

**August 26, 2021**

The Township Committee met on the above date with Deputy Mayor Lido Panfili calling the meeting to order at 7:00 PM. The meeting opened with the flag salute and a moment of silence. Roll call was taken showing present: Mayor Jeremy Liedtka (by phone), Deputy Mayor Lido Panfili, Committeemen Michael Russo and Committeewoman Denise Koetas-Dale. Also present Administrator, Thomas Sahol; Township Clerk, Caryn Hoyer, Township Engineer, Joe Hirsh and Township Attorney, John Gillespie. Committeemen Shreekant Dhopte was not present.

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

**AGENDA MATTER(S) REQUIRING RECUSAL(S)** – None

**APPROVAL OF MINUTES** – Mr. Russo made a motion seconded by Ms. Koetas-Dale to approve the July 22<sup>nd</sup> and August 12<sup>th</sup> minutes. All were in favor.

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

**ORDINANCE FOR INTRODUCTION**

Mr. Russo made a motion seconded by Ms. Koetas-Dale to introduce Ordinance 2021-14. Roll Call: 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 September 23<sup>rd</sup>.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE 2021-14**

**AN ORDINANCE AMENDING CHAPTER 182 “VEHICLES AND TRAFFIC”  
OF THE CHESTERFIELD TOWNSHIP CODE FOR ESTABLISHING  
SPEED LIMITS**

**WHEREAS**, pursuant to N.J.S.A. 39:4-8, the Township Committee of the Township of Chesterfield has the authority to regulate the speed limit of those streets under the Township’s jurisdiction; and

**WHEREAS**, the Township Committee, in the interest of safety, has made a determination to review and re-establish speed limits along Ward Avenue and Crosswicks-Ellisdale Road, in both directions; and

**WHEREAS**, the Township Engineer, in accordance with N.J.S.A. 39:4-8(b), has investigated the circumstances and finds they meet the criteria to modify the posted miles per hour speed limits, and, in the interest of safety and current conditions, proposed to establish modified speed limits on said roadways within the Township, pursuant to the Engineer’s Certification dated August 6, 2021, attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, that the Township Code be amended as follows:

**SECTION ONE:** §182-21 Schedule II: Speed Limits be and is hereby amended to remove the following:

<b>NAME OF STREET</b>	<b>SPEED LIMIT</b>	<b>LOCATION</b>
Crosswicks-Ellisdale Road [Added 11-12-2015 by Ord. No. 2015-15]	25	From the intersection of Chesterfield-Crosswicks Road to a point easterly 500 feet
Crosswicks-Ellisdale Road [Added 11-12-2015 by Ord. No. 2015-15]	35	From a point 500 feet easterly from Chesterfield-Crosswicks Road for a distance approximately 3,000 feet
Crosswicks-Ellisdale Road [Added 11-12-2015 by Ord. No. 2015-15]	45	From a point 3,500 feet easterly from Chesterfield-Crosswicks Road to the Chesterfield-North Hanover Township line
Ward Avenue [Added 3-14-1991 by Ord. No. 1991-7]	45	Between the Bordentown-Chesterfield Township line and 1,560 feet west of Church Street
Ward Avenue [Amended 3-14-1991 by Ord. No. 1991-7]	35	From 1,560 feet west of Church Street to Church Street
Ward Avenue [Added 6-24-2010 by Ord. No. 2010-12]	25	In both directions from Shanahan Lane to the New Jersey Turnpike Maintenance Yard, for the duration of the New Jersey Turnpike Widening Project

**SECTION TWO:** §182-21 Schedule II: Speed Limits be and is hereby amended to include the following:

<b>NAME OF STREET</b>	<b>SPEED LIMIT</b>	<b>LOCATION</b>
Crosswicks-Ellisdale Road	25	From the intersection of Chesterfield-Crosswicks Road to a point easterly 2,800 feet in both directions
Crosswicks-Ellisdale Road	35	From a point 2,800 feet easterly from Chesterfield-Crosswicks Road to the Chesterfield-North Hanover Township line in both directions
Ward Avenue	35	Between the Bordentown-Chesterfield Township line and

		2,200 feet west of Church Street in both directions
Ward Avenue	25	From a point 2,200 feet west of Church Street to Church Street in both directions

**BE IT FURTHER ORDAINED** that any and all signs which list the speed limit on said roads to the contrary of the above be removed, and signs posting the above speed limits be posted in accordance with the current edition of the MUTCD for Streets and Highways.

**SECTION THREE:** All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

**SECTION FOUR:** If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

**SECTION FIVE:** This ordinance shall take effect immediately upon final passage and publication according to law.

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Ms. Koetas-Dale made a motion seconded by Mr. Russo to introduce Ordinance 2021-15. Roll Call: 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 September 23<sup>rd</sup>.

**TOWNSHIP OF CHESTERFIELD, NEW JERSEY  
ORDINANCE 2021-15**

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**BOND ORDINANCE AUTHORIZING THE REPAIR OF A SANITARY SEWER PUMP STATION IN AND FOR THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$300,000 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 \$285,000; 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 \$300,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$285,000; and
- (c) a down payment in the amount of \$15,000 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 \$285,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$15,000, 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 \$285,000 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 \$285,000 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 \$60,000.

**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 Obligation</u> | <u>Period of Usefulness</u> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|---------------------|-----------------------------|-----------------------------|
| A. Emergency Repairs and Replacement of Equipment to the Sanitary Sewer Pump Station #1 on Recklesstown Way, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | \$300,000                   | \$15,000            | \$285,000                   | 40 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 \$285,000 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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Ms. Koetas-Dale made a motion seconded by Mr. Russo to introduce Ordinance 2021-16. Roll Call: Ms. Koetas-Dale – yes; Mr. Russo – yes; Mr. Panfili – yes; Mr. Liedtka – abstained. The public hearing for this ordinance will be at the Township Committee meeting of September 23<sup>rd</sup>.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE NO. 2021-16**

**AN ORDINANCE AUTHORIZING AN AGREEMENT FOR TAX EXEMPTION  
WITH TRADITIONS AT CHESTERFIELD, LLC AND CHESTERFIELD, LLC**

**FOR PROPERTY LOCATED AT THE SHOPPES AT OLD YORK VILLAGE,  
BLOCK 226.223, LOTS 3 & 4**

**WHEREAS**, the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq. (the "Act") enables municipalities which have been designated as in need of rehabilitation to exempt or abate local property taxes imposed upon eligible dwellings, commercial and industrial structures; and

**WHEREAS**, the certain areas within the Township of Chesterfield (the "Township") were recommended for designation by the Planning Board of the Township in accordance with P.L. 1975, Chapter 104 (now, N.J.S.A. 40A:12A-14) as an area in need of rehabilitation, and through Resolution 2019-17; and

**WHEREAS**, by Resolution 2019-12-7, the Chesterfield Township Committee accepted the Planning Board's recommendations, and although the Block and Lot number utilized in said Resolution were Block 206.201, Lots 1 & 4, the property under consideration was the then unoccupied commercial/retail building in The Shoppes at Old York Village, and the Tax Block and Lot number have since changed; and

**WHEREAS**, the Township Committee's designation of same was both published in the newspaper, and sent to the Department of Community Affairs, the former on July 15, 2021, and the latter on July 14, 2021; and

**WHEREAS**, the State of New Jersey, Department of Community Affairs, approved the designation by letter dated August 4, 2021; and

**WHEREAS**, the Property Owner had proposed, and has now constructed, a Project located on property designated as Block 226.223 Lots 3 & 4 (the "Land"), more commonly known and identified as part of The Shoppes at Old York Village (the "Property"), upon which has been constructed 17,691+/- square feet of retail space, with fifteen (15) apartments atop said building, and two (2) apartments on the first floor, and two (1) "live/work" units; and

**WHEREAS**, the Township encouraged and enabled such development, and has previously determined that it would be in the best interests of the Township to grant an abatement of real property taxes pursuant to the authority granted under the Five-Year Exemption and Abatement Law, (N.J.S.A. 40A:21-1 et seq.) (the "Tax Exemption Law") with respect to the improvements constructed in the Project by the Developer; and

**WHEREAS**, the Property Owner has completed construction of the Project; and

**WHEREAS**, the Application requested the exemption of the taxable value for the improvements to be constructed as part of the Project and a Payment In Lieu of Property Tax Payments, computed annually on a rolling basis as follows:

- a. In the first full tax year after Completion ("Completion" being issuance of Certificate of Occupancy or Temporary Certificate of Occupancy, whichever occurs earlier) no In Lieu of Property Tax Payment is due;

- b. In the second tax year, an amount equal to 20% of taxes otherwise due;
- c. In the third tax year, an amount equal to 40% of taxes otherwise due;
- d. In the fourth tax year, an amount equal to 60% of taxes otherwise due;
- e. In the fifth tax year, an amount equal to 80% of taxes otherwise due; and

**WHEREAS**, the Act permits the above abatement for newly constructed Qualifying Commercial or Industrial Structure via a written agreement between the Township and the Property Owner, which agreement shall be authorized by an Ordinance adopted by the Township Committee of the Township of Chesterfield.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Township Committee of the Township of Chesterfield that:

**Section 1. Recitals.** The recitals are fully incorporated herein.

**Section 2. Approval of the Financial Agreement.** The Financial Agreement substantially in the form attached hereto as Exhibit A, together with any non-substantive changes as may be required, are hereby approved.

**Section 3. Execution of the Financial Agreement.** The Township Administrator of the Township of Chesterfield, in the County of Burlington is hereby authorized and directed, upon satisfaction of all the legal conditions precedent to the execution and delivery by the Township of the Financial Agreement, to execute the Financial Agreement in substantially the form of the draft attached hereto and with such non-substantive changes, insertions and omissions thereto as counsel to the Township deems to be necessary or desirable for the execution thereof.

**Section 4. Attestation and Sealing of the Financial Agreement.** The Clerk of the Township is hereby authorized and directed, upon the execution of the Financial Agreement in accordance with the terms of Section 3 hereof, to attest to the signature of the Township Administrator upon such document and is hereby further authorized and directed thereupon affix the corporate seal of the Township upon such document.

**Section 5. Implementation of the Financial Agreement.** Upon the execution and attestation and placing of the seal on the Financial Agreement as contemplated by Sections 3 and 4 hereof, the Township Administrator, together with the necessary staff and professionals of the Township, are hereby authorized and directed to (i) deliver the fully executed, attested and sealed document to the other parties thereto and (ii) perform such other actions as the Township Administrator deems necessary or desirable in relation to the execution and delivery of the Financial Agreement.



**Section 6. Severability.** If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

**Section 7. Availability Of The Ordinance.** A copy of this Ordinance shall be available for public inspection at the offices of the Township.

**Section 8. Effective Date.** This ordinance shall take effect in accordance law.

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**ORDINANCE FOR ADOPTION**

Mr. Russo made a motion seconded by Ms. Koetas-Dale to open the public hearing on Ordinance 2021-10. Roll Call vote recorded all were in favor. Hearing no comment, Mr. Russo made a motion seconded by Ms. Koetas-Dale to close the public hearing. Roll Call vote recorded all were in favor. Mr. Russo made a motion seconded by Ms. Koetas-Dale to adopt Ordinance 2021-10. Roll call: Ms. Koetas-Dale – yes; Mr. Russo – yes; Mr. Panfili – yes; Mr. Liedtka.

**TOWNSHIP OF CHESTERFIELD, NEW JERSEY  
ORDINANCE-2021-10**

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**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$190,000 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 \$180,500; 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 \$190,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$180,500; and
- (c) a down payment in the amount of \$9,500 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 \$180,500, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$9,500, 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 \$180,500 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 \$180,500 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 \$30,000.

**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 Acquisition of Various Heavy Equipment for the Public Works Department including, but not limited to, a Skid Steer, Mason Dump Truck, Equipment Trailer and Ground Seeder, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | \$190,000                   | \$9,500             | \$180,500                    | 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 \$180,500 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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Ms. Koetas-Dale made a motion seconded by Mr. Russo to open the public hearing on Ordinance 2021-11. Roll Call vote recorded all were in favor. Don Czehut from 468 Main Street asked where the work will take place. Mr. Sahol responded that it will be take place anywhere in the township that needs repairs to curbing and sidewalks. Hearing no further comments, Mr. Russo made a motion seconded by Ms. Koetas-Dale to close the public hearing. Roll Call vote recorded all were in favor. Mr. Russo made a motion seconded by Ms. Koetas-Dale to adopt Ordinance 2021-11. Roll call: Ms. Koetas-Dale – yes; Mr. Russo – yes; Mr. Panfili – yes; Mr. Liedtka.

**TOWNSHIP OF CHESTERFIELD, NEW JERSEY  
ORDINANCE 2021-11**

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**BOND ORDINANCE AUTHORIZING RENOVATIONS  
AND IMPROVEMENTS TO VARIOUS TOWNSHIP  
CURBS AND SIDEWALKS IN AND FOR THE  
TOWNSHIP OF CHESTERFIELD, COUNTY OF**

**BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$75,000 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 \$71,250; 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 \$75,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$71,250; and
- (c) a down payment in the amount of \$3,750 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 \$71,250, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$3,750, 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 \$71,250 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 \$71,250 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 \$15,000.

**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>Estimat<br/>ed Total<br/>Cost</u> | <u>Down<br/>Paymen<br/>t</u> | <u>Amount<br/>of<br/>Obligatio<br/>ns</u> | <u>Period of<br/>Usefulne<br/>ss</u> |
|--|--------------------------------------|------------------------------|---|--------------------------------------|
| A. Completion of Renovations and Improvements to Various Township Curbs and Sidewalks, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | \$75,000                             | \$3,750                      | \$71,250                                  | 10 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 \$71,250 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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Ms. Koetas-Dale made a motion seconded by Mr. Russo to open the public hearing on Ordinance 2021-12. Roll Call vote recorded all were in favor. Agnus Marsala from 42 Cromwell asked Mr. Gillespie to elaborate on what an alternate track bulk variance is. Mr. Gillespie replied that it is to help minimize large fees and escrows for minor home improvements such as fences, swimming pools and driveways. Hearing no further comments, Mr. Russo made a motion seconded by Ms. Koetas-Dale to close the public hearing. Roll Call vote recorded all were in favor. Mr. Russo made a motion seconded by Ms. Koetas-Dale to adopt Ordinance 2021-12. Roll call: Ms. Koetas-Dale – yes; Mr. Russo – yes; Mr. Panfili – yes; Mr. Liedtka.

**CHESTERFIELD TOWNSHIP  
ORDINANCE 2021-12**

**AN ORDINANCE TO AMEND CHAPTER 130  
OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD  
TO INCLUDE A NEW SUBSECTION GOVERNING  
AN “ALTERNATE TRACK BULK VARIANCE” AND  
AMENDING THE FEE SCHEDULE UNDER CHAPTER 110**

**WHEREAS**, the Township Committee and Administration of the Township of Chesterfield have determined that it would be in the best interests of the residents and the Township’s zoning and planning goals to create a “Alternate Track Bulk Variance” for certain limited bulk variance applications that are minor or routine in nature; and

**WHEREAS**, it is currently possible that some residents avoid relatively minor applications that they would otherwise pursue due to the costs of obtaining a bulk variance; and

**WHEREAS**, the process set forth by this Amendment allows for the streamlining of these applications, but also allows for the Board Administration and its professionals to remove an application from this Track if it is determined that it presents unique complications or will require more in-depth review than intended by the Alternate Track Bulk Variance; and

**WHEREAS**, the review letters and resolutions associated with such applications will be streamlined in order to reduce the time Board professionals are required to spend on same, and as such a lower fee will be charged with regard to initial escrow costs; and

**WHEREAS**, the Township Committee of the Township of Chesterfield determines that these changes further the intent and purpose of the Township’s zone plan and scheme and that the revisions serve the best interests of the overall health, safety and welfare of the Township residents and the public at large.

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



**Section 1.** Chapter 130 is hereby amended to create Chapter 130-109.1, entitled “Alternate Track Bulk Variance”:

**§ 130-109.1.** Alternate Track Bulk Variance.

- A. Purpose. The purpose of this subsection is to create an Alternate Track Bulk Variance for bulk variance applications that are considered minor or routine in nature.
- B. Alternate Track Bulk Variances, as used herein, shall include the following applications:
  - 1. the erection of a fence or shed on a residential property,
  - 2. the construction of a swimming pool as an accessory use on a residential property;
  - 3. the expansion or modification of a driveway; and
  - 4. such other applications, that upon review of the Board Administrator or Zoning Officer are determined to be so minor in nature as to qualify for review under the Alternate Track Bulk Variance, provided the Board Professionals agree with the determination.
- C. Removal from Track. If in the determination of the Board Administrator or Zoning Officer, in consultation with any Board Professional, determines that a variance application relates to an area covered by the Alternate Track Bulk Variance, the Application may be removed from the Simple Track and treated as a regular Bulk Variance Application. It is noted that the initial escrow fee posted, as with any application, is an initial deposit and may not account for all costs associated with professional review, thereby requiring further deposits into escrow.
- D. Notwithstanding anything to the contrary contained herein, the applicant for an alternate track bulk variance must still meet the positive and negative criteria required for variances under NJSA 40:55D-70(c).”

**Section 2.** Chapter 110, governing “Fees” is hereby amended as follows:

**§ 110-130. Land Development.**

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- K. Bulk variance.
  - (1) Alternate Track: \$ 350
  - (2) Residential: \$ 750
  - (3) Business: \$1,500
  - (4) Industrial: \$2,000

**Section 3.** Inconsistency. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 4.** Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, section, paragraph, or sentence or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**Section 5.** Effective Date. This ordinance shall take effect immediately upon final passage and publication thereof according to law.

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Ms. Koetas-Dale made a motion seconded by Mr. Russo to open the public hearing on Ordinance 2021-13. Roll Call vote recorded all were in favor. Hearing no comment, Mr. Russo made a motion seconded by Ms. Koetas-Dale to close the public hearing. Roll Call vote recorded all were in favor. Mr. Russo made a motion seconded by Ms. Koetas-Dale to adopt Ordinance 2021-13. Roll call: Ms. Koetas-Dale – yes; Mr. Russo – yes; Mr. Panfili – yes; Mr. Liedtka.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE NO. 2021-13**

**AN ORDINANCE TO AMEND SECTION 42-24 OF THE CODE OF THE  
TOWNSHIP OF CHESTERFIELD, RELATED TO THE POLICE DEPARTMENT**

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

**ARTICLE ONE. AMENDED SECTION.**

Section 42-24, “Control Vested in Chief of Police”, is hereby amended as follows:

- A. The title of said Section shall be revised to read: “Control Vested in Chief of Police or Officer-in-Charge.”
- B. The text of Section 42-24 is hereby amended to add the following sentence at the end of the existing text: “In the event of the temporary disability or absence of the Chief of Police, the Mayor of the Township, acting as “Police Commissioner” under Section 42-6 pf this Chapter, and therefore the “Appropriate Authority” under N.J.S.A. 40A:14-118, shall appoint an acting “Officer-in-Charge” who shall assume the duties and responsibilities of the Chief of Police during the Chief’s absence or disability, to the same extent as the control vested in the Chief set forth in this Section. Said “Officer-in-Charge” shall be compensated for said

additional responsibilities as determined appropriate by the Township Committee.

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

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

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**RESOLUTIONS**

Mr. Russo made a motion seconded by Ms. Koetas-Dale to approve Resolution 2021-8-5, 8-6 and 8-7. All were in favor. Resolution approved.

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

**RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX  
OVERPAYMENT ON BLOCK 202 LOT 80.05  
KNOWN AS 63 BORDENTOWN-CROSSWICKS ROAD**

**WHEREAS**, the property owner paid the \$1,970.84 amount for 3<sup>rd</sup> quarter property taxes; and

**WHEREAS**, the amount due was \$1,509.38; and

**WHEREAS**, the payment created an overpayment in the amount of \$461.46; and

**WHEREAS**, the homeowner is selling her home and has requested the overpayment be refunded to her.

**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 Lot 80.05 in the amount of \$461.46 to Shirley Sabo, 63 Bordentown-Crosswicks Road, Chesterfield, NJ 08515.

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**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-8-6**

**RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX  
OVERPAYMENT ON BLOCK 801 LOT 9  
KNOWN AS 16 WHITE PINE ROAD**

**WHEREAS**, the RSI Bank and Empire Title both paid the 3<sup>rd</sup> quarter property taxes in the amount of \$2,992.44; and

**WHEREAS**, the payment from Empire Title created an overpayment in the amount of \$2,992.44; and

**WHEREAS**, Empire Title has request the overpayment be refunded to them; 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 on Block 801 Lot 9 in the amount of \$2,992.44 to Empire Title & Abstract Agency, LLC, 4573 South Broad Street, Suite 300, Yardville, NJ 08620.

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**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-8-7**

**RESOLUTION AUTHORIZING REFUND OF  
CONSTRUCTION PERMIT FEE**

**WHEREAS**, Mona Elkin applied and paid for construction permit #21-199 for a project to partially finish basement; and

**WHEREAS**, no work or inspections were done and the project has been cancelled; and

**WHEREAS**, a portion of the \$186.00 permit fee consists of \$6.00 State DCA permit fee which the Township will be required to pay regardless of the canceling of the permits; and

**WHEREAS**, there is a 20% plan review charge of \$37.20 leaving a refund balance of \$142.80.

**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 construction permit fee for Block 202.45 Lot 5, 25 Downer Way, in the amount of One Hundred Forty Two Dollars and Eighty Cents (\$142.80) is hereby authorized to be refunded to Mona Elkin, 25 Downer Way, Chesterfield, NJ 08515

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Mr. Russo made a motion seconded by Ms. Koetas-Dale to approve Resolution 2021-8-8. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD, NEW JERSEY**  
**RESOLUTION NO. 2021-8-8**

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**RESOLUTION OF THE TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF CHESTERFIELD, COUNTY OF  
BURLINGTON, NEW JERSEY CREATING AN  
EMERGENCY APPROPRIATION IN THE AMOUNT  
OF \$300,000 PURSUANT TO AND IN ACCORDANCE  
WITH N.J.S.A. 40A:4-48 AND AUTHORIZING AN  
EMERGENCY PURCHASE PURSUANT TO N.J.S.A.  
40A:11-6**

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**BACKGROUND**

**WHEREAS**, an emergent need has arisen to make necessary repairs to Pump Station #1 on Recklesstown Way in the Township of Chesterfield, County of Burlington, New Jersey (“Township”) and the surrounding area (“Emergency Purpose”); and

**WHEREAS**, the Township's Department of Public Works Foreman has inspected the site and determined that Pump Station #1 had a series of catastrophic failures and recommends entering into a contract with O&M Solutions, LLC and Don E Miller Septic Service, Inc in an aggregate amount not to exceed \$300,000.00, to complete the Emergency Purpose; and

**WHEREAS**, said Emergency Purpose was not foreseen at the time of preparation and adoption of the 2021 Budget; and

**WHEREAS**, Section 46 of the Local Budget Law, *N.J.S.A. 40A:4-46*, provides for the creation of an emergency appropriation for the various purposes including the Emergency Purpose; and

**WHEREAS**, the total amount of emergency appropriations created in 2021, including the appropriations to be created by this Resolution, is \$300,000, which is less than three percent (3%) of the total operating appropriations in the 2021 Budget; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:11-6*, an emergent contract may be awarded without advertisement for bids or bidding to resolve an emergency issue affecting the public health, safety and welfare which requires immediate performance of the service, including the Emergency Purpose; and

**WHEREAS**, the Chief Financial Officer of the Township has certified that funds are temporarily available in the Township's Sewer Utility Capital Improvement Funds.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:**

**Section 1.** An emergency appropriation is hereby created in the amount of \$300,000 which will temporarily fund the Emergency Purpose.

**Section 2.** The Township's Qualified Purchasing Agent is hereby authorized to execute an emergency contract with O&M Solutions, LLC and Don E Miller Septic Service, Inc. as well as any and all documents required to effectuate the same, to complete the Emergency Purpose.

**Section 3.** Two (2) certified copies of this Resolution shall be filed with the Director of the Division of Local Government Services.

**Section 4.** This Resolution shall take effect immediately upon adoption this 26th day of August, 2021.

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Mr. Russo made a motion seconded by Ms. Koetas-Dale to approve Resolution 2021-8-9. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-8-9**

**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, May 13, 2021, June 10, 2021 and July 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

| <b><u>Project</u></b> | <b><u>Estimated<br/>Total Cost</u></b> | <b><u>Capital<br/>Improvement</u></b> | <b><u>Debt<br/>Authorized</u></b> |
|-----------------------|----------------------------------------|---------------------------------------|-----------------------------------|
| Sewer Pump Station    | \$ 300,000.00                          | \$ 15,000.00                          | \$ 285,000.00                     |

Improvements

TOTALS – All Projects                    \$ 925,000.00            \$ 90,000.00                    \$ 760,000.00

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> |
|------------------------------------|---------------------------------|------------------------------------------|-----------------------------------------------|
| Sewer Pump Station<br>Improvements | \$ 300,000.00                   | 1 Year                                   | \$ 300,000.00                                 |
| TOTALS – All Projects              | \$ 925,000.00                   |                                          | \$ 870,000.00                                 |

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>Bonds &amp; Notes<br/>7b – Self Liquidating</u> |
|------------------------------------|---------------------------------|--------------------------------|----------------------------------------------------|
| Sewer Pump Station<br>Improvements | \$ 300,000.00                   | \$ 15,000.00                   | \$ 285,000.00                                      |
| TOTALS– All Projects               | \$ 925,000.00                   | \$ 91,250.00                   | \$ 285,000.00                                      |

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

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Ms. Koetas-Dale made a motion seconded by Mr. Russo to approve Resolution 2021-8-10 and 8-11. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION NO. 2021-8-10**

**RESOLUTION AUTHORIZING CHANGE ORDER #2 FOR  
RESTROOM ADDITION AT FENTON LANE PARK PROJECT  
AWARDED TO RNM CONSTRUCTION**

**WHEREAS**, the Township of Chesterfield awarded a contract to RNM Construction for the Restroom Addition at Fenton Lane Park Project in the amount of \$126,800.00; and

**WHEREAS**, the Contractor has provided change order #2 for an increase of \$8,225.00 to reflect Water Fountain/Bottle Filler Combo and Additional Electrical work for the recreation building; and

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

**WHEREAS**, the Finance Officer has certified that funds are available for this change order updating the contract amount to \$144,225.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield Change Order #2 is approved and consequently amends the contract with RNM Construction to a revised contract amount of \$144,225.00.

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**TOWNSHIP OF CHESTERFIELD  
RESOLUTION NO. 2021-8-11**

**RESOLUTION ACKNOWLEDGING COMPLETENESS OF THE  
RESTROOM ADDITION AT FENTON LANE PARK PROJECT  
ASSOCIATED WITH THE 2019 BURLINGTON COUNTY PARK  
DEVELOPMENT PROGRAM GRANT**

**WHEREAS**, in 2020 the Township of Chesterfield received a Municipal Park Development Program Grant from the County of Burlington in the amount of \$100,000.00 for the Restroom Addition at Fenton Lane Park Project; and

**WHEREAS**, a contract was awarded to RNM Construction LLC for performance of the work described above; and

**WHEREAS**, work under the contract was complete in August 2021 and the Township's Engineer did inspect and certify that the work was complete in conformance with contract plans and specifications and all other applicable requirements and has authorized final payment to the contractor;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the scope of work associated with the 2019 Burlington County Park Development Program Grant is complete;

**BE IT FURTHER RESOLVED** that the submission to the County of Burlington of the documents necessary to receive final reimbursement of grant funds is hereby authorized.

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Ms. Koetas-Dale made a motion seconded by Mr. Russo to approve Resolution 2021-8-12, 8-13 and 8-14. All were in favor. Resolution approved.



**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-8-12**

**RESOLUTION ACCEPTING RESIGNATION OF VINCENT NAPOLEON**

**WHEREAS**, Vincent Napoleon was hired as a laborer for the Public Works Department on May 1, 2018; and

**WHEREAS**, Mr. Napoleon has tendered his resignation from employment with Chesterfield Township by letter dated August 16, 2021 effective August 27, 2021; and

**WHEREAS**, the Township Committee wishes to accept this resignation, with regrets, and the Township Administrator has initiated the process to fill the vacancy;

**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 resignation of Vincent Napoleon as Public Works Laborer is hereby accepted effective August 27, 2021.

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**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-8-13**

**RESOLUTION AUTHORIZING AN ONLINE AUCTION WITH GOVDEALS  
FOR THE DISPOSAL OF MUNICIPAL PERSONAL PROPERTY  
NO LONGER NEEDED FOR PUBLIC USE**

**WHEREAS**, the Township of Chesterfield wishes to utilize GovDeals as an online auctioneering service for the disposal of certain surplus or unusable municipal property that is no longer needed for public use; and

**WHEREAS**, GovDeals is a NJ State Contract authorized auctioneering service under contract #70967 and Local Finance Notice 2008-9; and

**WHEREAS**, GovDeals will facilitate the hosting of the auction item photos, descriptions and general terms for bidders; and

**WHEREAS**, GovDeals will be responsible to collect on behalf of the Township of Chesterfield the appropriate funds based on the sale of items and will remit, less the agreed upon fees, the amount due to the Township within 30 days of the sale of the items; and

**WHEREAS**, the terms and conditions of the township agreement with GovDeals are available on the GovDeals website and available from the Township of Chesterfield Clerk's Office.

**WHEREAS**, the items to be auctioned are:  
PW Truck VIN#3GCEK14X46G164756  
Convault Above Ground Storage Tank

**NOW, THEREFORE, BE IT RESOLVED**, by the Township of Chesterfield, County of Burlington, State of New Jersey, that Thomas A. Sahol, Township Administrator is hereby authorized to sell the items listed above via GovDeals online auction.

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**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-8-14**

**RESOLUTION CANCELING PROPERTY TAXES ON  
BLOCK 600, LOT 6 FOR THE YEAR 2021**

**WHEREAS**, Block 600 Lot 6 appears on the 2021 tax records as having an assessment for both land and improvements in the amount of 124,300 and \$50,000 respectively; and

**WHEREAS**, the assessment should be for improvement values only for Lot 6; and

**WHEREAS**, property taxes were levied against the property in the amount of \$5,359.80 for 2021 and should have been only \$1,545.50; and

**WHEREAS**, the property owner paid \$2,653.02 creating an overpayment on Block 600 Lot 6 in the amount of \$1,107.52; and

**WHEREAS**, in accordance with N.J.S.A. 54:4-99, when property real or personal has been levied in error, the governing body of the taxing district may order and cause the tax record to be corrected; 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 and directed to cancel the 2021 taxes in the amount of \$3,814.30 and adjust 2022 preliminary accordingly; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the Burlington County Board of Taxation, the Treasurer of Burlington County, the Tax Collector, Tax Assessor and Treasurer and Auditor of Chesterfield Township.

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## **Bill List**

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

Mayor Liedtka left the meeting.

## **REPORTS & DISCUSSIONS**

**Recreation** – Rachel Fryc updated the Township Committee on the progress of the upcoming Harvest Festival scheduled for Saturday, September 25<sup>th</sup> from noon to 4pm in Village Square Park. She said there will be over 50 vendors attending including rides, a band, local organizations and lots of volunteers for the day. She is lacking in food vendors since a lot of restaurants including those in town are low on staff. Ms. Fryc is also looking for someone to chair the Chili Cook off since the Community Association cannot. The Township has received \$7,500 in sponsorships towards this year's festival. Mr. Fryc said that there is no fee for vendors and the festival is a free event.

## **REPORTS & ADMINISTRATION**

### **New Business**

**Contractors Registration Ordinance** – Mr. Panfili is suggesting this ordinance in order to make sure that all contractors that are working in town are registered in Chesterfield and property insured. Mr. Panfili asked Mr. Sahol to reach out to local towns to find out what they require for their contractors.

**Church Street – One-Way** – Mr. Sahol reported that the Township sent letters to all of the residents on Church Street to make them aware of this discussion and allow them to weigh in on it tonight. Ms. Koetas-Dale made a motion seconded by Mr. Russo to open to public comment on this subject. All were in favor.

Don Czehut – 468 Main Street asked the Committee if they are addressing speeding or traffic. He said that Church Street has the least amount of traffic in Crosswicks. He did a study and said that in one hour 14 cars went down Church Street and 14 cars go past his house on Main Street every minute. He feels if Church Street is turned into a one way street it will put a hardship on those living in town. The Methodist Church will also have a hardship from the one way in regards to parking. Mr. Czehut would rather that we put a police officer at the intersection to stop the speeding. He is asking for another solution.

Steve Hazen – 447 Main Street said that he would like other traffic issues to be addressed first.

Bonnie Lynch – 466 Main Street also does not agree with making Church Street one-way. She said it will create more speeding and would prefer a 4-way stop at that intersection. Mrs. Lynch said that the speeding has gotten worse in Crosswicks and suggests hiring a part-time traffic officer to only patrol Crosswicks. Mr. Panfili reminded Mrs. Lynch that an ordinance to reduce

speeding in town was just introduced this evening and the Township has been on the “to do list” with the County on the status of the traffic in Crosswicks. Mr. Panfili suggest that everyone write a letter to the Commissioners. Mrs. Lynch will help in getting everyone in Crosswicks to write letters and asked for more police presence in Crosswicks.

Lauren Santise – 10 Church Street is in agreement with making Church Street into a one-way street. Ms. Santise said that Main Street is very dangerous and she would like to see police enforcement and more speeding tickets written.

Dana Boyadjian – 15 Buttonwood Street said that people speed down Buttonwood Street like it is a racetrack. He agrees with hiring a part-time traffic officer to give tickets for speeders. He would like to get weight limits of trucks going through Crosswicks.

Peter Kelly – 523 Ward Avenue said that the intersection at Main Street and Church Street is very dangerous and is in favor of making Church Street one-way.

Denise Koetas-Dale – 3 Rosewood Drive stated on behalf of the Methodist Church says that parking will be an issue for the members and guests of the church if Church Street is a one-way and will be a burden on those that live on Front Street.

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

**Amending Soliciting Ordinance – No Knock List** – Mr. Sahol reported that he received a call from a resident complaining of solicitors knocking on their door. They asked if the Township can make up a list of residents that do not want knocks at their door by solicitors. Mr. Sahol suggested that the Township supplied all of the residents with a small plaque or sticker so that solicitors know not to knock on those doors.

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

Lauren Czehut – 468 Main Street on behalf of the Community Association thanked the Township Committee and the PWD for all of the help with the ball field and playground. Mr. Panfili suggested they have a table at the Harvest Festival.

Beverly Mills – 44 Chesterfield-Georgetown Rd. said that she attended the last Planning Board meeting and read a letter aloud at the meeting regarding the farm next to her home. Mr. Panfili said that he is aware of the letter and it is a Planning Board issue, however, he will make sure the Township takes care of the zoning and code issues.

Dawn Donahue – 79 Bordentown-Chesterfield Rd. said that there are other towns that have stickers in their windows for no-knock. She does not agree that Old York Village Shops should receive a tax abatement. Ms. Donahue suggests

having a 4-way stop at the intersection of Main Street and Church Street. She asked Mr. Hirsh who she needs to speak with at the County to get things done. Mr. Hirsh replied that two of the people that he was dealing with on this issue at the County are no longer there. Ms. Koetas-Dale said that the County also needs to put in a circle or round-a-bout at the intersection at Chesterfield-Crosswicks Rd and Margerum Rd.

Paul Cincotta – 15 Gallop Way asked if the Township has received their COVID relief money of \$743,000 from the state. Mr. Sahol responded yes and as soon as the Township Committee reviews their options we will decide what to do with the money. Mr. Cincotta asked how much money we received from the pipeline and what are we doing with that money. Mr. Gillespie responded that we received over \$2 million and it will be used from the impact of the pipeline such as paving roads, etc.

Bob Murphy – 173 Crosswicks-Chesterfield Rd. – Is very upset about his neighbor that rides quads on their property at all times of the day. He had contacted the police and there is nothing they can do about it. Mr. Murphy said that there is nothing addressing ATV's in our noise ordinance but there is a model noise ordinance for off road vehicles with the State of New Jersey that he would like to share with the Township Committee. He feels this ordinance will help his situation. Mr. Panfili will look at the ordinance and stop by his house. Mr. Murphy asked why OYCC is not being turned into a public golf course by Burlington County. Mr. Panfili said that Burlington County was not interested in purchasing OYCC.

Steve Hazen – 447 Main Street – Believes that the police need to write more traffic tickets in Crosswicks like they do in Allentown. He would like to ban all tractor trailers and big trucks from going through Crosswicks.

Agnus Marsala – 42 Cromwell Drive urges the Township Committee to rescind the designation of OYCC as a property in need of redevelopment.

Herb Ames – 10 Old York Road asked for an update on the intersection of Chesterfield-Crosswicks and Margerum Road. Mr. Panfili replied that there has been no update from the County. He urges everyone to call and write letters to the County. Mr. Ames asked if would help if the residents started attending the County Commissioners meetings. He would like to go as a group along with someone from the Township Committee. Ms. Koetas-Dale agreed to attend. Mr. Panfili will reach out to Ron Dancer.

Dawn Donahue – 79 Bordentown-Chesterfield Rd. Said that the next County Commissioner meetings are September 8<sup>th</sup> and 22<sup>nd</sup>. She asked if Mr. Gillespie can attend as well.

Lorrie Their – 153 Chesterfield-Crosswicks Rd. Read a letter that she sent to the Township Committee regarding the danger of tractor trailers driving through our town. The letter focused on a young couple killed in an MVA involving a tractor trailer in Illinois. She asked the Committee to rescind the ordinance for the area in need for redevelopment.

Ken Kalinowski – 102 Old York Road asks for more police presence in Crosswicks. Says that OYCC let their property get run down.

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

Mr. Panfili suggested that he and Mr. Sahol come up with a social media policy for the Township. Ms. Koetas-Dale and Mr. Russo agreed that they do that.

Ms. Koetas-Dale made a motion seconded by Mr. Russo to adjourn the meeting. All were in favor. The meeting adjourned at 9:06 PM.

Respectfully submitted,

Caryn M. Hoyer, RMC  
Municipal Clerk