

## **CHESTERFIELD TOWNSHIP REGULAR SESSION APRIL 27, 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 Deputy Mayor Shreekant Dhopte 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, Shreekant Dhopte, Jeremy Liedtka and Matthew Litt

Absent: Denise Koetas-Dale

Also present: Thomas A. Sahol, Township Administrator; Caryn M. Hoyer, Township Clerk; Troy Ulshafer, Public Works Director; Cameron Corini, Township Engineer, Dominic P. DiYanni, Township Attorney; Rachel Fryc, Deputy Clerk, Michael Davison, Police Chief and Wendy Wulstein, CFO.

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

### **APPROVAL OF MINUTES**

Mr. Liedtka made a motion seconded by Mr. Litt to approve the April 13<sup>th</sup> meeting minutes. All were in favor except Ms. Blazic who abstained.

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

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

### **ORDINANCE FOR INTRODUCTION**

Mr. Litt asked Mr. Sahol to explain the origins of this ordinance. Mr. Sahol stated it is statutory based on new legislation. Chief Davison agreed.

Mr. Litt made a motion seconded by Mr. Liedtka to introduce Ordinance 2023-4. All were in favor. Public hearing on the Ordinance will be at the next Township Committee meeting on May 11, 2023 at 7:00 PM.

### **ORDINANCE 2023-4**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 110 OF THE TOWNSHIP CODE ENTITLED "FEES" MOST NOTALBY, SECTION 110-115 ENTITLED "FIREARMS"**

Mr. Litt asked Mr. Sahol to explain the purpose of this ordinance. Mr. Sahol stated that Chesterfield Township adopted the model County recycling ordinance which stated that all wood waste would be accepted. Chesterfield should have opted out of the wood waste since we do not want to take wood material that may be pressure treated or contain metals, etc. The amended ordinance will take out all wood waste and allow branches and brush only. The ordinance will also allow police officers and certain Township staff to issue summons if needed in regards to illegal dumping at the recycling center.

Mr. Liedtka made a motion seconded by Mr. Litt to introduce Ordinance 2023-5. All were in favor. Public hearing on the Ordinance will be at the next Township Committee meeting on May 11, 2023 at 7:00 PM.

**ORDINANCE 2023-5                      AN ORDINANCE AMENDING CHAPTER 156  
ENTITLED “RECYCLING” OF THE CODE OF  
THE TOWNSHIP OF CHESTERFIELD**

Mr. Litt made a motion seconded by Ms. Blazic to add Ordinance 2023-6. All were in favor. Mr. Sahol stated that the Township Committee commissioned the Township Engineers office to do a traffic study and determine if the current speed limit was appropriate. The study indicated that a speed limit of 25mph is permitted vs the current 35mph.

Mr. Litt made a motion seconded by Mr. Liedtka to introduce Ordinance 2023-6. All were in favor. Public hearing on Ordinance will be at the next Township Committee meeting on May 11, 2023 at 7:00 PM.

**ORDINANCE 2023-6                      AN ORDINANCE AMENDING CHAPTER 182  
“VEHICLES AND TRAFFIC” OF THE  
CHESTERFIELD TOWNSHIP CODE FOR  
ESTABLISHING SPEED LIMITS**

**ORDINANCE FOR ADOPTION**

Mr. Litt made a motion seconded by Ms. Blazic to open the meeting to public comment on Ordinance 2023-3. All were in favor.

Brett Anderson, 62 Brookdale Way stated that the Redevelopment Plan was not posted on the website in order to be reviewed prior to the Planning Board meeting. Ms. Hoyer apologized and said that was an oversight on her part.

Hearing no further comments, Mr. Liedtka made a motion seconded by Mr. Litt to close public comment. Mr. Liedtka made a motion seconded by Mr. Litt to adopt Ordinance 2023-3. All were in favor.

**ORDINANCE 2023-3                      AN        ORDINANCE        ADOPTING        THE  
REDEVELOPMENT        PLAN,        ENTITLED  
“REDEVELOPMENT PLAN, BLOCK 105 LOT 1,  
404 WARD AVENUE” PURSUANT TO THE**

**LOCAL REDEVELOPMENT AND HOUSING  
LAW N.J.S.A 40A:132A-1 ET SEQ”**

**PUBLIC HEARING ON 2023 MUNICIPAL BUDGET**

Wendy Wulstein, Township CFO gave a presentation on the 2023 budget. She stated that of the total amount of yearly taxes paid per taxable property, Chesterfield Township only received 12.51% in 2022. She reviewed the breakdown of the taxes and stated there are no new significant surplus revenue generators like in the past. The Crestwood development of 22 homes and the Bordentown-Crosswicks area of 12 homes remain a possibility. There are commercial sites under review which could impact surplus in the future. She stated that the use of surplus continues to be carefully examined and a new multi-year projection analysis is underway. The examination includes build-out potential of the PVD zone and the corresponding reduction of added assessments that had benefitted the yearly surplus balance. She reviewed the process of preparing the budget. She acknowledged the Budget Advisory Committee (BAC) members Brett Anderson, Vibhor Bahtra, James Codella and Jeffrey Kolokowski. Their main recommendations included: 1. monitoring of Professional Bills 2. Review along with Township Committee adding DPW staff to reduce the need for outsourcing land maintenance and snow removal. 3. Review alternate options for Employee Group Health Insurance. 4. Consider timing of New Police Vehicle and/or Electric Vehicle. 5. Review outside organizations for future funding. She acknowledged that the Governing Body takes all Budget Advisory suggestions into consideration when making budget decisions. Ms. Wulstein explained the Appropriation and Levy CAPS. She stated that every year since 2005, the Township has requested a waiver of the Appropriation CAP Law. The reasons for the levy CAP is with the growing community, the town needed to increase the police department. That could not be done with the 1-2% allowable increase. The waiver is for police salary & wages and ambulance service. The waiver was approved again this year in the amount of \$780,000.00 by the Local Finance Board at their meeting on April 12<sup>th</sup>. The Township plans to address the Appropriation CAP if and when a referendum is needed for the Levy Cap. This will happen when there is not enough surplus to cover the appropriation CAP. She stated that if everything continues as is and surplus is regenerated then the CAP referendum may occur in 2025. The Township Committee remains focused on surplus to spread all increases as far apart as possible, but is also working on new items that may benefit surplus as well. Ms. Wulstein explained this budget uses \$25,956.00 more surplus than last year. The amount to be raised by taxation is \$3,484,000.00. She explained the different services and budget areas as well as shared services. Ms. Wulstein noted the outside organizations and encouraged the public to volunteer and support them. She noted some of the projects that were completed last year. They are as follows: improvements to Fenton Lane soccer fields, creation of Historic Design Guidelines, construction of tennis practice wall, hedgerow installed behind municipal building, portions of Sykesville Road paved, White Pine Road paved, police body worn cameras in service and new video/audio system in the meeting room. Future projects include: improvements to cricket field, natural wind break at volleyball courts, Natural

Resource Inventory, pickleball courts, improvements to storm water infrastructure (will be ongoing for next few years), additional aerating bubblers in basins, completion Sykesville Road paving, Fenton Lane Park – parking improvements, Olivia Way Park improvements. Ms. Wulstein stated that all future projects are considered in conjunction with grant opportunities. The 2023 proposed tax rate is 41.3 cents which is an increase of 2.04 cents over 2022. The average assessed home of \$393,319 will pay \$1,625.98 of local purpose tax. That equates to an \$85.91 annual increase to the average assessed home.

Mr. Liedtka made a motion seconded by Ms. Blazic to open the public hearing on the 2023 budget. All were in favor. Hearing no comments, Mr. Liedtka made a motion seconded by Ms. Blazic to close public hearing. All were in favor.

## **RESOLUTIONS**

Mr. Litt made a motion seconded by Mr. Liedtka to approve Resolution 2023-4-4. Voice vote - All were in favor.

### **RESOLUTION 2023-4-4                      RESOLUTION TO AMEND 2023 APPROVED MUNICIPAL BUDGET**

Mr. Liedtka made a motion seconded by Mr. Litt to approve Resolution 2023-4-5. Voice vote - All were in favor.

### **RESOLUTION 2023-4-5                      RESOLUTION AUTHORIZING THE ADOPTION OF THE 2023 MUNICIPAL BUDGET**

Mr. Liedtka made a motion seconded by Mr. Litt to approve Resolution 2023-4-6. Voice vote - All were in favor.

### **RESOLUTION 2023-4-6                      RESOLUTION RECOGNIZING ARBOR DAY CELEBRATION**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve Resolution 2023-4-7. Voice vote - All were in favor.

### **RESOLUTION 2023-4-7                      RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT ON 131 BORDENTOWN-CROSSWICKS ROAD KNOWN AS BLOCK 202.41 LOT 4 C401**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve Resolution 2023-4-8. Voice vote - All were in favor.

### **RESOLUTION 2023-4-8                      RESOLUTION AUTHORIZING TOWNSHIP ENGINEER TO SUBMIT LOCAL TRANSPORTATION PROJECT FUND GRANT APPLICATION – MARGERUM ROAD**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve Resolution 2023-4-9. Voice vote - All were in favor.

## **RESOLUTION 2023-4-9**

## **RESOLUTION AUTHORIZING THE EXCHANGE OF CONSTRUCTION CODE SERVICES WITH BORDENTOWN TOWNSHIP**

### **BILL LIST**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve the bill list. Voice vote – All in favor.

### **REPORTS & ADMINISTRATION**

#### **Mayor**

Deputy Mayor Dhopte reported that the Green Fun Fair was a success. He thanked the Green Fun Fair Committee; Roseann Greenberg, Suruchi Batra, Denise Koetas-Dale, Denise Higgins and Lorrie Thier. Additionally, Mr. Dhopte thanked SEWA volunteers and Township employees Rachel Fryc, Aggie Napoleon and Troy Ulshafer and Public Works Department.

#### **Administration**

Mr. Sahol thanked the Township Committee for their cooperation on the grant application for Margerum Road. He asked them to consider a state aid grant for the paving and widening of Waln Road. Mr. Liedtka made a motion seconded by Mr. Litt to extend the grant process to include Waln Road. All were in favor.

Mr. Sahol reported that the Burlington County Ag Department asked to host a meeting at the Township in order for local farmers to meet with them to discuss different opportunities and state regulations. Glenn McMahon and Tom Sahol will be present at the meeting. The meeting will take place sometime in late-May or June and an invite will be extended to all of the local farmers as well as our Ag Advisory Board.

Mr. Sahol reported that we received the \$75,000 storm water grant.

The Township Committee agreed to have Mr. Sahol send out a letter that he drafted to all of the residents that own grinder pumps regarding the care, maintenance and homeowners responsibilities.

**Pickleball** – Public Works Director, Troy Ulshafer reported that the pickleball court should be completed by Memorial Day. The concrete ribbon or curbing around the asphalt will be done this week, the playing surface will be done in the next couple of weeks and then the fence can be installed.

**Recycling Yard** – Troy reported there is a lot of illegal dumping at the recycling yard. He suggests putting the cardboard dumpsters behind the gate as the other recycling currently is so it will only be accessible the hours of the recycling yard. He is noticing a lot of dumping and it is costly to the town. Mr. Litt asked if we

should extend the weekend hours of the recycling yard. Troy replied that it gets more traffic during the week. Mr. Litt suggests getting community feedback on the best hours. Mr. Dhopte said the Township Committee is in agreement of having the cardboard dumpsters in the recycling yard gate and will discuss extending hours of the yard at another meeting.

**Engineer Report** – Engineer Cameron Corini reported that they will be submitting the two separate NJ DOT grant application together for Wain Road and Margerum Road. He feels this is a strong application since the roads are connected and they lead into a county road which is scheduled to receive a round-a-bout.

**Sewer Generators** – Mr. Liedtka reported that the sewer generators are at the end of their life and need to be replaced. He recommends natural gas generators and suggest the generators at the EMS & Public Works buildings be replaced as well. Mr. Liedtka suggested using the Covid relief fund for the EMS & Public Works generators and the sewer fund to pay for the sewer generators. Estimated cost is \$400,000 for the sewer generators alone. Ms. Wulstein stated that a bond ordinance will need to be done for this purchase. Ms. Blazic made a motion seconded by Mr. Liedtka to authorize the engineer to start on the analysis and specs for the two sewer utility generators. All were in favor.

#### **TNR Presentation – Blazic/Semus**

Ross Licitra, Monmouth County Commissioner & Executive Director of the Monmouth County SPCA. He stated the feral cat population can be reduced but will never completely removed. Even though they are feral they are considered domestic animals under Title 4. The trap neuter release (TNR) program works by trapping the feral cats, neuter, vaccinate, ear clip or chip and then returned back to where they come from. Mr. Licitra stated that in Monmouth County the SPCA would keep all kittens and any friendly cats to adopt out. The TNR helps the problem of over breeding. People feed the feral cats and mean well and trying to do the right thing. Something needs to be done or they will continue to breed. The average feral cat lives 3 years. Mr. Licitra estimate in the lifetime of a feral female cat, without TNR the increase in cat population will be 31,400 kittens and even if 90% die that is an increase of 3,100 cats over the course of 4 years. Mr. Dhopte asked about the financial obligation. The program they offer through Monmouth County costs \$80 per cat. The town would be responsible for half of that cost. They typically set a 100 cat cap and only charge for what is processed through the TNR program. This helps with budgeting for the town. He stated that you would need to work out the costs through Animal Control and a local vet. In Monmouth County, there is a designated officer who coordinates with many volunteers to help administer the program. Mr. Dhopte asked Mr. Sahol to look into and see if others towns are running these programs. Mr. Sahol, Ms. Blazic, Chief Davison and Detective Semus will meet again to discuss possibilities. Mr. Licitra will send Ms. Blazic the rules and regulations that they use. Mr. Litt asked about any opposition they face. Mr. Licitra stated that they should have to put up with this, that all should be euthanized. None of which have merit. It will continue to get out of control if nothing is done. There is no downside to TNR. It will require assistance from colony care givers to make the program a success. They are responsible for feeding and following rules of the program. He stated that some of the care givers

are property owners. If they are not the property owner, they must have permission from the property owner.

Mr. Litt made a motion for a five minute recess seconded by Ms. Blazic. All were in favor.

Upon returning from the recess, Mr. Liedtka made a motion seconded by Mr. Litt to open the meeting to public comment. All were in favor.

Brett Anderson, 62 Brookdale Way stated that on April 19<sup>th</sup> a resident notified some residents that there was something flowing to the Blacks Creek tributary from the Old York County Club (OYCC) property. DEP and Emergency Services were called regarding the unknown substance and responded to the property. There is still untested material near the ponds on the golf course. He stated that the neighbor of OYCC was not informed that there was any work being done to the ponds. He believes it was intentionally directed to the neighbor's property. He stated that there was a black sooty substance in the water. Some material has been collected and sent to a private lab for testing. He asked what the Township is doing in terms of looking into ordinance violations. He stated the town is not equipped to monitor this property for future development. There needs to be personnel on site to monitor activity. He stated this is a disregard for proper process to obtain permits. In addition, what else are they looking to do without proper approvals? He also stated that there is no indication if the Black House is being properly maintained.

Lorrie Thier, 40 Foulkes Lane asked about the status of the demolition by neglect ordinance. She stated that recently a photo shown on social media of the Black House shows it covered in vines. Has the HPC been given permission to tour the house to make sure it is being maintained so that it can be moved? She has concern for the fading history in this town. She asked how the township plans on handling the illegal dumping by the owners of the OYCC of silt onto the neighbor's property. She stated they are dumping water and silt into the neighboring ponds. She asked if the Township would be testing any of the material. She stated the resident whose property was dumped on was not visited by the Township representative and did not get the same respect the OYCC property owner received. She stated OYCC was cited for two violations by DEP. She stated there is a video of them dumping into the creek the following morning after notification that they needed a permit. She hopes the Township takes seriously and she is interested in what the process will be from here.

Agnes Marsala, 42 Cromwell Drive said she echoed a lot of what Mr. Anderson and Ms. Thier said. She stated all of this was done at night. The gate was locked and no one could get in. What if there was a fire? She has watched developers chop down trees late in the afternoon when she couldn't get DEP on the phone. She doesn't trust them. All the work is done at night. They are trying to prepare the property to be leveled for a warehouse. If that means going around the law that is what they will do. The fines don't matter to them compared to the money they will make. Shame on us if we don't keep an eye on them.

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

Mr. Litt suggested creating a grant subcommittee with at least two committee members. He also asked that it be made clear on the agenda that public comments are offered prior to adoption of ordinances. Ms. Hoyer replied that she will do that by indicating "Public Hearing and Adoption".

Mr. Litt asked Mr. Sahol for a further update on the April 19<sup>th</sup> incident that occurred at the property of the former OYCC. Mr. Sahol replied that when the DEP investigators complete their report, they will send a copy to the Township Clerk. Mr. Litt would like to receive a copy. Mr. Sahol indicated that it will be forwarded to the entire committee. He stated he did not go to the adjacent property that day. He stated he is the Township official referred to in public comment earlier. He stated he did not entertain a dialogue with the property owner other than he was not happy they were putting the Township in this position. DEP issued Notice of Violations for failure to obtain permits. DEP did the investigation and walked the entire site. Environmental issues are investigated by the DEP and we do not have anything in our ordinance that would address this issue. Mr. Sahol indicated he spoke with the neighboring property owners at the Green Fair and let them know that they can contact the Township with any concerns they may have. Mr. Dhopte asked about the calls made to emergency services and what the residents' concerns were. Mr. Sahol stated his understanding of what happened is that OYCC pumped water from the manmade pond for several days. They did this so they could remove sediment that was on top of the manmade basins plastic liner. The sediment was removed and placed adjacent to the pond while the pond liner was being removed.

Mr. Dhopte asked about an historical architect report on the Black House. Mr. Sahol stated the HPC and Planning Board will be reviewing. Responding to comment by Ms. Thier, Mr. Sahol explained that the HPC was given guidance on how they can gain access to the Black House. He explained the HPC simply has to give a letter to the developer to set up a date and time. To the best of his knowledge, he is not aware if the HPC has sent the letter. Mr. Litt stated he does not believe they have however it will be quite a while before the Black House is ready to move.

Ms. Blazic asked for the status about the resident requesting lighting on Waln Road. Mr. Sahol stated he sent the resident a letter which stated the conditions in the vicinity of the request and expense do not warrant additional lighting. He will send a copy of the letter to the Township Committee.

Mr. Liedtka made a motion seconded by Ms. Blazic to adjourn the meeting at 9:11 pm. All were in favor.

Respectfully submitted,



Caryn M. Hoyer, RMC  
Township Clerk