

CHESTERFIELD TOWNSHIP REGULAR SESSION SEPTEMBER 28, 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, Shreekant Dhopte, Jeremy Liedtka, Matt Litt and Denise Koetas-Dale

Also present: Thomas A. Sahol, Administrator, Caryn M. Hoyer, Township Clerk; Rachel Fryc, Deputy Clerk, Troy Ulshafer; Public Works Manager; Carmela Roberts, Township Engineer; Dominic P. DiYanni, Township Attorney and Michael Davison, Police Chief

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

APPROVAL OF MINUTES

Mr. Dhopte made a motion seconded by Ms. Blazic to approve the September 14th Regular & Executive minutes. All were in favor except Mr. Litt who abstained.

SWEARING IN OF NEW OFFICER

Police Officer Nicholas DiLissio was sworn in by Mayor Koetas-Dale.

PROCLAMATION

Mayor Koetas-Dale read a proclamation thanking SEWA for their community service and conducting the animal census for the Township.

PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA

Mr. Dhopte made a motion seconded by Mr. Litt to open the meeting to public comment. Hearing none, Ms. Blazic made a motion seconded by Mr. Dhopte to close public comment. All were in favor.

ORDINANCE FOR INTRODUCTION

Mr. Dhopte made a motion seconded by Mr. Litt to introduce Ordinance 2023-14. All were in favor. Public hearing on the Ordinance will be at the next regular Township Committee meeting on October 12, 2023 at 7:00 PM.

ORDINANCE 2023-14

A CAPITAL ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD AUTHORIZING THE APPROPRIATION OF \$80,000.00 FROM THE RECREATION FUND FOR VARIOUS PARK IMPROVEMENTS.

Mr. Dhopte made a motion seconded by Mr. Litt to introduce Ordinance 2023-15. All were in favor. Public hearing on the Ordinance will be at the next regular Township Committee meeting on October 12, 2023 at 7:00 PM.

ORDINANCE 2023-15 **A CAPITAL ORDINANCE OF THE TONWHSIP OF CHESTERFIELD AUTHORIZING THE APPROPRIATION OF \$50,000.00 FROM THE RECREATION FUND FOR PURCHASE OF 1.2+/-ACRES, KNOWN AS BLOCK 107.02 LOT 1, 120 BORDENTOWN-CROSSWICKS ROAD, CHESTRFIELD, NJ FOR RECREATIONAL PURPOSES.**

Mr. Liedtka made a motion seconded by Mr. Litt to introduce Ordinance 2023-16. All were in favor. Public hearing on the Ordinance will be at the next regular Township Committee meeting on October 12, 2023 at 7:00 PM.

ORDINANCE 2023-16 **AN ORDINANCE AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE WITH THE CREATION OF CHAPTER 168 ENTITLED "STORMWATER QUALITY PROTECTION"**

Mr. Liedtka made a motion seconded by Mr. Litt to introduce Ordinance 2023-17. All were in favor. Public hearing on the Ordinance will be at the regular Township Committee meeting on October 26, 2023 at 7:00 PM.

ORDINANCE 2023-17 **AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 130 OF THE TOWNSHIP CODE ENTITLED "LAND DEVELOPMENT", SECTION 130-75 ENTITLED "STORMWATER MANAGEMENT"**

Mr. Dhopte made a motion seconded by Mr. Litt to introduce Ordinance 2023-18. All were in favor. Public hearing on the Ordinance will be at the next regular Township Committee meeting on October 12, 2023 at 7:00 PM.

ORDINANCE 2023-18 **AN ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD ESTABLISHING CHAPTER 131 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED "LEAD-BASED PAINT INSPECTIONS"**

Mr. Liedtka made a motion seconded by Mr. Litt to introduce Ordinance 2023-19. All were in favor. Public hearing on the Ordinance will be at the next regular Township Committee meeting on October 12, 2023 at 7:00 PM.

ORDINANCE 2023-19

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 110 OF THE TOWNSHIP CODE ENTITLED "FEES" ADDING SECTION 110-125, ENTITLED "INSPECTION FEES"

Mr. Liedtka made a motion seconded by Mr. Dhopte to introduce Ordinance 2023-20. All were in favor. Public hearing on the Ordinance will be at the next regular Township Committee meeting on October 12, 2023 at 7:00 PM.

ORDINANCE 2023-20

AN ORDINANCE AUTHORIZING THE ACQUISITION OF BLOCK 107.02 LOT 1 FOR MUNICIPAL PUBLIC PURPOSES IN ACCORDANCE WITH THE LOCAL LANDS AND BUILDINGS LAW, N.J.S.A. 40A:12-1 ET SEQ.

ORDINANCE FOR PUBLIC HEARING AND ADOPTION

Mr. Liedtka made a motion seconded by Mr. Dhopte to open the meeting to public comment on Ordinance 2023-12. All were in favor. Hearing no comments, Mr. Liedtka made a motion seconded by Mr. Dhopte to close public comment. Mr. Liedtka made a motion seconded by Mr. Dhopte to adopt Ordinance 2023-12. All were in favor.

ORDINANCE 2023-12

AN ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD AUTHORIZING THE APPROPRIATION OF \$168,000.00 FROM THE RECREATION FUND FOR VARIOUS PARK IMPROVEMENTS

Mr. Liedtka made a motion seconded by Mr. Dhopte to open the meeting to public comment on Ordinance 2023-13. All were in favor. Hearing no comments, Mr. Liedtka made a motion seconded by Mr. Dhopte to close public comment. Mr. Liedtka made a motion seconded by Mr. Dhopte to adopt Ordinance 2023-13. All were in favor.

ORDINANCE 2023-13

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 130 OF THE TOWNSHIP CODE ENTITLED "LAND DEVELOPMENT", SECTION 130-83 ENTITLED "ARCHITECTURAL AND SITE DESIGN STANDARDS AND GUIDELINES APPLICABLE WITHIN THE PLANNED VILLAGE DISTRICTS", MOST NOTABLY SUBSECTION 130-83(E)(9) ENTITLED "FENCES, YARDS AND GARDENS"

RESOLUTIONS

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2023-9-17. Voice vote - All were in favor.

RESOLUTION 2023-9-17 RESOLUTION CERTIFYING COMPLIANCE WITH THE REGULATIONS PROMULGATED BY THE LOCAL FINANCE BOARD REGARDING THE 2022 MUNICIPAL AUDIT

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2023-9-18. Voice vote - All were in favor.

RESOLUTION 2023-9-18 RESOLUTION AUTHORIZING CANCELLATION OF TAXES ASSESSED TO MUNICIPAL PROPERTY

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2023-9-19. Voice vote - All were in favor.

RESOLUTION 2023-9-19 RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A:4-87 FOR SAFE & SECURE COMMUNITIES IN THE AMOUNT OF \$13,500.00 IN THE 2023 MUNICIPAL BUDGET

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2023-9-20. Voice vote - All were in favor.

RESOLUTION 2023-9-20 RESOLUTION AMENDING THE CAPITAL BUDGET

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolutions 2023-9-21. Voice vote – All were in favor.

RESOLUTION 2023-9-21 RESOLUTION OF THE TOWNSHIP OF CHESTERFIELD AMENDING SECTION 308 OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL

Mr. Liedtka made a motion seconded by Mr. Dhopte to approve Resolution 2023-9-22. All were in favor.

RESOLUTION 2023-9-22 RESOLUTION OF THE TOWNSHIP OF CHESTERFIELD ACCEPTING THE BID FOR ONE (1) NEW PLENARY RETAIL CONSUMPTION LICENSE

BILL LIST

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

REPORTS & DISCUSSION

Burl Co Farmland Preservation Acquisition Target List - Mr. Liedtka recused himself from this conversation topic. The Clerk stated that in previous years, Chesterfield has sent a letter to the County advising them that we support Farmland Preservation Program but did not want to participate because it may interfere with the TDR program. Recently developers have sent letters to the landowners regarding purchasing TDR credits and they have not been successful in obtaining credits. The Clerk stated that if the Township's goal of preserving farmland still exists, then the Township Committee should consider participating in the Burlington County Farmland Preservation Program again. If the landowners are not willing to sell credits, Burlington County has a TDR credit bank which could be utilized in the event developers need credits. The County is currently in the process of providing one credit, in ¼ credit increments, for sale as a developer is in need of a portion of a credit to complete their approved subdivision. The clerk stated the Township Committee authorized the Planner to review the TDR program and easements. The Township would have a 5% share of the cost of preserving through the Burlington County Preservation Program. Mr. Litt asked why the Township has said no to the program in the past. The Clerk explained we didn't want the farmland preservation program to interfere with the TDR program. Mr. Sahol stated if the County makes credits available it may motivate the credit holders to sell.

REPORTS OF ADMINISTRATION

Mayor – None
Administrator - None

Engineer – Stormwater.

There was discussion regarding dedicating a whole meeting to just Stormwater. Mayor Koetas-Dale stated the main reason for the discussion is to help in preparation of the budget.

Ms. Roberts stated she will provide a quick overview. The Stormwater permit for the Township moved from a Tier B to Tier A. The permit is composed of three basic components.

1. Municipal Stormwater Management Plan (MSWMP). If there are any variances granted at the Planning Board level there must be a mitigation plan.
2. Municipal Stormwater Control Ordinance (SCO). That is what is being introduced tonight. These are the new regulations as of July 2023. This makes the Township in line with the State regulations. This will affect anyone who comes before the Planning Board as a major development. A major development is the

disturbing of one acre or more or if they have ¼ acre of imperviously coverage. These will now be subject to the new Stormwater regulations.

3. Stormwater Pollution Prevention Plan (SPPP). This is a compilation of everything that the Stormwater permit requires. This includes all the Stormwater information on the webpage which must contain the ordinances and mapping. The plan will include the training that the Planning Board must complete and the education for the Governing Body and employees. This will include everything under public works and is going to be a big expense for the public works department and to be compliant with all the new requirements. She stated there was a letter dated August 18th to Mr. Sahol and recommended the Township Committee review carefully as it outlines all the requirements. The Township Committee agreed to have a special meeting for Stormwater at 6:00 p.m. prior to the October 26th meeting.

NEW BUSINESS - None

OLD BUSINESS –

Mr. Litt asked about the traffic barriers that were talked about near the Shoppes on Saddle Way. Mr. Sahol stated the developer is interested in doing the work but it would be at our expenses. He recommended this be discussed at budget time as we do not have the funds available for that expense this year. Mr. Litt stated he is not comfortable doing nothing in the meantime. Mr. Sahol stated we could look into something breakaway. Mr. Litt thinks we should do something now. He sees it all the time but primarily around lunch and dinner times. Chief Davison stated he can provide direct patrol during those times.

Mr. Litt stated that the sign on Route 528 on the field side near the school is down. Mr. Sahol stated he will contact the County.

PUBLIC COMMENT

Mr. Dhopte made a motion seconded by Ms. Blazic to open the meeting to public comment.

Mukesh Shah – 6 Colemantown Drive – Mr. Shah is concerned with the parking in the alley on Marlton Lane. When there are cars parked on both sides there is only 9' between them. Also, there is an issue with the site triangle as well because of the parked cars and the fence where there is no sidewalk. After a lot of discussion, Chief Davison stated they can enforce real time based on the motor vehicle parking laws. There is no need for an ordinance to enforce the parking laws.

Melanie Lee – OY Village Shoppes – Ms. Lee is a dentist and will be moving into the Shoppes on Saddle Way hopefully this year. She is a resident of Bordentown and just wanted to introduce herself to the committee.

Valerie Jones – 21 Buttonwood Street – Ms. Jones asked if the police, fire and employees that worked through COVID were thanked or acknowledged. She stated the Chesterfield received \$743,912 through the CARES Act and \$79,641

from DCA to compensate those employees. Mr. Sahol stated that \$79,000 was used for improvements to the municipal building to provide a separation between the public and staff. He stated that the funds must be used during the time period of 2021-2026 and the actual number is higher than \$743,912. It did not go to personnel. They were paid as part of their normal pay. He stated the Governing Body has earmarked funds for other things such as cyber security. That is just one small piece. Mr. Sahol suggested Ms. Jones meet with him and he can review everything in detail with her. Mr. Sahol stated the fire district is a separate entity and that the police officers were paid for their time. Mr. Litt asked Mr. Sahol that after he meets with Ms. Jones he would like to hear the outcome of the meeting. Ms. Jones kept asking questions regarding the COVID funds. Mayor Koetas-Dale asked Ms. Jones to sit down and meet with Mr. Sahol so that he can answer her questions and explain the funding. Ms. Jones stated she has more to discuss. Mayor Koetas-Dale asked if it is in reference to the same subject. Ms. Jones said yes. Mayor Koetas-Dale again asked Ms. Jones to meet with Mr. Sahol and he will explain in detail the funding. Ms. Jones continued to talk and ask questions. Mr. DiYanni advised Ms. Jones to finish her public comment and then sit down. This is not a debate, just make your public comment. She stated these funds were made available in June of 2021. Mr. DiYanni stated you have been advised to meet with Mr. Sahol to discuss further.

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

COMMENTS FROM THE TOWNSHIP COMMITTEE - NONE

At 8:27 PM, Mr. Dhopte made a motion seconded by Mr. Litt to approve Resolution 2023-9-23 for executive session for Attorney Client Privilege & Contract negotiations. There will be no formal action. All were in favor.

Mr. Liedtka made a motion seconded by Mr. Dhopte to return to regular session at 8:49 PM. All were in favor.

Mr. Liedtka made a motion seconded by Mr. Dhopte to adjourn the meeting. All in favor 8:49 PM.

Respectfully submitted,

Caryn M. Hoyer, RMC
Township Clerk