

## **CHESTERFIELD TOWNSHIP REGULAR SESSION JANUARY 26, 2023**

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 Koetas-Dale at 7:00 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 (remote), Jeremy Liedtka, Matthew Litt (remote), Shreekant Dhopte and Denise Koetas-Dale

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

### **AGENDA MATTER(S) REQUIRING RECUSAL(S) - NONE**

### **APPROVAL OF MINUTES**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve the December 29<sup>th</sup> minutes. Voice vote – All in favor except Mr. Dhopte and Mr. Litt who abstained. Mr. Liedtka made a motion seconded by Mr. Dhopte to approve the January 3<sup>rd</sup> minutes. All were in favor except Mr. Litt who abstained.

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

Agnes Marsala, 42 Cromwell said that she did not see Ordinance 2023-1 on the website. Ms. Hoyer responded that it will not be on the website until it is introduced.

Amanda Layendecker, 106 Bordentown-Georgetown Rd stated she noticed that the speed limit on Georgetown Rd. is on tonight's agenda. She commented that Bordentown-Georgetown Rd speed limit is an issue. There is a lot of speeding and cars passing the stopped bus in front of her home.

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

### **ORDINANCES FOR INTRODUCTION**

Mr. Litt stated that he did not see an Enforcement section in the ordinance and asked if we need one. Mr. Gillespie stated there may be a clause in the current township code under "Violations & Penalties" but if not, one can be added. Mr. Litt is concerned that the "Violation & Penalty" section may specify activities that are different than this new ordinance. Mr. Gillespie will review it prior to the public hearing. Mr. Liedtka asked why there is no appeal process in the ordinance. Mr. Gillespie said one can be put under the Enforcement section. Ms. Koetas-Dale suggested introducing the ordinance as is tonight and have Mr. Gillespie make the suggested changes prior to public hearing.

Mr. Dhopte made a motion seconded by Mr. Liedtka to introduce Ordinance 2023-1. Voice vote – All in favor. The public hearing for this ordinance will be February 9<sup>th</sup>.

**ORDINANCE 2023-1**

**AN ORDINANCE TO AMEND CHAPTER 123 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD, ENTITLED “HISTORIC PRESERVATION’ AND ESTABLISHING A NEW SECTION ENTITLED “DEMOLITION BY NEGLECT; REQUIRED MAINTENANCE”**

**RESOLUTIONS**

Mr. Dhopte made a motion seconded by Mr. Litt to approve Resolution 2023-1-25.

Roll Call - YEA: Litt, Dhopte, Koetas-Dale

NAY: Blazic, Liedtka

**RESOLUTION 2023-1-25**

**RESOLUTION REJECTING ALL RFP/RFQ SUBMISSIONS FOR 2023 SOLICITOR**

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2023-1-26. All were in favor.

**RESOLUTION 2023-1-26**

**RESOLUTION AUTHORIZING THE COMPETITIVE CONTRACTING PROCESS PURSUANT TO NJSA 40A:11-4.1 TO 4.5 TO SOLICIT BIDS FOR GROUNDSKEEPING SERVICES FOR MUNICIPAL OPEN SPACE AND PARKS WITHIN OLD YORK VILLAGE**

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2023-1-26, 2023-1-27, 2023-1-28, 2023-1-29, 2023-1-30. All were in favor.

**RESOLUTION 2023-1-27**

**RESOLUTION CONTINUING AWARD OF CONTRACT TO O&M SOLUTIONS FOR SEWER SYSTEMS OPERATION AND MAINTENANCE SERVICES**

**RESOLUTION 2023-1-28**

**RESOLUTION APPONTING FINANCIAL ADVISOR FOR 2023**

**RESOLUTION 2023-1-29**

**RESOLUTION APPOINTING PLANNER FOR 2023**

**RESOLUTION 2023-1-30**

**RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DEPARTMENT OF LAW AND PUBLIC SAFETY OFFICE OF THE ATTORNEY GENERAL**

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2023-1-31. All were in favor.

**RESOLUTION 2023-1-31**                      **RESOLUTION AUTHORIZING EXECUTION OF DEVELOPER'S ESCROW AGREEMENT FOR PROPERTY LOCATED AT 404 WARD AVENUE**

Mr. Dhopte made a motion seconded by Mr. Litt to approve Resolution 2023-1-32. All were in favor.

**RESOLUTION 2023-1-32**                      **RESOLUTION OF SUPPORT AUTHORIZING THE SUBMISSION OF SUSTAINABLE JERSEY GRANT FUNDED BY PSE&G**

**RESOLUTION 2023-1-33 TABLED**

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2023-1-34. All were in favor.

**RESOLUTION 2023-1-34**                      **RESOLUTION AUTHORIZING THE EXCHANGE OF CONSTRUCTION CODE SERVICES**

Mr. Dhopte made a motion seconded by Mr. Liedtka to approve Resolution 2023-1-35. All were in favor.

**RESOLUTION 2023-1-35**                      **RESOLUTION MEMORIALIZING MAYOR APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS**

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2023-1-36. All were in favor.

**RESOLUTION 2023-1-36**                      **RESOLUTION APPOINTING MEMBERS OF VARIOUS BOARDS AND COMMISSIONS.**

**BILL LIST**

Mr. Liedtka asked to pull Vulcan Construction invoice from the bill list until Township Engineer, Joe Hirsh can give the Township Committee a report on what has been done right and what has been done wrong on the pickle ball project and how much of the invoice should be paid.

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve the bill list with the exception of the Vulcan Construction bill which was removed.  
Voice vote – All in favor.

## **REPORTS AND DISCUSSION**

### **A. Appointments – Ag Advisory Board**

Ms. Koetas-Dale stated this was already addressed in the earlier resolution.

### **B. RFQ/RFP amendments**

Ms. Blazic asked if the new language states no experience required for Township Attorney. Ms. Koetas-Dale replied that the new language states the Township Attorney must have at least 5 years' experience in municipal government or no minimum years' experience provided they are a member or employed by a NJ licensed Firm which employs attorneys that have at least 8 years of municipal law experience. She stated this will allow more flexibility in order to find the best attorney to meet the needs of Chesterfield Township. Mr. Liedtka is concerned we could get an attorney with no experience that would have to go back to an attorney at their firm with more experience for answers. Ms. Koetas-Dale said we would not hire an attorney with no experience but by writing it in the specs allows flexibility. She said it is more the quality of the person than the years of experience. Mr. Liedtka disagrees with no years of experience. Mr. Litt stated the language allows the Township Committee to use their discretion to choose the solicitor that is best for the Township by using a holistic approach not just focusing on the years of experience. Mr. Litt said that the difference between the applicants hourly rate on the highest rate vs the lowest rate was \$45.00 an hour. If calculated by the 552 legal hours consumed last year, we could save Chesterfield \$24,840.00 by using the less experienced attorney. Mr. Liedtka said if the attorney with no experience has to go back and talk to the more experienced attorney in their firm for answers, the Township could get double billed. Mr. Litt replied that would be a question for the interview. Mr. Liedtka stated this is a political decision. Mr. Litt disagreed that this is a political decision and asks that the Township Committee have some real discussions and look at the pros and cons. Ms. Blazic disagrees with no experience and stated we should expect to pay more for experienced professionals. There is a value in the experience.

Mr. Dhopte made a motion seconded by Mr. Litt to accept the new RFQ/RFP amendments.

Roll Call: AYE: Litt, Dhopte, Koetas-Dale

NAY: Blazic, Liedtka

### **C. Annual Report of the Planning Board – Blazic**

Mr. Sahol stated this is a yearly routine report from the Planning Board and he does not see anything that stands out that would cause the Township Committee to look at changing any ordinances.

### **D. Budget Advisory Committee and TC member attendance at same**

Mr. Liedtka made a motion seconded by Mr. Dhopte to appoint Brett Anderson, James Codella, Jeffrey Kolakowski and Vibhor Batra to the Budget Advisory Committee. All were in favor. Mr. Dhopte stated the Budget Advisory Committee will hold (3) meetings in the month of February that Mr. Dhopte and Mr. Liedtka will attend. The first meeting will be with

Chief Davison to go over the Police budget. The second meeting will be with the Township Auditor and the third meeting will be with Mayor Koetas-Dale. Mr. Liedtka asked that the meeting with the auditor be during public meeting. Ms. Koetas-Dale suggested the auditor be present when the Advisory Committee gives their presentation to the Township Committee. Additionally, the Budget Advisory Committee will meet on their own at the Township building.

**E. Five minute public comment period**

Mayor Koetas-Dale suggested having a clock available for those speaking at the meetings can see. Mr. Sahol is looking into options.

**F. Speed limit on Chesterfield-Georgetown Road**

Mr. Sahol stated that residents have submitted written concern about the section between Chesterfield and Georgetown. Mr. Sahol is currently working with the Township Engineer and plans to bring back recommendation to the Township Committee by late February. Additionally, Mr. Sahol will be working on the concern raised again with Chief Davison concerning Bordentown-Georgetown Road.

**G. The need for Civility in Local government Dialogue by John Gillespie**

Mr. Litt asked to table this discussion for another meeting.

**REPORTS OF ADMINISTRATION**

**A. Mayor**

**Update Recreation Survey** – Mayor Koetas-Dale reported the Township will be updating the Recreation Survey and sending it out to all residents as they did in the past. She will be working with Recreation Director, Rachel Fryc on this project and asked if anyone is interested in being on the Committee to reach out to the Township.

**Adding Recreation Liaison** – Mayor Koetas-Dale suggest she serve as a liaison and Mr. Liedtka volunteered to be the second liaison.

**B. Administration**

**Recycling Center Anticipated Closings/Extra Openings 2023** – Mr.

Sahol stated that when the Township closes the Recycling Center due to holidays, they open it up on extra days for the public. The calendar on the Township website will reflect those dates.

**Update on circle and Main Street** – Mr. Sahol reported the County is still moving forward with the requested circle at Margerum Road, Old York Road and Chesterfield-Crosswicks Road. He stated the paving of Main Street is scheduled for this spring.

## **NEW BUSINESS**

Mayor Koetas-Dale introduced Leah Furey Bruder, Township Planner and Carmella Roberts, Township Engineer.

### **A. Margaret Hickey Presentation**

She reviewed the design guideline she prepared for the Historic Preservation Commission. The intent is to help Chesterfield preserve the historic value of the homes and structures within the Villages of Chesterfield and Crosswicks. This will provide a resource for the Historic Preservation Commission and homeowners alike with improvements and maintenance for the homes. There are many photos in the document to help the homeowner identify their style of home. The main sections review preservation, restoration, reconstruction and rehabilitation. The key is to give a resource to the residents. It will also allow the HPC a resource to consistently provide reviews when reviewing applications for the certificate of appropriateness.

Mr. Dhopte asked how quickly we can provide to the public. Mr. Sahol stated it can be put on the website. Mr. Gillespie asked Ms. Hickey a few questions regarding the Secretary of the Interior Standard and how it relates to the new guidelines. Ms. Hickey stated the guideline is a supplement to the standards and is specific to the town. Mr. Gillespie asked the committee if it was ok to have a meeting with Karl Braun and Debbie Kelly. Ms. Koetas-Dale agreed and to include Ms. Hickey if needed. Ms. Hoyer stated that before this is adopted that the committee makes sure this addresses the concern specific to Chesterfield as the Secretary of the Interior Standard is still part of the ordinance. Mr. Litt stated he believes this will address the concerns specific to Chesterfield. Ms. Hickey stated the standards are very broad and the design guidelines help narrow it down to the particular community. This will offer guidance to the HPC a guideline to provide consistence in the decision making on part of the HPC. Mr. Litt asked the committee to think how we can incentivize complying with the standards. Ms. Hickey stated there are no tax incentives available. The best way to help would be on the technical side to assist in how the homeowner can address any issue. Mr. Litt asked Mr. Sahol to reach out to other towns to see if there is anything they are doing to help with compliance.

Karl Braun – 12 White Pine Road – He is the Chair of the HPC and see this guideline as a tool to help people understand what would be acceptable and helps the HPC with guidance.

Mr. Gillespie stated we might just be able to add this to the ordinance and that could be on for introduction at the February 9<sup>th</sup> meeting depending on his conversation with Debbie & Karl.

- B. Dog Ordinance Pending 2/7/23 meeting w/ PD** – Ms. Blazic stated that a resident was recently bitten by an unvaccinated and unlicensed dog in town. She would like to find a way to better enforce licensing of dogs and update the ordinance if needed. If the dog is licensed it must be vaccinated. Ms.

Blazic has scheduled a meeting on February 7<sup>th</sup> with Chief Davison and Mr. Sahol to discuss this matter.

**C. Public availability of Ordinances Resolutions in Draft Form –** Mayor Koetas-Dale suggests putting out draft copies of the resolutions and ordinances prior to all Township meetings. She would like to discuss further at the next meeting.

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

Susie Mahon, 16 Chest-Crosswicks Road said that her home is in the Historic District even though it was built in 1953. She stated that homeowner insurance can increase because of replacement cost. She stated her home is non-contributing to the historic district and should not have to comply with historic guidelines. Ms. Mahon would like to see more police presence in Crosswicks and to stop the speeding cars and cars that are passing stopped school buses.

Cindy Malison, 10 Chesterfield-Georgetown Rd. asked the Township to change the speed limit to 25 mph in all of the villages in town. The village of Chesterfield does not have sidewalks or shoulders.

Steve Hazen, 447 Main Street asked the Chief to start giving out tickets to speeders and cars that are running the stop sign in front of his house in Crosswicks. When he moved into the house 25 years ago, they were asked to put in Marvin windows. He needed to replace 18 at a cost of \$170 he could not do that. He stated if there is still an application fee to have any improvements done to his home, then he is being penalized for living in a historic district. The house on Church St wanted to move a window. Now it looks like any other house, but they were given a hard time. As for the dog, the animal can be sacrificed to determine dog has rabies or the owner should have to pay for the series of rabies shots which is about \$4,000.

Jim Codella, 470 Main Street he would not discount an attorney with 3-5 years of experience but does not want one with 0 years of experience. You need to look at their background and totality of everything. He does not want the police wasting time checking dog licensing. He would rather they enforce the speeders.

Debbie Kelly, former resident and former HPC member thanked the Township Committee for paying for the Design Standards and said they are a great tool and guideline for the Township and homeowners that live in the Historic District. She stated these guidelines are very easy for the homeowner to understand. The guidelines also allow for flexibly.

Agnes Marsala, 42 Cromwell thanked PW Director Troy Ulshafer. A snow goose hit her home and Troy had someone take it away for examination.

Sherry Dudas, 258 Crosswicks-Ellisdale Road - She stated that over ten years ago the township instituted action against them with regard to their farm at 42 Chesterfield-Georgetown Road. They went to mediation and the recommendation was that she have a traffic study done to justify the speed. The cost 10 years

ago was \$30,000. She stated she asked the Township to lower the speed and was told no and six months later the speed was reduced to 35 mph. She hopes the Township is going to do the same speed study that they would have been required to do. This is an agricultural town and Green Acres program will pay for sidewalks. There is not a lot of linear recreation opportunities in town. She would like to see sidewalks throughout the entire town.

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

### **COMMENTS FROM THE COMMITTEE**

Mr. Litt asked about the process when a Township Committee member is notified of an issue in town and wants to enforce it with the police. Mr. Liedtka stated he would contact Chief Davison directly. Ms. Koetas-Dale suggested putting any concern item on the agenda for discussion if it is not an emergent situation. Mr. Litt asked Ms. Blazic to explain the steps she took to enforce the dog bit issue. Ms. Blazic replied it was not solely because of the one dog bite but she had received complaints from residents related to licensing of cats and dogs and dogs running at large. Mr. Sahol directed Ms. Blazic to speak with Chief Davison. Ms. Blazic said she plans to review the licensing process and fees and determine if something should be changed. Mr. Litt asked Mr. Gillespie what are the next steps if something needs to be changed or enforced after the meeting between Chief Davison and Ms. Blazic. Mr. Gillespie replied that if it was within the Chief's jurisdiction, he would take care of it, if not, then it would be policy decision and/or ordinance change and come back to the Township Committee.

Mr. Liedtka made a motion seconded by Mr. Dhopte to go into Executive Session for matters related to litigation at 9:03 PM. All were in favor.

Mr. Liedtka made a motion to return to regular session at 10:15 PM. All were in favor.

Mr. Liedtka made a motion seconded by Mr. Dhopte to adjourn the meeting. All were in favor. The meeting adjourned at 10:15 PM.

Respectfully submitted,

Caryn M. Hoyer, RMC  
Township Clerk