

CHESTERFIELD TOWNSHIP REGULAR SESSION July 28, 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, Michael Russo, Jeremy Liedtka, and Mayor Lee Panfili.

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

AGENDA MATTER(S) REQUIRING RECUSAL(S)

Mayor Panfili advised he will recuse himself from Ordinance 2022-12 and Ordinance 2022-16.

Mr. Liedtka stated he is not comfortable with Ordinance 2022-16 and made a motion to remove it from the agenda and discuss it at a later time seconded by Ms. Blazic.

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

APPROVAL OF MINUTES

Ms. Koetas-Dale made a motion seconded by Mr. Liedtka to approve the June 23rd and July 7th minutes. Voice vote – All ayes.

PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA

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

Agnus Marsala, 42 Cromwell Drive asked about Ordinance 2022-16 that was removed from the agenda tonight. Mayor Panfili said she is welcome to comment on Ordinance 2022-16 at the end of the meeting during public comment since it is no longer on the agenda.

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

ORDINANCES FOR INTRODUCTION

ORDINANCE 2022-13

BOND ORDINANCE AUTHORIZING THE ACQUIITION OF VARIOUS CAPITAL EQUIPMENT FOR THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$155,000 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 \$147,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Motion by Mr. Liedtka seconded by Mr. Russo to introduce Ordinance 2022-13. Voice vote – All Ayes. The public hearing for this ordinance will be at the Township Committee meeting on August 25th.

ORDINANCE 2022-14

AN ORDINANCE TO ESTABLISH SALARIES, WAGES AND COMPENSATION FOR VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF CHESTERFIELD

Motion by Mr. Liedtka seconded by Ms. Koetas-Dale to introduce Ordinance 2022-14. Voice vote – All Ayes. The public hearing for this ordinance will be at the Township Committee meeting on August 25th.

ORDINANCES FOR ADOPTION

Mayor Panfili recused himself and left the room. Deputy Mayor Liedtka took over the meeting.

ORDINANCE 2022-12

AN ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD PERMITTING THE OPERATION OF CLASS 1, 2, & 3 CANNABIS FACILITIES AS CONDITIONAL USES IN THE COMMERCIAL ZONING DISTRICT, THE OFFICE PARK ZONING DISTRICT AND THE AGRICULTURAL ZONING DISTRICT AND AMENDING CHAPTERS 87 AND 130 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD

Motion by Ms. Koetas-Dale seconded by Ms. Blazic to open the meeting to public comment on Ordinance 2022-12. Hearing no comments, Mr. Russo made a motion

seconded by Ms. Blazic to close public comment. Motion by Ms. Koetas-Dale seconded by Ms. Blazic to adopt Ordinance 2022-12.

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

RESOLUTIONS

Mayor Panfili returned to the meeting.

Mr. Russo made a motion seconded by Ms. Koetas-Dale to approve Resolution 2022-7-2. Voice vote – All Ayes

RESOLUTION 2022-7-2

RESOLUTION AUTHORIZING CANCELLATION OF TAX SALE CERTIFICATE DUE TO REDEMPTION OF SAME

Mr. Liedtka made a motion seconded by Ms. Blazic to approve Resolution 2022-7-3. Voice vote - All Ayes

RESOLUTION 2022-7-3

RESOLUTION AUTHORIZING APPROVAL FOR SUBMISSION OF A GRANT APPLICATION TO NEW JERSEY DEPARTMENT OF TRANSPORTATION, FY 2023 MUNICIPAL AID GRANT PROGRAM FOR IMPROVEMENTS TO SYKESVILLE ROAD PHASE V

Ms. Blazic made a motion seconded by Mr. Russo to approve Resolution 2022-7-4. Voice vote – All Ayes

RESOLUTION 2022-7-4

RESOLUTION AUTHORIZING RENEWAL OF INACTIVE PLENARY CONSUMPTION LICENSE NO. 0307-33-002-009

Ms. Koetas-Dale made a motion seconded by Mr. Russo to approve Resolution 2022-7-5. Voice vote – All Ayes

RESOLUTION 2022-7-5

RESOLUTION AUTHORIZING ADVERTISE- MENT FOR SEALED BIDS FOR THE PURPOSE OF FARMLAND LEASE

Mr. Russo made a motion seconded by Ms. Blazic to approve Resolution 2022-7-6. Voice vote – All Ayes

RESOLUTION 2022-7-6

RESOLUTION RESCINDING CONDITIONAL AWARD OF PLENARY RETAIL DISTRIBUTION LICENSE

TREASURERS BILL LIST

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

REPORTS & DISCUSSION

Memo from Leah Furey Bruder Redevelopment Planning – Mr. Gillespie stated that over a year ago the Township Committee started looking into the Ward Avenue corridor as an Area in Need of Redevelopment. Planner Leah Furey Bruder was hired to provide a report however communication with the state regarding the DOC property was not going anywhere. She will be attempting again to discuss with DOC the plans for the prison as their operation has reduced. Ms. Bruder provided the memo to the Township Committee basically to outline the process and provide a status report. Ms. Koetas-Dale asked why we would pay a Planner to do research on State owned property. Mr. Gillespie said it would put Chesterfield ahead of the private sector and we can go ahead with a plan. Mayor Panfili asked if there are any historical structures on that property. Mr. Gillespie stated that if and when they sell, the State will need to go to the State House Commission for permission to sell. The Township would then have the opportunity to ask for a cultural research survey in order to find out what else is there.

Stormwater Management Tier A – Joe Hirsh reported that the town received notification from DEP on July 1st of a reassignment from Tier B Classification for Storm Water to Tier A. The requirements for Tier A are significant compared to Tier B. He received a long document today of all the requirements. Some requirements are immediate and others have a 12 month lead time. He intends to go through the list with Troy and Tom to discuss feasibility and cost. Additionally, there are approximately ten ordinances that will need to be adopted by the Township Committee. Mr. Sahol suggests that the Committee speak to the Township Attorney in closed session tonight to discuss. Mr. Hirsh does not have a ball park figure of costs at this time.

REPORTS & ADMINISTRATION

Administration/Memo from Zoning Officer – Structure on Preserved Farm Block 400 Lot 3.01 – Mr. Sahol stated that this property is asking to put a structure on a TDR/preserved property. The ordinance requires this to be reviewed and approved by the Township Committee. Mayor Panfili stated the owner is looking to put a pole barn on the property. Mr. Liedtka made a motion to approve seconded by Ms. Koetas-Dale. All were in favor.

Ms. Koetas-Dale asked if we are still having the Special Meeting on August 3rd. Mr. Sahol responded yes, it has been advertised. Mr. Sahol stated the sole purpose of the meeting is the Redevelopment Plan. Ms. Koetas-Dale said she will be on vacation but will try to call or log on to the meeting.

PUBLIC COMMENT

Mr. Liedtka made a motion seconded by Ms. Blazic to open the meeting to the public. All were in favor. Mayor Panfili stated Public Comment will be limited to three minutes and everyone will have an opportunity to speak.

Agnus Marsala, 42 Cromwell Drive asked if there was any mention of raising the flood plain from the DEP. Mr. Hirsh said no he has not seen anything yet on the flood plain. She asked about the prison being an Area in Need of Redevelopment and expressed concern that loopholes in Ordinance 2022-16 allow for an Area in Need of Redevelopment which will allow for something like the OYCC project to move forward. It is her belief that the Township is planning on building warehouses on Ward Avenue once the prison is closed. She asked to instead declare it agricultural. She stated Mr. Gillespie is involved in a Mansfield lawsuit in which the developer is suing Mansfield for adopting an ordinance rejecting anymore warehouses. Ms. Marsala said that Mr. Gillespie is the attorney representing the developer. She asked that the Township stop re-zoning properties so we don't have any more warehouses.

Jacquelyn Guthrie, 452 Main Street said she has noticed a lot less speeders now with the 4-way stop on Main Street. She asked if the financials were posted on the Township Website. Mr. Sahol responded that they were posted shortly after the Township Committee reviewed them. Ms. Guthrie stated she is anti-warehouse and wants the Township Committee to share all information. Responding to Ms. Guthrie's comment about the speeders, Mayor Panfili stated that Chief Davison and the police have also made a big difference with their presence in town.

Brett Anderson, 62 Brookdale Way asked about Resolution 2022-7-4 Resolution Authorizing Renewal of Inactive Plenary Consumption License. Ms. Hoyer stated the license is being renewed as an inactive license because it has no place to land at this time. Mr. Anderson asked in regards to the storm water news, will we get street sweepers in the Village. He asked if Blacks Creek would be included in the storm water run-off requirements. Mr. Hirsh stated the creek is listed as a sub-water shed that is included. Mr. Anderson said there was no protection to Black's Creek when working on Old York Country Club and he wants to know if permitting is needed prior to the work in order to protect the creek. He asked that the Township Committee to stop pushing through Special Meetings going forwards since people have vacations scheduled.

Christie Greene, 109 Bordentown-Georgetown Rd is happy to hear there will be more discussion on Ordinance 2022-16. She does not believe warehouses belong in Chesterfield.

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

Mr. Gillespie addressed some of the comments that were publicly stated at tonight's meeting. Ms. Marsala seems to know what is in the ordinance because she stated that the ordinance that was removed from tonight's agenda has loop holes for redevelopment and rehabilitation to allow warehouses in town. She also spoke

about when the Township gets the property owned by the State on Ward Avenue. Mr. Gillespie stated that the Township is not "in line" to get that property. If the State sells, we will be able to control what goes on at the site by making it an Area in Need of Redevelopment. Mr. Gillespie said he is not representing anyone in litigation with Mansfield. He indicated that he did represent the owner of a property that secured land use approvals in 2017/2021, but he has nothing to do with litigation against Mansfield Township and that allegation is patently false.

Mr. Gillespie stated we will need an executive session to discuss potential litigation and the Tier A designation. He stated it should last about 15 minutes and formal action may be taken.

Mr. Russo made a motion seconded by Ms. Koetas-Dale to add Resolution 2022-7-7 for executive session to the agenda. All were in favor.

Mr. Liedtka made a motion seconded by Ms. Blazic to approve Resolution 2022-7-7 to go into Executive Session. All were in favor.

RESOLUTION 2022-7-7

RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

Executive Session began at 7:11 PM.

Mr. Liedtka made a motion to return to regular session at 7:26 PM. All were in favor.

Mr. Liedtka made a motion seconded by Ms. Blazic to authorize Mr. Gillespie to appeal the Tier A designation as an unfunded mandate. All were in favor.

Hearing no further comment, Mr. Liedtka made a motion seconded by Ms. Koetas-Dale to adjourn the meeting at 7:27 PM. All were in favor.

Respectfully submitted,

Caryn M. Hoyer, RMC
Township Clerk