302     | Lot 5    | 414 Ellisdale Road    | \$ 2,409.75 |
| Block 403     | Lot 8.01 | 6 Ginger Road         | \$ 3,765.33 |
| Block 1102    | Lot 18   | 284 Sykesville Road   | \$ 3,251.25 |

**WHEREAS**, Corelogic Centralized Refunds has requested the overpayments 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 Tax Collector is hereby authorized to refund the overpayments in the amount of \$24,248.08 as listed above to Corelogic Centralized Refunds, P. O. Box 9202, Coppell, TX 75019-9760.

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Ms. Koetas-Dale made a motion seconded by Mr. Panfili to approve Resolution 2021-5-5. All were in favor. Resolutions approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-5-5**

**RESOLUTION RENEWING THE AUTHORIZATION OF  
TEMPORARY OUTDOOR DINING**

**WHEREAS**, the Township Committee of the Township of Chesterfield acknowledges that the State of New Jersey is facing unprecedented times as a result of the novel coronavirus (“COVID-19”); and

**WHEREAS**, on March 9, 2020, the Governor issued Executive Order 103, declaring a State of Emergency and Public Health Emergency throughout the State of New Jersey as a result of the COVID-19 coronavirus pandemic; and

**WHEREAS**, given the reduced risk of COVID-19 transmission outdoors, the Governor issued Executive Order 150 on June 3, 2020, permitting outdoor dining services at restaurants with or without a liquor license, beginning on June 15, 2020, with continued adherence to state and federal safeguarding guidelines; and

**WHEREAS**, Executive Order 150 acknowledged that many restaurants will not have sufficient outdoor space to service their patrons, and thus may seek to use additional space for outdoor dining services, including other areas of their property, such as parking lots and sidewalks; and

**WHEREAS**, Executive Order 150 permitted municipalities to use their existing authority to allow restaurants to expand their service footprint to outdoor areas, including but not limited to sidewalks, streets, or parks; and

**WHEREAS**, via a Special Ruling dated June 3, 2020, the Division of Alcoholic Beverage Control established a temporary permit, known as the COVID-19 Expansion of Premises Permit, to enable all licensees and permittees with on-premises retail consumption privileges to expand their licensed premises into outdoor areas, either contiguous or non-contiguous to their permanently licensed premises until November 30, 2020; and

**WHEREAS**, in June of 2020 the Township passed Resolution 2020-6-4 temporarily permitting outdoor dining until November 30, 2020; and

**WHEREAS**, On February 5, 2021, Governor Murphy signed P.L.2021, c.15 which, among other things, expands opportunities for restaurants, bars, distilleries, and breweries to provide outdoor dining, in response to the COVID-19 public health emergency; and

**WHEREAS**, the law further establishes protocols for municipal review and approval for owners or operators of a restaurant, bar, distillery, or brewery to extend their business premises so that they are able to sell food and beverages in adjacent outdoor spaces, such as a parking lot, and on public sidewalks; and

**WHEREAS**, the law also mandates extension of the expiration date of all COVID-19 Expansion Permits issued by the Director of the Division of Alcoholic Beverage Control pursuant to the provisions of Special Ruling No. 2020-10 until November 30, 2022 or the date on which indoor dining resumes without capacity limitations pursuant to an executive order issued by the Governor, whichever is later; and

**WHEREAS**, that the applicant for any new COVID-19 Expansion Permit must receive municipal approval pursuant to subsection b. of section 2 of P.L.2021, c.15 before the COVID-19 Expansion Permit application may be considered by the Division of Alcoholic Beverage Control; and

**WHEREAS**, the Township Committee finds it necessary and appropriate to renew the process for temporarily allow outdoor dining located within the Township to comply with the new legislation, until November 30, 2022 or the date on which indoor dining resumes without capacity limitations pursuant to an executive order issued by the Governor, whichever is later.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, authorizes temporary outdoor dining for restaurants within the Township pending the appropriate application submissions to the Township Zoning Officer pursuant to new legislation; and

**BE IT FURTHER RESOLVED** Any temporary outdoor dining permitted within the Township shall be maintained, and operated in accordance with Executive Order 150, the State of New Jersey Department of Health Executive Directive 20-014, P.L.2021, c.15 and any other Rules and Regulations that may be required by various Township officials.

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Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolution 2021-5-6. All were in favor. Resolutions approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-5-6**

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION  
UNDER N.J.S.A. 40A:4-87 FOR SAFE & SECURE GRANT #21-0307  
IN THE AMOUNT OF \$ 13,500.00 IN THE 2021 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 2021 in the sum of \$ 13,500.00, 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:  
Safe & Secure Communities \$ 13,500.00

**BE IT FURTHER RESOLVED** that a like sum of \$ 13,500.00 is hereby appropriated under the caption of:

General Appropriations  
Operations – Excluded from “Caps”  
Public and Private Programs Offset by Revenues:  
Safe & Secure Communities \$ 13,500.00

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

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Mr. Dhopte made a motion seconded by Mr. Russo to approve Resolution 2021-5-7. All were in favor. Resolutions approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-5-7**

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION  
UNDER N.J.S.A. 40A:4-87 FOR RECYCLING TONNAGE GRANT  
IN THE AMOUNT OF \$ 1,867.03 IN THE 2021 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 2021 in the sum of \$ 1,867.03, 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:  
 Recycling Tonnage Grant                   \$ 1,867.03

**BE IT FURTHER RESOLVED** that a like sum of \$ 1,867.03 is hereby appropriated under the caption of:

General Appropriations  
 Operations – Excluded from “Caps”  
 Public and Private Programs Offset by Revenues:  
 Recycling Tonnage Grant                   \$ 1,867.03

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

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Mr. Panfili made a motion seconded by Mr. Dhopte to approve Resolution 2021-5-8. All were in favor. Resolutions approved.

**TOWNSHIP OF CHESTERFIELD  
 RESOLUTION 2021-5-8**

**RESOLUTION AMENDING 2021 CAPITAL BUDGET**

**WHEREAS**, the Local Capital Budget for the year 2021 was adopted on the 22nd day of April, 2021; and

**WHEREAS**, said adopted capital budget section was amended April 22, 2021; and

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

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

Capital Budget (Current Year Action) 2021

| <u>Project</u>                            | <u>Estimated Total Cost</u> | <u>Capital Improvement</u> | <u>Debt Authorized</u> |
|-------------------------------------------|-----------------------------|----------------------------|------------------------|
| Demolition of Existing Municipal Building | \$ 85,000.00                | \$ 4,250.00                | \$ 80,750.00           |
| TOTALS – All Projects                     | \$380,000.00                | \$ 15,250.00               | \$289,750.00           |

Three-Year Capital Program 2021-2023  
 Anticipated Project Schedule  
And Funding Requirements

| <u>Project</u>                            | <u>Estimated<br/>Total Cost</u> | <u>Estimated<br/>Completion<br/>Time</u> | <u>Funding<br/>Amount<br/>Per Year - 2021</u> |
|-------------------------------------------|---------------------------------|------------------------------------------|-----------------------------------------------|
| Demolition of Existing Municipal Building | \$ 85,000.00                    | 1 Year                                   | \$ 85,000.00                                  |
| TOTALS – All Projects                     | \$ 380,000.00                   |                                          | \$ 325,000.00                                 |

Three-Year Capital Program 2021-2023  
Summary of Anticipated Funding Sources and Amounts

| <u>Project</u>                            | <u>Estimated<br/>Total Cost</u> | <u>Capital<br/>Improvement</u> | <u>Bond &amp; Notes<br/>7A-General</u> |
|-------------------------------------------|---------------------------------|--------------------------------|----------------------------------------|
| Demolition of Existing Municipal Building | \$ 85,000.00                    | \$ 4,250.00                    | \$ 80,750.00                           |
| TOTALS– All Projects                      | \$380,000.00                    | \$ 16,500.00                   | \$ 313,500.00                          |

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Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolution 2021-5-9. All were in favor. Resolutions approved.

**TOWNSHIP OF CHESTERFIELD  
 RESOLUTION 2021-5-9**

**RESOLUTION TO APPLY FOR AND OBTAIN A  
 LOCAL RECREATION IMPROVEMENT GRANT THROUGH THE  
 NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS**

**WHEREAS**, DLGS is accepting applications for the Local Recreation Improvement Grant until May 24, 2021; and

**WHEREAS**, the Township of Chesterfield wishes to apply for grant funding to carry out a project entitled 2021 Fenton Lane Park Improvements Project which includes the improvements of the parking facilities, the paving of the walking path throughout the park and other amenities to accommodate increased park usage, repairs and accessibility; 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:



1. The Township Engineer is authorized to submit the grant application utilizing the NJDCA SAGE Portal on behalf of the Township of Chesterfield.
2. The Township recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and
3. The Township Administrator and Township Clerk are authorized to sign the grant agreement and any and documents necessary in connection therewith.

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### **Bill List**

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

### **REPORTS & DISCUSSIONS**

**Recreation** – Rachel Fryc reported that spring sports are starting to come to an end. Most ending June 1<sup>st</sup> with the exception of baseball and a couple travel soccer teams which will all end by July 1<sup>st</sup>. Troy Ulshafer reported that based on the concerns about the dog park at the last meeting, PW moved the fence about 20 feet from the ball fields and put up a new fence in the dog park which mimics the outfield fence. This way the kids will not be able to co-mingle with the dogs. The project was completed this week. He stated that when funds are available they plan to replace the 4 foot fence with 6 foot fence and then will expand it another 20 feet on the other side. Troy also reported that the restroom addition to the recreation building are just about completed. Joe Hirsh is putting together a punch list. Rachel said that the 5 dog signs were ordered and are in. The signs reference the ordinance that all residents must leash their dogs and pick up after them or receive a fine. Troy will be placing the signs in all of the parks. CTAA Liaison Mike Jones was present. He thanked Troy for the update on the dog park. He said that the players and parents feel safer already with the fence. Mr. Jones thanked Troy for addressing the issue so quickly.

### **REPORTS & ADMINISTRATION**

**OYCC Rehabilitation Plan** - Mr. Sahol reported that the sub-committee for OYCC has been meeting and is prepared to recommend that the rehabilitation plan be introduced by the Township Committee. After introduction on June 10<sup>th</sup>, it will become a public document which will be on the Township website for all to view. The Ordinance will then go to the Planning Board in order for them to provide

feedback to the Township Committee. Public Hearing and adoption of the ordinance will be scheduled for the June 24<sup>th</sup> Township Committee meeting. Mr. Sahol said that Committeewoman Denise Koetas-Dale and Deputy Mayor Lee Panfili are on the sub-committee and all have agreed unanimously on the process moving forward. Ms. Koetas-Dale said that she would still like to do a survey but the subcommittee did not agree. Ms. Koetas-Dale said that the sub-committee discussed having special meetings if necessary in order to allow for everyone in the community to speak during the public hearings. Mr. Panfili stated it was a unanimous decision between the sub-committee to not do the survey because a blind mailer would not be sufficient. The public hearing would be detailed and would have the name and address of everyone on the record. Mr. Panfili stated all residents will be given the opportunity to speak during public comment and it may be necessary to extend the meeting to allow for all public comment. All names, addresses and comments will be on public record and this is why he stated the sub-committee went this route instead of the blind mailer. He stated that all agreed the best way to move forward was to introduce the plan and ordinance which would make it a public document that could be shared with the public. Ms. Koetas-Dale agreed however she still wanted to do a survey. Mayor Liedtka said that the liaisons and professionals will work on getting the ordinance together for introduction at the Township Meeting on June 10<sup>th</sup> and then will be on the Township website shortly after that meeting. Mr. Panfili reminded the governing body to not comment on social media or sign petitions regarding the OYCC rehabilitation plan or that could taint the process. If they cannot do that they will need to recuse themselves from the vote. George Morris agreed with Mr. Panfili that members of the governing body need to stay neutral and refrain from posting on social media that may influence the application which will prevent them from voting on the ordinance.

**Crosswicks Village Land Use Study** – Mr. Sahol reported that recently there has been concern on the size of the lots in the village zone and the need to increase the minimum lot size. He stated that a planning study will need to be done by a professional planner. Mr. Sahol recommended that the Township Committee agree to move forward with the planning study proposal that was recommended by CME with the cost of \$5,500. Mr. Panfili made a motion seconded by Mr. Dhopte to approve having CME complete the planning study for \$5,500. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Russo – yes; Mr. Panfili – yes; Mr. Liedtka – yes.

**Cannabis Legislation** – Mr. Sahol reported there is a deadline of August 22<sup>nd</sup> that the governing body needs to act upon by opting out or we will be considered in, leaving the Township with limited restrictions. If the Township fails to act, this becomes inherently beneficial use and the Township will have no say for 5 years. Mr. Sahol recommends that we draft an ordinance for the next meeting to introduce that opt out of all the classes of licenses. Once that is adopted, it will give the governing body the time needed to properly plan for a cannabis plan in our community. The other concern, it is still not federally permitted and how that could affect preserved farms and TDR properties would need to be reviewed. Mr. Morris explained that if we choose to do nothing, we are stuck with all 6 licenses

without regulations and cannot touch them for 5 years. If we choose to opt out, we can then decide what we want to do and create those ordinances. Mr. Morris suggested opting out for zoning and also create policing powers under general legislation so that a use variance could not get through because it would be illegal. Mr. Morris said they will write an ordinance governing both sides. Mr. Dhopte would like to reach out to the farmers to hear their voice as well. Mayor Liedtka agreed but also said that he does not know if it is permitted on preserved farm land. Mr. Russo does not think it's allowed on preserved land since it is not federally legal. Mr. Panfili mentioned that the smell may be an issue. Mr. Russo said that this is an indoor crop grown in warehouses and greenhouses in a controlled enclosed environment. Mr. Morris is not sure if it can be grown on preserved farmland and will find out.

Mr. Sahol reported Burlington County has agreed the Township can host a "Pop-Up" COVID vaccination clinic on May 25<sup>th</sup> from 3pm-6pm with the Moderna vaccine for anyone 18 years and older, free of charge. June 22<sup>nd</sup> is the follow-up shot. This clinic will be held here at the municipal building.

Mayor Liedtka reported that the HPC has a vacant spot and would like to nominate Bob Forwood. Ms. Koetas-Dale seconded the motion. Roll Call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Russo – yes; Mr. Panfili – yes; Mr. Liedtka – yes.

Ms. Koetas-Dale said that she had just come from the "Music in the Park" at Village Square Park which was very well attended. She was asked to extend an invitation to the Township Committee to attend the Boy Scouts Flag Retirement Ceremony to be held on June 12<sup>th</sup> at 10am. They would like a couple committee members to attend.

## **NEW BUSINESS**

**Ms. Koetas-Dale - Environmental Commission Memo** – Ms. Koetas-Dale reported that the EC wrote a letter to the Township Committee about dumping going on in the Township. Ms. Koetas-Dale asked EC Chair Nancy Scarafile to elaborate further. Ms. Scarafile stated there is extensive dumping going on in the new development. She is unsure what can be done about it since there are already signs posted. Mayor Liedtka said that this has been going on for years and is hard to stop. He suggested that Nancy work directly with the township staff and not wait this long to come to a Township meeting. Ms. Scarafile asked about police enforcement. Mayor Liedtka replied that we have an ordinance. Mr. Sahol stated that a sign is not going to work. The people who are dumping need to be called out by the residents. Mr. Sahol reported that he, Troy and Rachel are working with SEWA who have volunteered their time to help clean up the dumping the on May 22<sup>nd</sup>. Ms. Sahol plans to take pictures, post them and hopefully by doing this it will educate the public. Troy said that he and one PW employee along with 25 SEWA volunteers plan to do this clean-up on Saturday, May 22<sup>nd</sup> with a rain date of June 12<sup>th</sup>. Ms. Koetas-Dale stated that we shouldn't have to clean up the neighborhoods. The residents should care about that for themselves.

Mr. Dhopte is disappointed that the sub-committee and professionals decided not to do a survey for the OYCC. Mr. Dhopte asked that all of the Township Committee members vote on if we should do the survey. Mr. Panfili believes that having a meeting to introduce, which makes it a public document, and a meeting to adopt the ordinance, where the public has the opportunity to voice their opinions is the best option. He stated we made it clear that we will take as many meetings as necessary to have comments made on the record. The blind survey does not do that. Mr. Dhopte stated it would not be blind, it would have their name and address. Mr. Liedtka stated we were elected to be a voice of the people and we don't need to survey on one particular ordinance. We can't do a fair survey. We are faced with a hard decision and we have email, and public meetings to get comments. That is all public. This is a big decision and we need to make sure we do it correctly. Mr. Dhopte would like to hear as much as possible from the public and he believes we should have a survey. Mr. Morris stated survey responses are random. If people want to comment on an ordinance they will usually come to a meeting to voice their concern, which is why every ordinance required a public hearing. Mr. Panfili stated he is not either for or against the warehouse. If we do a survey and 99 percent of the responses are negative and we vote against, the committee vote could be appealable because we did not treat this like any other ordinance. He is concerned that if we proceed differently than we have for any other ordinance and the ordinance does not go through, then it could be appealed. Mr. Morris stated the township will open themselves up to additional liabilities if the process is changed for this one ordinance. Mr. Morris recommends not do a survey but to follow the normal ordinance adoption process and have the public hearing and continue the hearing as long as necessary to make sure all the public is heard and then make a decision.

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

Ms. Hoyer stated public comments was received through a letter from Save Old York and read the letter. Save Old York was contacted by a party looking to purchase the Old York County Club property and maintain it as a golf course without rezoning. Save Old York asks that the Township Committee and Planning Board and the community be made aware of this potential buyer before making any decisions that would irrevocably contravene the Chesterfield Township Master Plan by creating a redevelopment plan and changing the zoning of the OYCC property.

Lorrie Thier - 153 Chesterfield-Crosswicks Road – she is upset that Ms. Koetas-Dale was stopped from making comments regarding OYCC at the last meeting since Mr. Gillespie was not present and this is the third meeting in a row that he is not present. Ms. Thier said that the residents were promised a survey and now it is not going forward. She feels that the Township Committee should have voted on the survey tonight at the request of Mr. Dhopte in order to have everyone's vote on record. Ms. Thier stated the Township is concerned about Cannabis but not about a warehouse. She stated several residents have requested impact on the school funding and that has not been received. The people have been making

public comment and the committee is not listening to the residents. She feels it is ridiculous that the Township is introducing the redevelopment or rehabilitation plan. We can't even get a guarantee that this would be the only warehouse.

Marc Liftland - 62 Brookdale Way - said there is more than one way to view your political position and one way is to do the right thing for the community. However, you also need to listen and be responsive to what the residents say and be responsive to the residents on the issue. He looks forward to a survey and also to a town hall meeting.

Belinda Blazic - 228 Bordentown-Chesterfield Road - She stated it is great we have 25 volunteers to clean up some of the dumping but would like the Township to provide options on getting rid of the brush and debris. She feels this will help to address the illegal dumping.

Brett Anderson - 62 Brookdale Way - suggests providing cameras to capture the people that are dumping. He is disappointed there will not be a survey. There are a lot of people not aware it is up for discussion. He thinks something formally mailed to everyone would be best. There is also a lot of misinformation and confusion out there. Public comments is not enough to give people to weigh in on this decisions.

Kathleen Hutchinson - 455 Main Street - asked if it is possible for Ms. Koetas-Dale to now disclose what she wanted to in the previous meeting. She would also like to see a neutral presentation. She also stated it is not always convenient to get to the meetings to make public comment. Ms. Koetas-Dale replied that she had wanted to let everyone know that the sub-committee was meeting and that at some point they would be presenting the plan to the community.

Jim Codella - 470 Main Street - asked Mr. Sahol about the timing on the lot sizes in the village. Mr. Sahol stated the committee approved the professional planner to move forward tonight and that should take about a month for the study. Then based on the study and ordinance would be produced and hopefully in effect by mid-summer. Mr. Panfili plans to help see the process through.

Lauren D'Amato - 73 Harker Road - asked what the difference is between an area of rehabilitation and an area of redevelopment. Mr. Sahol responded both are under the redevelopment law and they are the two standards. We are using redevelopment and rehabilitation interchangeability but it is a rehabilitation plan. The difference between the two is that a rehabilitation plan is capped at 5 year program and redevelopment can be a long term pilots. There are no tax incentives with the project presented.

Dominick Bellusci - 202 Old York Road – Agrees with residents and committee. This decision will change the face of Chesterfield for good or for bad. Don't agree with the reasons not to have a survey. Why can't this be a referendum?

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

Mr. Dhopte made a motion seconded by Mr. Russo to adjourn the meeting. All were in favor. The meeting adjourned at 8:31 PM.

Respectfully submitted,

Caryn M. Hoyer, RMC  
Municipal Clerk