

## **CHESTERFIELD TOWNSHIP REGULAR SESSION DECEMBER 29, 2022**

The Township Committee met on the above date in the Municipal Complex, 295 Bordentown-Chesterfield Road, Chesterfield, New Jersey. The meeting was called to order by Mayor Panfili at 6:30 p.m. followed by a flag salute and moment of silence.

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

### **ROLL CALL OF MEMBERS**

Present: Belinda Blazic, Denise Koetas-Dale, Jeremy Liedtka, Michael Russo and Lee Panfili

Also present: Thomas A. Sahol, Township Administrator; Rachel Fryc, Deputy Clerk; John Gillespie, Township Attorney; Joe Hirsh, Township Engineer; Michael Davison, Police Chief and Troy Ulshafer, Public Works Manager

### **OATH OF OFFICE**

Mayor Panfili administered the Oath of Office to police officers Derek Carmignani and Peter Bell.

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

### **APPROVAL OF MINUTES**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve the December 8<sup>th</sup> (regular and special) and the December 21, 2022 minutes. Voice vote – All ayes Mr. Russo abstained from the December 21<sup>st</sup> minutes.

### **PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA**

Mr. Liedtka made a motion seconded by Ms. Blazic to open the meeting to public comment. All were in favor.

Agnes Marsala, 42 Cromwell Drive urged the Township Committee to not adopt Resolution 2022-12-22 tonight.

Herb Ames, 10 Old York Road asked what Resolution 2022-12-25 is in regards to. Mayor Panfili stated we will be going into Executive Session tonight to discuss matters of personal with Chief of Police pertaining to his salary. Mr. Ames replied that Chief Davison has done a great job the past few years with the police and hopes the Township Committee does whatever they can to keep him at Chesterfield.

Hearing no further public comment, Mr. Liedtka made a motion seconded by Mr. Russo to close public comment. All were in favor.

## **ORDINANCE FOR ADOPTION**

Motion by Ms. Koetas-Dale seconded by Ms. Blazic to open the meeting to public comment on Ordinance 2022-18. Hearing no comments, Mr. Liedtka made a motion seconded by Mr. Russo to close public comment. Motion by Mr. Liedtka seconded by Ms. Blazic to adopt Ordinance 2022-18.

Roll Call: YEAS: Blazic, Koetas-Dale, Russo, Liedtka, Panfili

### **ORDINANCE 2022-18**

**AN ORDINANCE MEMORIALIZING THE SALARIES ESTABLISHED IN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWNSHIP OF CHESTERFIELD AND THE CHESTERFIELD POLICE FOP LODGE 114 EFFECTIVE JANUARY 1, 2023 THROUGH DECEMBER 31, 2026**

Motion by Ms. Koetas-Dale seconded by Ms. Blazic to open the meeting to public comment on Ordinance 2022-19. Hearing no comments, Mr. Liedtka made a motion seconded by Mr. Russo to close public comment. Motion by Mr. Liedtka seconded by Mr. Russo to adopt Ordinance 2022-19.

Roll Call: YEAS: Blazic, Koetas-Dale, Russo, Liedtka, Panfili

### **ORDINANCE 2022-19**

**AN ORDINANCE ADDING CHAPTER 155 OF THE TOWNSHIP OF CHESTERFIELD CODE CREATING LIABILITY INSURANCE REQUIREMENTS AND FORMING AN INSURANCE REGISTRY FOR BUSINESS AND RENTAL UNIT OWNERS PURSUANT TO P.L. 2002, C.92**

Motion by Mr. Liedtka seconded by Ms. Blazic to open the meeting to public comment on Ordinance 2022-20. Lorrie Thier, 40 Foulkes asked for an explanation on why we need to do an overlay. Mr. Hirsh replied that it is necessary for access to portions of the property and the adjacent residential property. Hearing no further comments, Mr. Liedtka made a motion seconded by Ms. Blazic to close public comment. Motion by Mr. Liedtka seconded by Ms. Blazic to adopt Ordinance 2022-20.

Roll Call: YEAS: Blazic, Liedtka, Panfili  
NAY: Koetas-Dale, Russo

### **ORDINANCE 2022-20**

**AN ORDINANCE TO AMEND SECTION 130-15 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, TO CREATE A NEW "OLD YORK REHABILITATION AREA SUPPLEMENTAL ACCESS OVERLAY ZONE"**

## **RESOLUTIONS**

Mayor Panfili stated that Resolutions 2022-12-24 and 2022-12-25 will be considered after closed session.

Mr. Liedtka made a motion seconded by Mr. Russo to approve Resolution 2022-12-11. Voice vote – All Ayes

**RESOLUTION 2022-12-11**                      **RESOLUTION AUTHORIZING EXECUTION OF PURCHASE AGREEMENT FOR RETAIL PLENARY DISTRIBUTION LICENSE BID IN ACCORDANCE WITH RESOLUTION 2022-10-6**

Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to approve Resolution 2022-12-19 Voice vote – All Ayes

**RESOLUTION 2022-12-19**                      **RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT ON 45 RECKLESSTOWN WAY KNOWN AS BLOCK 202.20 LOT 2**

Mr. Liedtka made a motion seconded by Mr. Russo to approve Resolution 2022-12-20. Roll Call: YEAS: Blazic, Koetas-Dale, Russo, Liedtka, Panfili

**RESOLUTION 2022-12-20**                      **RESOLUTION AUTHORIZING THE TRANSFER OF \$25,000 FROM THE 2022 CURRENT BUDGET APPROPRIATION FOR SNOW REMOVAL TO THE SNOW REMOVAL RESERVE TRUST FUND**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve Resolution 2022-12-21.

Roll Call: YEAS: Blazic, Liedtka, Panfili  
NAY: Koetas-Dale, Russo

**RESOLUTION 2022-12-21**                      **RESOLUTION SETTING FORTH REASONS FOR ADOPTION OF ORDINANCE 2022-20 SHOULD SAME BE DETERMINED TO BE EITHER NOT SUBSTANTIALLY CONSISTENT WITH THE MASTER PLAN OR NOT DESIGNED TO EFFECTUATE THE LAND USE AND HOUSING PLAN ELEMENTS OF SAME**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve Resolution 2022-12-22.

Roll Call: YEAS: Blazic, Liedtka, Panfili  
NAY: Koetas-Dale, Russo

**RESOLUTION 2022-12-22**                      **RESOLUTION CONSENTING TO THE PROPOSED TRI-COUNTY WATER QUALITY MANAGEMENT PLAN (WQMP) AMENDMENT**

Mr. Liedtka made a motion seconded by Mr. Russo to approve Resolution 2022-12-23.  
Voice vote – All Ayes

**RESOLUTION 2022-12-23                      RESOLUTON AUTHORIZING CHANGE ORDER  
#1 TO EARLE ASPHALT COMPANY RELATED  
TO THE SYKESVILLE ROAD PHASE III  
IMPROVEMENT PROJECT**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve Resolution 2022-12-24.  
Roll Call: YEAS: Blazic, Liedtka, Panfili  
NAY: Koetas-Dale, Russo

**RESOLUTION 2022-12-24                      RESOLUTION RATIFYING MODIFICATIONS TO  
REDEVELOPMENT AGREEMENT**

Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to approve the bill list.  
Voice vote – All Ayes

**REPORTS & ADMINISTRATION**

**MAYOR'S REPORT:**

Mayor Panfili mentioned a recent incident where an unregistered/unvaccinated dog bit a resident. The Mayor's concern is the Township has an obligation to make sure all dogs in town are registered and vaccinated. He asked how that is being tracked. Chief Davison replied that all records and documentation are kept at the police department and the police work closely with the Animal Control officer. Ms. Koetas-Dale suggested sending out a reminder flyer for animal registration, vaccinations and the free rabies clinic as well as posting on the Township FB and website. Mayor stated he would like the penalty for failing to comply with the code and the required yearly registration requirement raised.

Mayor Panfili asked the Township Committee if they prefer to discuss a memo that was received from Township CFO Wendy Wulstein regarding issues with the 2023 Professional's RFP's in executive or public session. Ms. Koetas-Dale stated that Matt Litt sent out an email today opposing discussing either way since the topic is not on the agenda. Mr. Gillespie said that anything can be added to the agenda and discussed in public. Mr. Liedtka stated that Ms. Wulstein is present tonight to discuss her memo. Ms. Koetas-Dale suggested discussing the memo at another meeting since it is not on the agenda. Mayor Panfili asked for a vote amongst the three returning Committee Members if they choose to discuss the memo tonight and if so in public or closed session.

Roll Call: YEAS: Blazic, Liedtka (in public session) NAY: Koetas-Dale

Mayor Panfili said the memo will be discussed under Reports and Ms. Wulstein will be present. Ms. Koetas-Dale stated she is extremely disappointed since the interviews for the Professionals were on December 7<sup>th</sup> and issues are being brought to the Committee today. She feels the Committee should have found out about any issues much sooner. Mr. Liedtka stated that two of the RFP's should have been thrown out right away and never interviewed and the RFP process needs to be updated.

## **ADMINISTRATION:**

Township CFO, Wendy Wulstein said she independently reviews all Professional RFP's as they come in. Interviews are at the discretion of the Township Committee and she has not been involved in that process. She did watch the interviews and keeps a spreadsheet on each RFP since it is a lot of information. She does not feel she did anything different with her review process this year. Ms. Koetas-Dale replied that the issue is that the Township Committee should have been told of any concerns much sooner. Mr. Liedtka stated that one of the firms that sent in an RFP for Township Attorney should have been thrown out and not interviewed. He said they were thrown out the last three years based on their RFP. Ms. Wulstein stated that until she watched the interviews she was not able to get a clear picture of the Professionals just based on their RFP. Ms. Wulstein explained that many of the submittals lacked detail as it relates to the township specifics and not until interviews were conducted did it come out what areas there were deficiencies. Ms. Koetas-Dale recommended going out for another RFP. Mr. Gillespie replied that it would be up to the 2023 Committee. Ms. Wulstein questioned if the specs would be changed and she defers to the Township Attorney that is there are no changes to the specs – would that open the town to some liability. Mr. Gillespie suggested that the Township Committee consult with the Township's conflict attorney for advice since this topic includes Parker McCay. Ms. Wulstein said that the Township may need to make temporary appointments since on January 3<sup>rd</sup> the government must operate. Ms. Wulstein expressed concern the township cannot operate without an attorney. Mr. Liedtka asked Mr. Sahol to have the conflict attorney attend the January 3<sup>rd</sup> meeting.

## **PUBLIC COMMENT**

Mr. Liedtka made a motion seconded by Ms. Blazic to open the meeting to public comment. All were in favor.

Shreekant Dhopte, 18 Donlonton Circle asked why the issues with the RFP's were not discovered until now and why Ms. Wulstein did not sit in on the interviews or receive the RFP's prior to the interviews since her knowledge is so important. Mr. Dhopte said that he is very disappointed and wants to know what a conflict attorney can and cannot do.

Sherri Dudas, 258 Cross-Ellisdale Road thanked Ms. Koetas-Dale for bringing this conversation into the light of the meeting. She was upset by the tone of the conversation and what she heard tonight. She said she felt it was unprofessional to discuss the RFP's when one of the possible vendors is present. She thanked Mr. Russo for his time and said she is disappointed and not sorry Mayor Panfili won't be representing us anymore.

Responding to Ms. Dudas' comments, Mr. Liedtka stated he believes the Township Committee has been very transparent tonight and doing such things in public and not behind closed doors is very transparent and not in secret which is an accusation that has been made against the governing body before.

Hearing no further comments, Mr. Liedtka made a motion seconded by Ms. Blazic to close public comment. All were in favor.

Mr. Liedtka thanked Mayor Panfili for his leadership on the Township Committee and the Planning Board since 2008. Ms. Blazic thanked Mayor Panfili for his leadership and for being her mentor. Both Mr. Liedtka and Ms. Blazic thanked Mr. Russo and Ms. Koetas-Dale said she enjoyed working with both Mayor Panfili and Mr. Russo.

Mayor Panfili stated that the current Chesterfield Township staff is the best he has seen on a municipal level with the time, dedication and volunteer work that each of them do. He also feels all of the Professionals do a good job and is proud of what was accomplished as a committee and does not regret any decisions that were made.

Mr. Russo thanked everyone and said it has been an honor to serve and give back to the community. He urged the residents to vote from their heart not just as a republican or democrat.

Mr. Liedtka made a motion seconded by Ms. Blazic to go into Executive Session at 7:23 pm. All were in favor. Mr. Gillespie said there are two topics to discuss and formal action may be taken.

Mr. Liedtka made a motion seconded by Ms. Blazic to go back into Regular Session at 8:32 pm. All were in favor.

Mr. Liedtka made a motion seconded by Ms. Blazic to remove Resolution 2022-12-25. Voice vote – All Ayes

**RESOLUTION 2022-12-25**

**RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING WITH TOWNSHIP CHIEF OF POLICE**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve Resolution 2022-12-24.

Roll Call: YEAS: Blazic, Liedtka, Panfili

NAY: Koetas-Dale, Russo

**RESOLUTION 2022-12-24**

**RESOLUTION RATIFYING MODIFICATIONS TO REDEVELOPMENT AGREEMENT**

Mr. Liedtka made a motion seconded by Mr. Russo to adjourn the meeting. All were in favor. Meeting adjourned at 8:34 PM.

Respectfully submitted,

Rachel Fryc, RMC  
Deputy Township Clerk