

July 26, 2018

The Township Committee met on the above date with Mayor Romeu calling the meeting to order at 7:00 PM. The meeting opened with the flag salute and a moment of silence. Roll call was taken showing present: Mayor Rita Romeu, Committeeman Sam Davis, Committeewoman Andrea Katz and Committeewoman Denise Koetas-Dale. Also present John Gillespie Township Attorney; Chief/Township Administrator Kyle Wilson and Joe Hirsh Township Engineer. Absent was Deputy Mayor Jeremy Liedtka.

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

AGENDA MATTER(S) REQUIRING RECUSAL(S)

None

COMMENTS FROM THE PUBLIC MATTERS ON THE AGENDA ONLY

None

CONSENT AGENDA

Ms. Koetas-Dale made a motion seconded by Ms. Katz to approve the consent agenda with the exception of the June 28, 2018 minutes which will be on the August 23rd agenda. All were in favor.

BOARD OF HEALTH

Block 900 Lot 5.02 – 632 Chesterfield-Arneytown Road – Septic Waiver for less than 100 ft. to individual wells and less than 40 ft. to property line. All adjoining property wells are encased. The well on lot 5.01 is just shy of meeting the state standard of 50' so the system will be moved slightly to the right of the property to make sure the minimum 50' to individual wells is met. Mr. Hirsh has reviewed the application and with the shift to accommodate the distance to wells, he recommends approval. Ms. Koetas-Dale made motion seconded by Ms. Katz to approve the waivers. All were in favor.

Ms. Katz made a motion seconded by Ms. Koetas-Dale to close Board of Health. All were in favor.

TOWNSHIP ENGINEER REPORT

Harker Road Phase 1 – Contractor is still waiting for access permit from Burlington County for the intersection with Chesterfield-Arneytown Road. Mr. Hirsh is trying to have the contractor begin the drainage work so that all is done and ready to be paved when permit is received from the County.

Harker Road Phase 2 – The contract is on the agenda for award this evening.

2019 NJDOT Municipal Aid Grant is due October 8th. He recommends submitting for Sykesville Road South to the Township line since this was submitted last year but denied funding. Ms. Koetas-Dale asked for a priority list from DPW. Mr. Wilson stated that he has already discussed with DPW and Mr. Lebak is working on same.

Parks Grant – the Playground is going in and DPW did all the prep work. The 2-5 structure is done and they are now working on the 5-12 structure. Ms. Koetas-Dale asked about having it marked off so not to be used until completed. Mr. Wilson stated he will make sure they improve closing off the area.

Mr. Hirsh is working with Mr. Wilson and Mr. Lebak on the DEP area and a conceptual layout for the brush & recycling area.

Mr. Hirsh is also working on the costs of the concrete work at the pavilion and cricket pitch.

Traditions is working on the punch list and paving of Saddle Way so the roadway can be opened up.

K Hov south side maintenance bond has expired however bonding company holding over because of good faith effort to have some paving sealed.

PUBLIC SAFETY REPORT

Chief Wilson reported 388 calls for the month of June.

To highlight: 15 Alarms, 10 Arrests, 1 K-9 Sniffs, 21 EMS, 4 Disputes, 2 DWI, 8 Motor Vehicle Crashes, 5 CDS, 1 Past Tense Assault

Classes: Chief & Sgt. Davison– Risk Management

Department Training: Serious/Fatal Crash Investigations/Laser Refresher

The new patrolman will be finishing up FTO by mid-August.

On another note, Mr. Wilson stated will need to have a crane here to put the weather vane on the Township Building. He asked the Township Committee about moving the monument from the old building to the front of this building and eventually have an Eagle Scout project to relocate the pavers over here as well. We could get this moved while the crane is here to put up the weather vane. The Township Committee agreed that would be a great idea.

ORDINANCES FOR INTRODUCTION - NONE

ORDINANCES FOR PUBLIC HEARING

Ms. Koetas-Dale made a motion seconded by Ms. Katz to open the public hearing on Ordinance 2018-13. All were in favor.

Shreekant Dhopte – 18 Donlonton Circle – Asked for details about why the change and what deficit it was trying to fix. Mr. Gillespie stated it was not necessarily put in place for deficit at first but the issue was raised about a fairer way to charge for the sewer usage. The Township Committee wants to capture enough to fund the deficit. There is still debt owed on the sewer installation in addition the Township reimburses DOC for improvements. DOC did improvements to the plants and wanted the Township to reimburse them 3 million dollars. We were able to negotiate down to 1.9 million. Going forward we will be responsible for 19.25% of the costs of capital improvements at the sewer plant. He asked if this will create more money coming in. Mr. Gillespie responded not necessarily, just more equitable. He recommends the rate be reevaluated after 5 quarters of receipts to make sure. Ms. Koetas-Dale stated she has a shore home and that she is charged based on water useable as well. It is fairer and we want to make sure we are not working in the red. She stated the Township Committee looked at raising the rate for everyone but then chose to base on water usage. Mr. Dhopte stated that anyone with 14,000 gallons per quarter will remain the same. Anyone under that will see a decrease. Anything above 14,000 gallons will pay an additional \$5.25 per 1,000 gallons. Ms. Katz asked about sprinklers. Mr. Hirsh stated that would be up to the homeowner to contact Aqua for an additional meter.

Dawn Donahue – 79 Bordentown-Chesterfield Rd – Stated she doesn't want tax dollars to go to this. There are a lot of things in the new development that they have that the rest of the town doesn't. She was advised the costs of the sewer utility are not on every tax payer, just those who have the sewer service.

Hearing no further comment, the public hearing was closed on a motion by Mr. Davis and second by Ms. Koetas-Dale. All were in favor.

Ms. Koetas-Dale made a motion seconded by Ms. Katz to adopt Ordinance 2018-13. Roll Call vote: Mr. Davis – yes; Ms. Katz – yes; Ms. Koetas-Dale – yes and Ms. Romeu – yes.

**TOWNSHIP OF CHESTERFIELD
ORDINANCE NO. 2018-13**

**AN ORDINANCE TO AMEND CHAPTER 216 (“SEWAGE DISPOSAL SYSTEMS”),
ARTICLE II (“SEWER USE AND USER CHARGE SYSTEM”) OF THE CODE OF THE
TOWNSHIP OF CHESTERFIELD REGARDING USER SERVICE CHARGES**

WHEREAS, the Township Committee of the Township of Chesterfield (“Township Committee”) has not adjusted service charges assessed to users of the public sanitary sewer system in the last 10 years; and

WHEREAS, the Township Committee, based on recommendations from professional staff including the Township Engineer, Auditor, and Attorney, has determined that it is necessary to review and adjust said service charges in order to

accurately and equitably assess and recover all expenses of operating the sewer system, including the costs of billing and administration, treatment of effluent, maintenance of the system, and any debt service charges; and

WHEREAS, pursuant to N.J.S.A. 40A:26A-10, rates may be set and adjusted based on any factors which the governing body shall deem proper and equitable within the region served, so long as the such rates are uniform and equitable for the same types and classes of use and service of the facilities; and

WHEREAS, the Township Committee finds it appropriate and equitable to compute the revised sewerage service charges based on a flat rate in combination with the consumption of water on or in connection with ratepayers' real property; and

WHEREAS, it is anticipated that the revised rates will go into effect as of the third quarter of 2018 (effective July 1, 2018), and will be reflected in billing invoices due on or before September 30, 2018.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington and State of New Jersey, that Chapter 216 ("Sewage Disposal Systems"), Article II ("Sewer Use and User Charge System"), Section 14 ("User charge system") of the Code of Chesterfield Township is hereby amended to state as follows [new material indicated by underline, deletions indicated by ~~strikethrough~~]:

SECTION ONE. Amended Sections.

§216-14. User charge system.

[subsections A. through D. to be remain unchanged]

E. Metered services. Sewer service charges for all ratepayers (residential and nonresidential users) serviced by a water utility are based on water usage as measured by the ratepayer's water meter. The annual charge to ratepayers with metered water service shall be calculated using the ratepayer's water meter readings as such information is provided to the Township by the water utility. Ratepayers with metered water service will be charged a minimum quarterly flat rate which will apply to all levels of water usage up to 10,000 gallons per quarter. For every additional 1,000 gallons, or any part thereof, used within a quarter, excess consumption fees will be assessed.

F. Minimum quarterly flat rate. The minimum quarterly flat rate for all ratepayers with metered water service is \$70.00.

G. Excess water consumption charge. Ratepayers with metered water service who use more than 10,000 gallons of water in a given quarter will be charged an excess consumption fee of \$5.25 for each additional 1,000 gallons, or any part thereof, used.

H. Unmetered services. The quarterly flat rate for ratepayers that utilize private wells and are not serviced by a water utility is \$96.25.

I. Senior citizens qualifying for the senior citizen tax deduction from the State of New Jersey shall receive a 15% reduction in their rate. Places of worship, not including any parsonage connection, shall be exempt.

J. The Township shall provide quarterly bills to all users of the system. Bills shall be payable within 30 days of mailing. Interest shall be charged on unpaid balances and shall become liens, collectable with the property owner's taxes, with interest accruing at

WHEREAS, Ordinance No. 2017-17 rezoned certain parcels, per the recommendation of the Planning Board, to better reflect current zoning patterns and uses and to correct zoning designations that were found to be problematic to landowners, marketability, or development of sites; and

WHEREAS, the Township Committee now desires to supplement the bulk standards relating to these recently rezoned parcels.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey as follows:

ARTICLE I.

In addition to the bulk standard requirements attached as §130 Attachment 1:7 to section 130 of the Code of the Township of Chesterfield, and referenced in § 130-32, the parcels rezoned as “C - Commercial District” by Ordinance No. 2017-17, are subject to the following standards:

Principal Permitted Use	Minimum Lot Dimensions				Minimum Yard Dimensions for Principal Building			Minimum Accessory Bldg. Setback From				Minimum Requirements			
	Min. Lot Area (sf)	Min. Lot Frontage (feet)	Min. Lot Width (feet)	Min. Lot Depth (feet)	Min. Front Yard (feet)	Min. Side Yard (feet)	Min. Rear Yard (feet)	Front Lot Line (feet)	Side Lot Line (feet)	Rear Lot Line (feet)	Principal Bldg.	Principal Bldg. Coverage	Accessory Bldg. Coverage	Paved Surface	Bldg. Height (feet)
Bar, tavern, restaurant, grocer, general store, antique sales, beauty shop, and barber	4,000	40	40	90	10	5	30	20	5	10	10	15%	3%	30%	30
Bank and office	20,000	100	100	150	50	20	50	NA	NA	NA	NA	15%	3%	30%	20
Convenience store and food market with gasoline (fuel) dispensing facilities	50,000	200	200	200	50	40	40	50	5	10	10	15%	3%	70%	30
Liquor Stores and sale of packaged alcoholic beverages	4,000	40	40	90	10	5	30	20	5	10	10	15%	3%	30%	30

NOTES

1. Minimum areas are for zoning purposes. Soil conditions and drainage conditions may dictate larger parcels than as set forth under the area and yard provisions in order to accommodate on-site wells and septic systems.
2. Lot areas and lot dimensions exclude any area for proposed widening of streets, as streets are classified in the adopted Master Plan
3. For buildings with more than one use, the minimum lot size shall be increased by 1,500 square feet for each additional use

4. For side yards, the minimum dimension per yard shall increase for wider lots in proportion to its increase above the minimum width requirement of this chapter, e.g., a sixty-foot lot is 50% larger than the minimum lot width. Therefore, each side yard would have a minimum dimension 50% higher than shown on the schedule. Also, the minimum side yard, where it is not sufficient for a driveway between the principal building and the side lot line, shall not negate the parking requirements of this chapter. The side must be designed to provide the minimum parking, which may mean that one side yard shall be larger than the minimum in order to gain access to parking lot in the rear yard.
5. All fueling pumps, including gasoline, diesel, and air pumps, and the fueling islands upon which pumps are normally located shall be set back from the street right-of-way line at least 30 feet and from any other property line at least 50 feet. A minimum space of 25 feet shall exist between any two islands and between an island and the convenience store building. Canopies covering the fueling pumps and islands shall be set back 20 feet from the street right of way.
6. Fueling pumps setback from residential uses shall be 100 feet.
7. Underground Storage Tanks greater than 1000 gallons shall be located a minimum of 100 feet from a residential or on site potable water well
8. Landscape Buffering: In addition to the standards set forth in section 130-80, where a convenience store with gasoline dispensing facilities abuts a residential use or zone, a 25 foot wide opaque planted buffer shall be installed and maintained within the convenience use required yard setback area to completely screen the convenience store with gasoline dispensing use from the adjacent residential use or zone
9. Ingress and egress shall be designed to recognize the turning movements generated. Access points shall be coordinated with the access points requires for nearby uses, frequency of intersecting side streets, minimizing left turns off collector and arterial streets and maintaining building setbacks compatible with the required setbacks and landscaping. No gasoline dispensing station shall have an entrance or exit for vehicles within 200 feet of any school, playground, church, hospital, or public building.

ARTICLE II.

The Code of the Township of Chesterfield shall be and the same is hereby supplemented at Chapter 130, "Land Development," Article II "Definitions," to add the definition of "Convenience Store" between existing terms "Contiguous Land" and

“Conventional Development,” as follows [newly added material is indicated by underlined text; deletions are indicated with ~~strikethrough~~]:

CONVENIENCE STORE

A retail business that provides the public with a convenient location to quickly purchase a variety of consumable products and services, generally food, snacks, confectionary, beverages, tobacco, and gasoline. Convenience stores typically: (1) Include a Gross Floor Area of 4000-6000 sf; (2) Have extended hours of operation including 24 hour service – 7 days a week; (3) Provide off-street parking and convenient pedestrian access; (4) Stock at least 500 stock keeping SKU's.

ARTICLE III.

The Code of the Township of Chesterfield shall be and the same is hereby amended at Chapter 130, “Land Development,” Article XII “Design and Performance Standards,” §130-49 Table B to add the below entry titled “Convenience Stores with fuel dispensing stations” above the existing entry titled “Library” as follows [newly added material is indicated by underlined text; deletions are indicated with ~~strikethrough~~]:
Convenience Stores with fuel dispensing stations 1 parking space per 150 square feet of GFA (5000 sf = ~33 spaces)

ARTICLE IV.

The Code of the Township of Chesterfield shall be and the same is hereby amended at Chapter 130, “Land Development,” Article XII “Design and Performance Standards” as follows [newly added material is indicated by underlined text; deletions are indicated with ~~strikethrough~~]:
§130-87 (B) (10)

Service stations. In addition to other permitted signs, service stations and Convenience Stores may display the following special signs:

One freestanding sign advertising the name of the station, including the company or brand name, insignia or emblem, provided that such sign shall not exceed 40 square feet on a side and be at least 20 feet from the curbline (but not in the street right-of-way) and not more than 20 feet above the ground. High rise or turnpike height signs are prohibited.

Incidental signs advertising services, trade information, credit cards, prices and information other than product advertising are permitted, provided that no one sign exceeds 16 square feet and there is no more than one such sign per street frontage and all are set back at least 20 feet from the curbline.

ARTICLE V. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

RECORD OF VOTE													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
S Davis				X			S Davis	X					
A Katz				X			A Katz	X				X	
D Koetas-Dale	X				X		D Koetas-Dale	X					X
J Liedtka	X					X	J Liedtka				X		
R Romeu	X						R Romeu	X					
X – Indicates Vote NV – Not Voting AB – Absent ORD – Motion SEC - Seconded													

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Mr. Davis made a motion seconded by Ms. Katz to open the public hearing for Ordinance 2018-16. All were in favor. Ms. Katz asked if this would replace some benches in town as well. Mr. Wilson stated that if there are additional funds after the completion of the projects that could fall under this ordinance. If we need additional funds, they could be appropriated in the future. Hearing no other comments, Ms. Katz made a motion seconded by Ms. Koetas-Dale to close the public hearing. All were in favor. Ms. Koetas-Dale made a motion seconded by Ms. Katz to adopt Ordinance 2018-16. Roll call vote: Mr. Davis – yes; Ms. Katz – yes; Ms. Koetas-Dale – yes and Ms. Romeu – yes. Motion carries.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE 2018-16**

**A CAPITAL ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD AUTHORIZING  
THE APPROPRIATION OF \$ 30,000 FROM THE RECREATION FUND**

**BE IT ORDAINED** by the Township Committee of the Township of Chesterfield as follows:

SECTION 1. There is hereby approved as a capital project within the Township of Chesterfield, but not limited to, improvements for a cricket pitch, completion of gazebo project and picnic benches not to exceed \$30,000.00.

SECTION 2. There is hereby appropriated from the Chesterfield Township Recreation Fund the sum of \$ 30,000.00 to cover the cost of the projects described in Section 1.

SECTION 3. This ordinance shall take effect upon final adoption and publication in accordance with the law.

SECTION 4. The Recreation Fund of the Township of Chesterfield is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as

approved by the Director of Local Government Services is on file with the Clerk of the Township and is available for public inspection.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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Introduced: June 28, 2018
 Adopted: July 26, 2018

RECORD OF VOTE													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
S Davis				X			S Davis	X					
A Katz				X			A Katz	X					X
D Koetas-Dale	X						D Koetas-Dale	X				X	
J Liedtka	X				X		J Liedtka				X		
R Romeu	X					X	R Romeu	X					
X – Indicates Vote NV – Not Voting AB – Absent ORD – Motion SEC - Seconded													

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Ms. Katz made a motion seconded by Ms. Koetas-Dale to open the public hearing on Ordinance 2018-17. All were in favor. Hearing no public comment, Mr. Davis made a motion seconded by Ms. Katz to close the public hearing. All were in favor. Ms. Koetas-Dale made a motion seconded by Ms. Katz to adopt Ordinance 2018-17. All were in favor.

**CHESTERFIELD TOWNSHIP  
 ORDINANCE 2018-17**

**AMENDING CHAPTER 110-30 GOVERNING LAND DEVELOPMENT FEES  
 AND CHAPTER 130-111 GOVERNING PROFESSIONAL REVIEW FEES**

**WHEREAS**, the Township Code of the Township of Chesterfield has existing provisions in Chapter 110 governing “Fees” and Chapter 130 governing “Land Development” that govern fees and escrows charged for development application and review; and

**WHEREAS**, the Township desires to amend those provisions to be consistent and to establish for an architectural review fee when attendant to a zoning permit application.

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, that the Land Use Code of the Township of Chesterfield is hereby amended as follows:

Section 1. Chapter 110 governing “Fees” at section 130 governing “Land Development” fees, is hereby amended as follows:

§ 110-130. Land Development.

The following shall be the required submission fees and escrow sums to be deposited at the time a formal application for development or other relief under Chapter 130 is filed:

R. Architectural review fees. The following fees shall be paid in addition to applicable construction code fees at the time of application for a building permit for the construction of houses in Old York Village to determine that the exterior elevations and materials have been approved by the Planning Board and the proposed application meets the "anti-look-alike" standards of Chapter 130: \$60 per building. The following fees shall be paid for architectural review attendant to a zoning permit application: \$100.

Section 2. Chapter 130 governing “Fees” at section 111 governing “Professional review fees” is hereby amended as follows:

§ 130-111 Professional review fees.

Professional review fees shall be governed by and are set forth at Chapter 110-130 governing “Land Development” Fees~~shall be established annually by resolution of the Approving Authority~~, which amount shall be in conformity with the provisions of N.J.S.A. 40:55D-53.2, Subdivision a.

Section 3. Inconsistency. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, section, paragraph, or sentence or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Effective Date. This ordinance shall take effect immediately upon final passage and publication thereof according to law.

Introduced: June 28, 2018

Adopted: July 26, 2018

| RECORD OF VOTE                                                                         |     |     |    |    |     |     |               |     |     |    |    |     |     |
|----------------------------------------------------------------------------------------|-----|-----|----|----|-----|-----|---------------|-----|-----|----|----|-----|-----|
| INTRODUCTION                                                                           |     |     |    |    |     |     | ADOPTION      |     |     |    |    |     |     |
| TWP COMMITTEE                                                                          | AYE | NAY | NV | AB | ORD | SEC | TWP COMMITTEE | AYE | NAY | NV | AB | ORD | SEC |
| S Davis                                                                                |     |     |    | X  |     |     | S Davis       | X   |     |    |    |     |     |
| A Katz                                                                                 |     |     |    | X  |     |     | A Katz        | X   |     |    |    |     | X   |
| D Koetas-Dale                                                                          | X   |     |    |    | X   |     | D Koetas-Dale | X   |     |    |    | X   |     |
| J Liedtka                                                                              | X   |     |    |    |     | X   | J Liedtka     |     |     |    | X  |     |     |
| R Romeu                                                                                | X   |     |    |    |     |     | R Romeu       | X   |     |    |    |     |     |
| X – Indicates Vote    NV – Not Voting    AB – Absent    ORD – Motion    SEC - Seconded |     |     |    |    |     |     |               |     |     |    |    |     |     |



Ms. Katz made a motion seconded by Ms. Koetas-Dale to approve Resolution 2018-7-1. All were in favor.

**RESOLUTION 2018-7-1**

**RESOLUTION AWARDING CONTRACT FOR HARKER ROAD PHASE II PAVING PROJECT TO GERALD A. BARETT, LLC**

**WHEREAS**, the Township Committee has recently solicited bids for the second phase of paving Harker Road; and

**WHEREAS**, five (5) bids were received and opened on Tuesday, June 5, 2018 by the Township Engineer and Township Clerk; and

**WHEREAS**, the Township Engineer recommends awarding the Base Bid plus Alternate Bid #1 and the Governing Body has reviewed said bids and find that the specifications meet the needs of the municipality with regards to this contract, and the Township Solicitor has reviewed the bids as to form, content and legal sufficiency; and

**WHEREAS**, Gerald A. Barrett, LLC. Has submitted the lowest responsible bid in the amount of \$189,615.50; and

**WHEREAS**, the Finance Officer has certified that funds are available to award this contract;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey that the contract for the second phase of paving Harker Road be and the same is hereby awarded to Gerald A. Barrett, LLC. at the submitted contract price of \$189,615.50.

**BE IT FUTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the documents on behalf of the Township Committee to complete the Harker Road Phase II Paving Project.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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Ms. Katz stated the language is a little murky in the last paragraph of Resolution 7-2 and slightly different from the one ANJEC is proposing. Ms. Romeu stated that the intent of both versions is the same, to ban plastic bags. She stated she spoke with members of the Environmental Commission and they are in favor of the resolution as presented tonight. Ms. Katz stated ANJEC would like the Governor to conditionally veto to have fees go back to the communities.

Ms. Koetas-Dale made a motion seconded by Ms. Katz to adopt Resolution 2018-7-2. All were in favor.

RESOLUTION 2018-7-2

RESOLUTION PLEDGING MUNICIPAL SUPPORT FOR NEW JERSEY'S COMPREHENSIVE BAG POLICY

WHEREAS, on average, one person uses 500 single-use disposable bags per year, 4 billion single use shopping bags are used annually in New Jersey and 102 billion are used nationwide; and,

WHEREAS, windblown plastic bags degrade our land and waterways, and 80% of the plastic and trash that finds its way into our oceans comes from the land; and,

WHEREAS, 12 million barrels of oil are used annually to make the plastic bags that Americans use; and,

WHEREAS, according to EPA, seabirds, fish, and other marine and land-based animals mistake plastic for food, while others can become entangled in the trash, leading to exhaustion, starvation, and eventual death; and,

WHEREAS, plastic breaks down into microplastics that measure 5 millimeters or less, which are ingested by shrimp, plankton, fish, birds, turtles, and other sea animals. Microplastics absorb toxic chemicals, harms marine life, and can be consumed by humans via seafood and potable water; and,

WHEREAS, it is beyond dispute that the use of single-use, plastic carryout bags has a severe and negative environmental impact on the local and global environment as a result of the greenhouse gas emissions emitted to produce such bags, the land-based and ocean-based pollution created, the hazards posed to wildlife, the hazards posed to sources of water for humans, and the negative impact on the ecosystem and food chain as a whole; and,

WHEREAS, very few single-use carryout bags are actually recycled (it is estimated that less than 5% of all plastic bags are actually recycled and some estimates are as low as 1%); and,

WHEREAS, the Chesterfield Township taxpayers currently bear the costs associated with the negative effects of plastic, single-use carryout bags on the solid waste stream, drainage, litter, and the negative consequences of the foregoing environmental impacts; and,

NOW THEREFORE BE IT RESOLVED, the Township of Chesterfield supports Governor Murphy's ban on all thin, film plastic bags with a fee on reusable and recycled paper bags.

CHESTERFIELD TOWNSHIP COMMITTEE

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Mr. Davis made a motion seconded by Ms. Katz to adopt Resolution 2018-7-3. Ms. Koetas-Dale asked for more explanation. It was explained this included the additional wired & wireless microphones as well as the additional and upgraded equipment to be able to utilize all microphones at one time. All were in favor.

**RESOLUTION 2018-7-3**

**RESOLUTION OF THE TOWNSHIP OF CHESTERFIELD  
AUTHORIZING CHANGE ORDERS FOR THE MUNICIPAL COMPLEX**

**WHEREAS**, The Township of Chesterfield awarded a contract to Eagle Construction Services Inc. in the amount of \$5,459,514.00 for new Municipal Complex; and

**WHEREAS**, the Township of Chesterfield previously approved Resolutions for change orders increasing the contract amount to \$5,906,191.44

**WHEREAS**, the Contractor has provided change orders as follows:

|                                                                                                  |             |
|--------------------------------------------------------------------------------------------------|-------------|
| Additional microphones (5) and expand/upgrade mixer/processor to accommodate when all are in use | \$11,525.00 |
|--------------------------------------------------------------------------------------------------|-------------|

**WHEREAS**, the change orders reflect a change of \$11,525.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield that the Township Committee of Chesterfield Township hereby approves the Change Orders and consequently amends the contract with Eagle Construction Services Inc. to a revised contract amount of \$5,917,716.44.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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Ms. Koetas-Dale made a motion seconded by Ms. Katz to adopt Resolutions 2018-7-4 & 2018-7-5. All were in favor.

RESOLUTION 2018-7-4

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT
RENEWING MEMBERSHIP IN THE BURLINGTON COUNTY
MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, Chesterfield Township (hereinafter the "MUNICIPALITY") is a member of the Burlington County Municipal Joint Insurance Fund (hereinafter the "FUND"); and

WHEREAS, the MUNICIPALITY'S membership terminates as of January 1, 2019 unless earlier renewed by a Contract between the MUNICIPALITY and the FUND; and

WHEREAS, N.J.S.A. 40A:11-5 (1) (m) provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the subject matter is for the purchase of insurance coverage and consultant services, provided that the award is in accordance with the requirements for extraordinary unspecifiable services; and

WHEREAS, N.J.S.A. 40A:11-6.1(b) provides that the MUNICIPALITY shall make a documented effort to secure competitive quotations; however, a Contract may be awarded upon a determination, in writing, that the solicitation of competitive quotations is impracticable; and

WHEREAS, in accordance with N.J.A.C. 5:34-2.3, a designated official of the MUNICIPALITY, has filed a certificate with the governing body describing in detail, as set forth below in this Resolution, why this Contract meets the provisions of the statutes and the regulations and why the solicitation of competitive quotations is impracticable; and

WHEREAS, it has been determined that the purchase of insurance coverage and insurance consultant services by the MUNICIPALITY requires a unique knowledge and understanding of municipal exposures and risks associated with the operation of a municipal entity, and many insurance professionals are not qualified to assess these risks and exposures based upon their inherent complexity; and

WHEREAS, insurance coverage for municipal entities can vary greatly in the type, limits, and exceptions to coverage, and therefore particularized expertise in determining and obtaining the appropriate coverage is required to protect the MUNICIPALITY; and

WHEREAS, it is the goal of the MUNICIPALITY to obtain a single integrated program to provide all types of insurance coverage with a plan to limit the MUNICIPALITIES exposure; and

WHEREAS, the FUND has provided comprehensive insurance coverage to member municipalities since 1991; and

WHEREAS, since 1991, the Fund has continually refined all of the types of coverage that it provides to its members so that it offers comprehensive insurance coverage and limits to all members that is unique and cannot be purchased from a single entity in the commercial insurance market; and

WHEREAS, the FUND has also developed and made available to its members Safety, Risk Management, and Litigation Management programs that address the specific exposures and risks associated with municipal entities; and

WHEREAS, the FUND provides the MUNICIPALITY with Fund Administration, Claims Review, Claims Processing, Claims Administration, Actuarial, and Legal services; and

WHEREAS, the FUND is one of the most financially sound Municipal Joint Insurance Funds in New Jersey, and the FUND operates with strong fiscal controls, member oversight, and meets all of the requirements promulgated by the New Jersey Department of Community Affairs and the Department of Banking and Insurance; and

WHEREAS, as an existing member of the FUND, the MUNICIPALITY would be renewing its membership in an organization with experienced and dedicated FUND Professionals who provide specialized services to the members; and

WHEREAS, the membership of the FUND includes many neighboring municipalities that have uniquely similar exposures to the MUNICIPALITY, and with whom the MUNICIPALITY has existing inter-local arrangements; and

WHEREAS, all of the aforementioned factors categorize the award of this Contract as an “extraordinary, unspecifiable service” that cannot be duplicated, accounted for, accurately detailed, or described in a manner that truly depicts the value of the MUNICIPALITY’S membership in the FUND; and

WHEREAS, for all of the aforementioned reasons, it is impracticable for the MUNICIPALITY to seek competitive quotations for a Contract to provide the procurement of insurance coverage and consultant services; and

WHEREAS, the FUND has been organized pursuant to N.J.S.A. 40A:10-36 et seq., and as such is an agency of the municipalities that created it; and

WHEREAS, N.J.S.A. 40A:11-5(2) also provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the Contract is entered into with a municipality or any board, body, officer, agency or authority thereof; and

WHEREAS, the FUND meets the definition of an agency as set forth in N.J.S.A. 40A:11-5(2); and

WHEREAS, for all of the aforementioned reasons, the MUNICIPALITY desires to enter into a Contract to renew its membership with the FUND for a period of three (3) years, for insurance coverage and consultant services, as an exception to the public bidding requirements of the Local Public Contracts Law.

NOW THEREFORE, BE IT RESOLVED by the governing body of the MUNICIPALITY as follows:

1. The MUNICIPALITY agrees to renew its membership in the FUND and to be subject to the Bylaws, Rules and Regulations, coverages, and operating

procedures thereof as presently existing or as modified from time to time by lawful act of the FUND.

2. The Mayor and Clerk of the MUNICIPALITY shall be and hereby are authorized to execute the "Contract to Renew Membership" annexed hereto and made a part hereof and to deliver same to the FUND evidencing the MUNICIPALITY'S renewal of its membership.
3. In accordance with N.J.A.C. 5:34-2.3, the certificate of a designated official of the MUNICIPALITY, which details why the solicitation of competitive quotations is impracticable, is attached hereto and made a part of this Resolution.
4. The Clerk of the MUNICIPALITY is authorized and directed to place a notice of the adoption of this Resolution and the award of this Contract in the official newspaper of the MUNICIPALITY.

CHESTERFIELD TOWNSHIP COMMITTEE

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**RESOLUTION 2018-7-5**

**A RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF CHESTERFIELD ADOPTING THE FORM OF THE NEW JERSEY TORT CLAIMS ACT QUESTIONNAIRE REQUIRED TO BE UTILIZED BY CLAIMANTS FOR THE FILING OF NOTICES OF TORT CLAIM AGAINST THE TOWNSHIP OF CHESTERFIELD IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY TORT CLAIMS ACT, N.J.S.A. 59:8-6 AND DESIGNATING QUAL-LYNX AS THE AGENT FOR THE TOWNSHIP OF CHESTERFIELD TO PROVIDE THE QUESTIONNAIRE TO ALL OF THE CLAIMANTS AND TO RECEIVE THE COMPLETED QUESTIONNAIRE FROM THE CLAIMANTS.**

**WHEREAS**, the New Jersey Tort Claims Act, specifically *N.J.S.A. 59:8-6*, provides that a public entity may adopt a form specifying information to be contained in claims filed against a public entity or its employee under the New Jersey Tort Claims Act; and

**WHEREAS**, the Township of Chesterfield is a public entity as defined in New Jersey Claims Act; and

**WHEREAS**, the Township of Chesterfield has determined that it is advisable, necessary and in the public interest to adopt a form Tort Claims Act Questionnaire in the form attached hereto and made a part of this Resolution; and

**WHEREAS**, the Township of Chesterfield has determined that it is in their best interest to designate the Claims Administrator for the Burlington County Municipal Joint Insurance Fund (BURLCOJIF), Qual-Lynx, as their agent to provide the Tort Claims Act Questionnaire to all of the Claimants and to receive the completed Questionnaire from the Claimants.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Chesterfield, assembled at a public session on this 26th day of July 2018, that the attached form of Tort Claims Act Questionnaire be and it is hereby adopted as the official Tort Claim Act Questionnaire in accordance with *N.J.S.A. 59:8-6* for the Township of Chesterfield; and

**BE IT FURTHER RESOLVED**, that all persons making claims against the Township of Chesterfield, in accordance with the New Jersey Tort Claims Act, *N.J.S.A. 59:8-1, et seq.*, shall be required to complete the Questionnaire which is attached as a condition of compliance with the notice requirements of the New Jersey Tort Claims Act.

**BE IT FURTHER RESOLVED**, that Qual-Lynx, the Claims Administrator for the Burlington County Municipal Joint Insurance Fund (BURLCOJIF) be and they are hereby designated as the agent for the Township of Chesterfield to provide the Tort Claims Act Questionnaire to all Claimants and to receive the completed Questionnaire from the Claimants.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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Ms. Katz made a motion seconded by Ms. Koetas-Dale to add Resolution 2018-7-6. All were in favor. Ms. Katz made a motion seconded by Ms. Koetas-Dale to adopt Resolution 2018-7-6. All were in favor.

RESOLUTION 2018-7-6

RESOLUTION APPOINTING TOWNSHIP ADMINISTRATOR AND ESTABLISHING 2018 SALARY

WHEREAS, the Township of Chesterfield has adopted Ordinance 2018-6 setting the salaries for officials and employees of the Township of Chesterfield for the year 2018; and

WHEREAS, the Salary Ordinance was amended by Ordinance 2018-18; and

WHEREAS, the salary for the Township Administrator, Kyle Wilson is listed as a salary range; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey, hereby establish the Township Administrator salary for 2018 as \$25,000.00.

BE IT FURTHER RESOLVED, that this salary shall be effective and retroactive to June 24, 2018 as the date of hire.

CHESTERFIELD TOWNSHIP COMMITTEE

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### Discussion

Improvements at Public Works – Mr. Wilson stated that he is working with Mr. Hirsh and Mr. Lebak regarding the complaints about the DPW site. Mr. Hirsh has worked up some conceptual drawings and needs to confirm them with Mr. Lebak and then he will make a presentation to the Township Committee. The front part of the yard where the recycling and brush are located will be gated. Mr. Lebak has taken great steps in getting the rear of the yard cleared.

Ms. Koetas-Dale asked about the oil recycling as it always seems full. She was advised once we call to have picked up we are put on a list.

Sidewalks – Mr. Hirsh stated that he will look to include in the next parks grant since this is along the recreation area. He estimated the cost at \$25,000 - \$30,000.

Black Smith Shop – Ms. Koetas-Dale asked Mr. Wilson about where the property line is as people have been asking about saving the Blacksmith Shop. She stated the owner of the property had suggested to the Historical Commission that they can move the building. The Historic Commission suggested she ask the Township if they would like to have it. Mr. Wilson stated there are concerns about moving because there is no floor to hold it all together. He will follow up with the owner. He asked what the intent of the building would be. Ms. Koetas-Dale stated we would want to keep because of the historic value.

### Payment of Bills

Ms. Koetas-Dale made a motion seconded by Ms. Katz to approve the bill list. All were in favor.

### Comments to the Public and Committee

Ms. Koetas-Dale made a motion seconded by Ms. Katz to open the meeting for public comment.

Laura Bond – 1 Chilton Drive – She stated the Township has a new school and new Township building and need to know where we are going. The history and heritage of this town should be preserved. She stated the Township needs a strategic grown plan to find ratables and the Township need to have sustainable economic growth or we will need to consider consolidation.

Hearing no further comment, Ms. Katz made a motion seconded by Ms. Koetas-Dale to close public comment and go into Executive Session at 8:14 PM. All were in favor.

**RESOLUTION 2018-7-7**

**A 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**

**WHEREAS**, the Township Committee of the Township of Chesterfield is subject to certain requirements of the Open Public Meetings Act, NJSA 10:4-6, et. seq.; and

**WHEREAS**, the Open Public Meetings Act, NJSA 10:4-12 provides that an Executive Session not open to the public may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Committee of the Township of Chesterfield to discuss, in a session not open to the public, certain matters relating to the item or items authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Committee of the Township of Chesterfield to discuss, in a session not open to the public, certain matters relating to the item or items authorized by NJSA 10:4-12b and designated below:

- Matters required by law to be confidential.
- Matters where the release of information would impair the right to receive funds.
- Matters involving individual privacy.
- Matters relating to collective bargaining agreements.
- Matters relating to the purchase, lease, or acquisition of real property or the investment of public funds.
- Matters relating to public safety and property.
- Matters relating to litigation, negotiations and the attorney-client privilege.
- Matters relating to the employment relationship.
- Matters relating to the potential imposition of a penalty.
- Matters relating to deliberations on administrative and/or quasi-judicial matters.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, assembled in public session on July 26, 2018 that an Executive Session closed to the public shall be held at 8:14 PM in the Chesterfield Township Municipal Building for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

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Returned to regular session at 8:39 pm.

With no further comment Ms. Katz made a motion seconded by Ms. Koetas-Dale to adjourn the meeting. All were in favor. The meeting adjourned at 8:40 PM

Respectfully submitted,

Caryn M. Hoyer, RMC
Municipal Clerk