

**December 9, 2021**

The Township Committee met on the above date with Deputy Mayor Lido Panfili 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: Deputy Mayor Lido Panfili, Committeemen Shreekant Dhopte and Michael Russo and Committeewoman Denise Koetas-Dale. Also present Administrator, Tom Sahol; Township Clerk, Caryn Hoyer; Sergeant Michael Davison; Township Attorney, George Morris and Township Engineer, Joe Hirsh. Mayor Jeremy Liedtka was not present.

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

**AGENDA MATTER(S) REQUIRING RECUSAL(S)** – None

**APPROVAL OF MINUTES** – Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve the November 10<sup>th</sup> minutes. All were in favor except Mr. Russo who abstained.

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

Henry Krzewinski 10 Front Street asked that the Township Committee suspends the Herman Liedtka permits until we get an additional approval because he believe two committee members have a conflict and shouldn't vote on the matter.

Dawn Donahue 79 Bordentown-Chesterfield Road believes that if the paperwork for the Liedtka permits is in order then the permits should be approved. By not passing the resolutions it is shutting down the business. She asked to put all personal issues aside. Ms. Koetas-Dale replied that she asked for the resolutions to be tabled so that she had time to review them prior to adopting them since their were put on the agenda at the last minute.

Herb Ames 10 Old York Road stated that it did seem like it was political by tabling the Herman Liedtka resolutions. He asked the Township Committee to work with the staff better and if there is a last minute add to the agenda to try to work with that. Ms. Koetas-Dale replied that it was not political. Mr. Dhopte replied that by the time the resolutions were presented to the Township Committee the permits were already expired. His intention was not to shut down the business by tabling the resolutions.

Valerie Jones 21 Buttonwood agreed with Mr. Ames. She said it is not right to attack someone's business.

Lori Thier 153 Chesterfield-Crosswicks Road thanked Ms. Koetas-Dale and Mr. Dhopte for not adopting resolutions 2021-11-8 & 2021-11-9 since they did not have enough time to review them. Ms. Their stated that Mr. Gillespie is the one that made it political by accusing Ms. Koetas-Dale and Mr. Dhopte of shutting down a business that was already working on an expired permit. She would like to know why the Mayor's business gets special attention.

Dawn Donahue 79 Bordentown-Chesterfield Rd asked if the paperwork for the permit was put in on time. Ms. Hoyer replied the Township had an issue getting an outside engineer and that was the delay in getting the report back from the engineer for approval. Mr. Dhopte said that he did not have the impression that Herman Liedtka would be shut down by the tabling of the resolutions.

Brett Anderson 62 Brookdale Way said that he wrote a letter that he plans to email to the Township Committee based on what happened at the last meeting. He asks that the Township Committee have a blanket policy going forward that if something comes up last minute they need to wait 30 days prior to adding it to the agenda in order to give the Township Committee time to review prior to voting. This will also remove any political aspects. He felt that at the last meeting Mr. Gillespie was representing Mayor Liedtka's business. Herman Liedtka should have their own representation instead of relying on Mr. Gillespie. Mr. Anderson feels that Mr. Gillespie sealed the situation by his comments and Mr. Anderson hopes that does not happen again in the future.

Agnus Marsala 42 Cromwell Drive asked if the Township solicitor will be deducting the time he spent advocating for the business owner at the last meeting regarding Resolutions 2021-11-8 and 2021-11-9. She also asked for clarification on Resolution 2021-12-4 regarding who the donations are coming from. Mr. Sahol explained.

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to close public comment for matters appearing on the agenda. All were in favor.

### **ORDINANCE FOR INTRODUCTION**

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to introduce Ordinance 2021-21. All were in favor. The public hearing for this ordinance will be at the Township Committee meeting of December 30<sup>th</sup>. Mr. Dhopte asked how the residents will be made aware of the new rules. Mr. Sahol responded there will be signage to discourage them.

## **TOWNSHIP OF CHESTERFIELD ORDINANCE NO. 2021-21**

### **AN ORDINANCE TO AMEND CHAPTER 146 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD, ENTITLED "PARKS AND RECREATIONAL AREAS," TO ADD SECTION 146-1.12, ENTITLED "RECREATIONAL ACTIVITIES PROHIBITED," AND TO AMEND SECTION 145-5, ENTITLED "ENFORCEMENT."**

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

**ARTICLE I.** Chapter 146 of the Code of the Township of Chesterfield is amended to add § 1.12, entitled "Recreational activities prohibited." Section 1.12 shall read as follows:

"§ 146-1.12 Recreational activities prohibited.

- “A. All recreational activities are prohibited in or in close proximity to the following, as defined by § 130-4 of the Code of the Township of Chesterfield:
  - (1) Detention basins.
  - (2) Retention basins.
  - (3) Stormwater management basins.
- “B. Prohibited recreational activities include, but are not limited to, boating, sunbathing, fishing, hunting, and swimming. No permits shall be issued for any recreational activities in the prohibited areas listed in Subsection A of this Section.
- “C. Any area in which all recreational activities are prohibited shall be marked with a prominently placed sign that reads “NO RECREATIONAL ACTIVITY PERMITTED.”
- “D. Enforcement of this Section shall comply with § 146-5(D) of the Code of the Township of Chesterfield.
- “E. Any person or persons violating this Section shall be subject to the penalties provided in § 146-6 of the Code of the Township of Chesterfield.
- “F. This section does not apply to recreation ponds, defined and governed by § 166-11 of the Code of the Township of Chesterfield.”

**ARTICLE II.** Section 146-5 of the Code of the Township of Chesterfield, entitled “Enforcement,” is amended to add Subsection D. Subsection D shall to read as follows:

- “D. Pursuant to Section 1.12 of this chapter, police officers and any other municipal employee or official so designated by the Township Committee shall, in connection with their duties imposed by law, diligently enforce the provisions of Section 1.12 of this chapter, and shall have the authority to eject any person or persons in violation of Section 1.12 of this chapter.”

**ARTICLE III. REPEALER, SEVERABILITY AND EFFECTIVE DATE.**

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage

in accordance with the law.

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**ORDINANCE FOR ADOPTION**

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to open the public hearing on Ordinance 2021-20. All were in favor. Hearing no comment, Mr. Dhopte made a motion seconded by Mr. Russo to close the public hearing. All were in favor. Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to adopt Ordinance 2021-20. Roll call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Russo – yes; Mr. Panfili - yes.

**TOWNSHIP OF CHESTERFIELD  
ORDINANCE NO. 2021-20**

**AN ORDINANCE TO AMEND ORDINANCE 1989-4, AS AMENDED, AND AS CODIFIED IN CHAPTER 182 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD, ENTITLED “VEHICLES AND TRAFFIC,” AND SPECIFICALLY AMENDING §182-9, ENTITLED “TRUCKS OVER FOUR TONS EXCLUDED.”**

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

**Section One.** The provisions of Ordinance 1989-4, as amended, which presently are codified in §182-9 of the Code of the Township of Chesterfield, further are amended to the extent that, henceforth, §182-9 of the Code of the Township of Chesterfield shall read as follows:

Pursuant to N.J.S.A. 40:67-16.1, vehicles having a total combined gross weight equal to or in excess of four tons (weight of vehicle plus weight of load) or a registered vehicle weight in excess of four tons, are excluded from traveling on all the municipally owned and maintained streets and roadways described in § 182-25, Schedule VI: Trucks Over Certain Weights Excluded.

**Section Two.** In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

**Section Three.** Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

**Section Four.** This Ordinance shall take effect upon proper passage in accordance with the law.

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## **RESOLUTIONS**

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolutions 2021-11-8 and 2021-11-9. Roll call: Mr. Dhopte – yes; Ms. Koetas-Dale – yes; Mr. Panfili – yes; Mr. Russo – abstained. Resolution approved.

### **TOWNSHIP OF CHESTERFIELD RESOLUTION 2021-11-8**

#### **RESOLUTION AUTHORIZING THE RENEWAL OF SOIL REMOVAL PERMIT FOR HERMAN LIEDTKA, INCORPORATED AT BLOCK 204, LOTS 7.01 AND 7.02 ON OLD YORK ROAD IN CHESTERFIELD TOWNSHIP**

**WHEREAS**, Herman Liedtka Incorporated has applied to the Township Committee of the Township of Chesterfield for renewal of a soil removal permit for property located on Old York Road, known as Block 204, Lots 7.01 and 7.02, which property is the site of certain soil removal operations undertaken by Herman Liedtka Incorporated; and

**WHEREAS**, by previous Resolutions, the Township Committee has issued several renewals of the original Soil Removal Permit pursuant to Section 166-5 of the Code of the Township of Chesterfield; and

**WHEREAS**, the operator has submitted an application for renewal for 2021 through 2024 and has paid the appropriate fee required under Section 166-5 of the Code of the Township of Chesterfield; and

**WHEREAS**, the Township Committee has received input from Robert Stout of Stout and Caldwell Engineers, LLC dated November 10, 2021 in accordance with the provisions of the aforementioned ordinance, and is satisfied that the conditions precedent to the issuance of a permit renewal have been met by the applicant;

**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 Deputy Mayor and Township Committee be and are hereby authorized and directed to execute the attached permit renewal to Herman Liedtka Incorporated for the continued removal of soil at property located at Old York Road known as Block 204, Lots 7.01 and 7.02 within the Township of Chesterfield, subject to the terms and conditions reflected in said original permit;

**BE IT FURTHER RESOLVED** that this Resolution shall be effective for a time period of three (3) years from October 25, 2021 through October 24, 2024.

### **TOWNSHIP OF CHESTERFIELD RESOLUTION 2021-11-9**

#### **RESOLUTION AUTHORIZING THE RENEWAL OF SOIL REMOVAL PERMIT FOR HERMAN LIEDTKA, INCORPORATED AT BLOCK 106, LOT 4.01 ON WARD AVENUE IN CHESTERFIELD TOWNSHIP**

**WHEREAS**, Herman Liedtka Incorporated has applied to the Township Committee of the Township of Chesterfield for renewal of a soil removal permit for property located on Ward Avenue, known as Block 106, Lot 4.01, which property is the site of certain soil removal operations undertaken by Herman Liedtka Incorporated; and

**WHEREAS**, by previous Resolutions, the Township Committee has issued several renewals of the original Soil Removal Permit pursuant to Section 166-5 of the Code of the Township of Chesterfield; and

**WHEREAS**, the operator has submitted an application for renewal for 2021 through 2024 and has paid the appropriate fee required under Section 166-5 of the Code of the Township of Chesterfield; and

**WHEREAS**, the Township Committee has received input from Robert Stout of Stout & Caldwell Engineers, LLC dated November 10, 2021 in accordance with the provisions of the aforementioned ordinance, and is satisfied that the conditions precedent to the issuance of a permit renewal have been met by the applicant;

**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 Mayor and Township Committee be and are hereby authorized and directed to execute the attached permit renewal to Herman Liedtka Incorporated for the continued removal of soil at property located on Ward Avenue known as Block 106 Lots 4.01 within the Township of Chesterfield, subject to the terms and conditions reflected in said original permit;

**BE IT FURTHER RESOLVED** that this Resolution shall be effective for a time period of three (3) years from October 25, 2021 through October 24, 2024.

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Ms. Koetas-Dale made a motion seconded by Mr. Russo to approve Resolution 2021-12-1. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION #2021-12-1**

**RESOLUTION CERTIFYING THE APROPRIATE USE OF THE  
GRANT FUNDS RELATED TO THE 2020 MUNCIPAL PARKS GRANT  
FOR THE REST ROOMS ADDITION TO THE RECREATION BUILDING  
AT FENTON LANE PARK**

**WHEREAS**, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund (“Trust Fund”) and established a Municipal Park Development Program (“Program”) to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

**WHEREAS**, the Township Committee of the Township of Chesterfield applied for and received a Burlington County Municipal Parks Development Grant in FY2020, in the amount of \$100,000.00 to partially fund the project entitled Rest Rooms Addition to the Recreation Building at Fenton Lane Park; and

**WHEREAS**, the Township Committee of the Township of Chesterfield appropriately bid and awarded a contract in the amount of \$126,800.00 to RNM Construction LLC to complete the project; and

**WHEREAS**, the project has been deemed complete as of August 23, 2021 by the Township Engineer and all final sums have been paid to the contractor, RNM Construction LLC, for performance of the work of the project, complete and in conformance with, the contract plans and specifications and related grant requirements, and the work of same been guaranteed as required.

**BE IT RESOLVED**, by the Chesterfield Township Committee, County of Burlington, State of New Jersey that the scope of work associated with the FY2020 Burlington County Park Development Program Grant is complete and accepted; and

**BE IT FURTHER RESOLVED** that the submission to the County of Burlington of the documents necessary to receive final reimbursement of grant funds is hereby authorized.

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Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolution 2021-12-2. All were in favor. Resolution approved.

**CHESTERFIELD TOWNSHIP  
RESOLUTION 2021-12-2**

**RESOLUTION DIRECTING THE DISTRIBUTION OF CHESTERFIELD  
TOWNSHIP'S NET RETURNED SURPLUS FUNDS HELD IN TRUST BY THE  
BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND**

**WHEREAS**, Chesterfield Township hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Burlington County Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 2007, **and**

**WHEREAS**, the FUND is a statutory filed municipal joint insurance fund as defined in N.J.A.C. 11:15-2.1 et seq., **and**

**WHEREAS**, the MUNICIPALITY joined the FUND knowing that membership carries with it joint and several liability with all other member municipalities for each year of the MUNICIPALITY's membership, **and**

**WHEREAS**, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when

and how much of any available statutory surplus will be released by the FUND,  
**and**

**WHEREAS**, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any projected deficit will be declared as an additional assessment due to the FUND, **and**

**WHEREAS**, the MUNICIPALITY understands that Available Statutory Surplus is defined to be the amount of money in excess of the projected value of claims by line of coverage, plus an actuarially determined value for Incurred But Not Reported claims, subject to the surplus reserve calculations as defined in N.J.A.C. 11:15-4.6 et seq., and subject to review and approval by the Department of Banking and Insurance and Department of Community Affairs, State of New Jersey, prior to release by the Executive Committee of the FUND, **and**

**WHEREAS**, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier release of Available Statutory Surplus due to the possibility that a FUND year wherein a return of Statutory Surplus has been duly authorized could later be presented with a claim for which it could be responsible causing a demand for an additional assessment from each participating member municipality of that FUND year, **and**

**WHEREAS**, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier collection of an additional assessment due to the possibility that a FUND year wherein an additional assessment has been duly authorized could later be presented with a need for additional assessments from each participating member municipality of that FUND year, **and**

**WHEREAS**, the MUNICIPALITY understands that its options for directing the distribution of its net share of released Statutory Surplus to be as follows:

1. Direct the FUND to apply the MUNICIPALITY's share to the MUNICIPALITY's premium as a credit in the next FUND fiscal year (N.J.A.C. 11:15-4.21(e)),
2. Direct the FUND to issue a check to the MUNICIPALITY for the MUNICIPALITY's share,
3. Direct the FUND to apply the MUNICIPALITY's share to the FUND's Aggregate Excess Loss Contingency Fund (A.E.L.C.F.), which provides member municipalities with an available individual contingency balance for use in satisfying any possible need for a supplemental assessment for any year they were a member and an annual capacity to use all or a portion of a member municipality's available balance in offsetting future premiums, **or**
4. Direct the FUND to apportion the MUNICIPALITY's share as a stated dollar amount among options 1, 2 and 3 above such that the sum total of allocated dollars equals the amount of the Net Distribution available to the MUNICIPALITY as noted above.



**NOW THEREFORE**, the MUNICIPALITY directs the FUND to distribute the MUNICIPALITY's share of its Net Distribution as follows (**check the boxes that apply**):

- Apply a portion of the amount as a credit to the MUNICIPALITY's next FUND Year premium.
- Apply a portion of the amount as a check to the MUNICIPALITY.
- Apply a portion or the full amount to the MUNICIPALITY's share of the FUND's Aggregate Excess Loss Contingency Fund (A.E.L.C.F.).

Designate the amount as follows (Sum of below must equal full dividend amount):

- **Credit**            **\$13,175** (Requires signed Dividend Release form only)
- **Check**            \$\_\_\_\_\_ (Requires signed Dividend Release form and signed voucher)
- **A.E.L.C.F.**    **\$ 1,098** (Requires signed Dividend Release form and resolution)

**Total Dividend \$14,273**

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Mr. Russo made a motion seconded by Mr. Dhopte to approve Resolution 2021-12-3. All in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-3**

**RESOLUTION APPROVING FIRE COMMISSIONER COMPENSATION  
FOR FIRE DISTRICT NO. 1 FOR THE PERIOD  
JANUARY 1, 2022 THROUGH DECEMBER 31, 2022**

**WHEREAS**, on October 12, 2021, the Board of Fire Commissioners of Fire District No. 1 in the Township of Chesterfield adopted Resolution #2021-17 recommending the compensation for the Fire District No. 1 Commissioners for the period January 1, 2022 through December 31, 2022; and

**WHEREAS**, Resolution #2021-17 adopted by Fire District No. 1 recommends that 2022 annual compensation for the Board of Fire Commissioners to be as follows:

|               |            |
|---------------|------------|
| Chairman      | \$1,755.00 |
| Vice-Chairman | \$1,755.00 |
| Secretary     | \$2,500.00 |
| Treasurer     | \$3,000.00 |
| Commissioner  | \$1,755.00 |

**WHEREAS**, N.J.S.A 40A:14-88 states that “each member of the board of fire commissioners shall receive as compensation such amounts as the board shall fix subject to review by the governing body wherein the fire district is located;” and

**WHEREAS**, Local Finance Notice 2021-16 issued by the New Jersey Department of Community Affairs, Division of Local Government Services further requires the municipal governing body approval the annual Commissioner compensation before the Board of Fire Commissioners can adopt its annual budget;

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield in the County of Burlington, State of New Jersey that the Township Committee hereby approves and indicates concurrence with the aforesaid resolution adopted by Fire District No. 1 and approves the 2022 annual compensation of the Board of Fire Commissioners.

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Mr. Sahol explained the developer of the final phases of Old York Village will donate money back into the project so the Township can make improvements. Mr. Dhopte made a motion seconded by Mr. Russo to approve Resolution 2021-12-4. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-4**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATIONS – RECREATIONAL IMPROVEMENTS TO OLD YORK VILLAGE**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S. 40A:5-29 provides for receipt of Donations – Recreational Improvements to Old York Village by the municipality to provide for operating costs to administer this act, and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from Donations – Recreation Improvements to Old York Village are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Chesterfield, County Burlington, State of New Jersey, as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the **Donations – Recreational Improvements to Old York Village**

2. The Clerk of the Township of Chesterfield, County of Burlington is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services

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Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolutions 2021-12-5 and 2021-12-6. All were in favor. Resolutions approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-5**

**RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT  
ON BLOCK 202.10 LOT 9 DUE TO TAX EXEMPT VETERAN STATUS**

**WHEREAS**, Resolution 2021-10-3 granted tax exempt veteran status for Block 202.10 Lot 9, 33 Sprague Street effective September 27, 2021; and

**WHEREAS**, Corelogic made payments on the property for third and fourth quarter 2021; and

**WHEREAS**, the payments created an overpayment in the amount of \$3433.66; and

**WHEREAS**, Corelogic Centralized Refunds has requested the overpayment be refunded to them.

**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 Tax Collector is hereby authorized to refund the overpayment on Block 202.10 Lot 9 in the amount of \$3,433.66 to Corelogic Centralized Refunds, P. O. Box 9202, Coppell, TX 75019-9760.

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**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-6**

**RESOLUTION AUTHORIZING REFUND OF TAX  
OVERPAYMENT ON BLOCK 600 LOT 6**

**WHEREAS**, Resolution 2021-8-14 cancelled taxes due to an erroneous assessment; and

**WHEREAS**, payments were made on Block 600 Lot 6 and Qfarm on all assessments as billed for the first half of the year; and

**WHEREAS**, the cancellation and the payment of taxes created an overpayment in the amount of \$201.18; and

**WHEREAS**, the property owner has requested the overpayment be refunded to them.

**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 Tax Collector is hereby authorized to refund the overpayment on Block 600 Lot 6 in the amount of \$201.18 to Salvatore & Donna Nalbone, 3 Ticonderoga Drive, Bordentown, NJ 08505.

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Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolution 2021-12-7. All were in favor. Resolutions approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-7**

**RESOLUTION URGING THE NEW JERSEY LEGISLATURE TO  
CREATE LEGISLATION THAT WOULD ESTABLISH EMERGENCY  
MEDICAL SERVICES AS ESSENTIAL GOVERNMENT SERVICES**

**WHEREAS**, the State designates police, fire, and sanitation as essential government services, affording residents and visitors the right to a timely response by law enforcement, who will address an issue relating to public safety and respond; as well as the right to receive fire prevention and suppression services; and the right to a clean community through sanitation services; and

**WHEREAS**, despite being an integral part of public health and safety, providing education, lifesaving skills, and transportation, when needed, Emergency Medical Services (EMS) is not an essential government service in the State of New Jersey; and,

**WHEREAS**, due to this oversight, municipalities are not legally mandated to afford their citizens and visitors with a licensed ambulance with certified Emergency Medical Technicians when a medical emergency arises; and

**WHEREAS**, a review of call volume reports in major municipalities reveals that individuals who live, work and play in New Jersey are significantly more likely to need Emergency Medical Services than Fire Department services due to the rapidly increasing EMS call volumes that have exceeded pace with the fire service in recent years; and

**WHEREAS**, while fire and police agencies receive new fire trucks and patrol cars as well as up-to-date equipment, EMS agencies struggle with funding, dated equipment, and unmet demand for personal protective equipment for their employees; and

**WHEREAS**, these issues have been exacerbated by the escalating levels of infectious disease entering the country; as the State has seen with SARS, Ebola, and, most recently the Coronavirus pandemic, EMS agencies have been forced to adapt to changing circumstances despite being shorthanded; and

**WHEREAS**, when staffing has fallen short, many municipalities have been left scrambling to afford some level of emergency medical service for its citizens; and

**WHEREAS**, a legislative finding that EMS is an essential government service, coupled with the same statutory scheme found for both fire departments under N.J.S.A. 40A:14-7 et. seq. and law enforcement agencies under N.J.S.A. 40A:14-106 et. seq., will correct the present inequities between public safety agencies and otherwise ensure that those who live, work, and play in New Jersey receive equal access to emergency medical care.

**NOW, THEREFORE, BE IT RESOLVED**, the League of Municipalities, in conference assembled, urges Governor Murphy and the Legislature to seek to create legislation that would provide funding for, and establish Emergency Medical Services as Essential Government Services; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to the members of the New Jersey General Assembly and the State Senate, the New Jersey Commissioner of Health, the Lieutenant Governor and the Governor of the State of New Jersey.

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Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolution 2021-12-8. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-8**

**RESOLUTION APPOINTING MATTHEW S. REGER TO THE  
POSITION OF PUBLIC WORKS LABORER**

**WHEREAS**, Steven Lancaster has resigned from his position as Public Works Laborer/Road Worker effective November 12, 2021; and

**WHEREAS**, it has been determined by the Township Committee that it is necessary to fill this vacancy; and

**WHEREAS**, the Township received five (5) applications for the position; and

**WHEREAS**, the Township Administrator and Public Works Foreman recommend the appointment of Matthew S. Reger.

**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 Matthew S. Reger be appointed as Public Works Laborer for the Township of Chesterfield, effective December 6, 2021 at \$18.60 p/h which equates to \$38,688.00 per year.

**BE IT FURTHER RESOLVED** that this appointment is conditioned upon a twelve month probationary period.

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Resolution 2021-12-9 was pulled from the agenda.

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Mr. Russo made a motion seconded by Mr. Dhopte to approve Resolution 2021-12-10. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-10**

**RESOLUTION APPOINTING ROGER FORT TO THE POSITIONS OF  
CONSTRUCTION OFFICIAL AND BUILDING SUBCODE/INSPECTOR**

**WHEREAS**, Glenn Riccardi is retiring from his positions as Construction Official, Building Subcode/Inspector and Fire Subcode/Inspector effective December 31, 2021; and

**WHEREAS**, it has been determined by the Township Committee that it is necessary to fill this vacancy; and

**WHEREAS**, Mr. Fort has all the necessary certifications required for the positions; and

**WHEREAS**, the Township Administrator and Technical Assistant to the Construction Official recommend the appointment of Roger Fort.

**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 Roger Fort be appointed as Construction Code Official and Building Subcode/Inspector for the Township of Chesterfield, effective January 1, 2022 at \$50 p/h which with a minimum of two hours.

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Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to approve Resolution 2021-12-11. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-11**

**RESOLUTION AUTHORIZING REFUND OF  
CONSTRUCTION PERMIT FEE**

**WHEREAS**, Fante's Plumbing & Heating applied and paid for construction permit #21-248 for repair/replacement of central a/c unit; and

**WHEREAS**, no work or inspections were done and the project has been cancelled; and

**WHEREAS**, a portion of the \$143.00 permit fee consists of \$3.00 State DCA permit fee which the Township will be required to pay regardless of the canceling of the permits; and

**WHEREAS**, there is a 20% plan review charge of \$28.00 leaving a refund balance of \$112.00.

**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 construction permit fee for permit # 21-248, 113 Galestown Circle, in the amount of One Hundred Twelve (\$112.00) is hereby authorized to be refunded to Fante's Plumbing & Heating, 35 Charleston Road, Willingboro, NJ 08046.

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Mr. Panfili asked Mr. Hirsh for the record if he and his inspectors have inspected the improvements and they match quality of work, site plan compliance and developer has posted additional cash bonding to cover work that cannot be completed this time of year. Mr. Hirsh replied confirmed that is correct. Mr. Hirsh stated they posted a special cash bond until all the minor work completed are done and acceptable to him and then he will advise the Township Committee when complete and request approval for release for release of that special bond.

Dhopte made a motion seconded by Mr. Russo to approve Resolutions 2021-12-12, 2021-12-13 and 2021-12-14. All were in favor. Resolutions approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-12**

**RESOLUTION AUTHORIZING THE RELEASE OF  
PERFORMANCE GUARANTEE AND SUBSTITUTION OF  
MAINTENANCE GUARANTEE FOR THE PROJECT KNOWN AS  
TRADITIONS AT OLD YORK VILLAGE – PHASE 5**

**WHEREAS**, Traditions at Chesterfield LLC, the developer of the Traditions at Old York Village, has requested release of its performance guarantee with respect to the development known as Traditions at Old York Village Phase 5; and

**WHEREAS**, this request has been reviewed by the Township Engineer who has issued his letter, dated December 1, 2021, finding the project to be in substantial compliance with the approvals and township ordinances and recommending release of the performance guarantee subject to the posting of a maintenance guarantee and other conditions as set forth in his letter with respect to the project, which letter is attached hereto; and

**WHEREAS**, the Township Committee finds the request to be in order subject, nevertheless, to the posting of the maintenance guarantee and other conditions of the Engineer's review letter;

**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 remaining performance guarantee for Traditions at Old York Village Phase 5 shall be released subject to the following:

1. The posting of a two-year maintenance guarantee in the amount of \$332,636.12, which shall be in a form acceptable to the Township Attorney.
2. Payment of all outstanding charges against escrow accounts and posting of an escrow in the amount of \$16,631.81 to cover professional services during the special performance and maintenance guarantee periods.
3. Posting of a special cash bond of \$6,000.00 to secure completion of Conditions 1 and 2 of the Engineers letter dated December 1, 2021 and further conditions set forth in the Township Engineer's letter annexed hereto and continued compliance with the terms of the Developer's Agreement.
4. Posting of Basin Maintenance Fee in the amount of \$57,200.00 and Basin/Landscaping Fund contribution in the amount of \$12,859.10.

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**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-13**

**RESOLUTION AUTHORIZING THE RELEASE OF  
PERFORMANCE GUARANTEE AND SUBSTITUTION OF  
MAINTENANCE GUARANTEE FOR THE PROJECT KNOWN AS  
TRADITIONS AT OLD YORK VILLAGE – PHASE 6**

**WHEREAS**, Traditions at Chesterfield LLC, the developer of the Traditions at Old York Village, has requested release of its performance guarantee with respect to the development known as Traditions at Old York Village Phase 6; and

**WHEREAS**, this request has been reviewed by the Township Engineer who has issued his letter, dated December 1, 2021, finding the project to be in substantial compliance with the approvals and township ordinances and recommending release of the performance guarantee subject to the posting of a maintenance guarantee and other conditions as set forth in his letter with respect to the project, which letter is attached hereto; and

**WHEREAS**, the Township Committee finds the request to be in order subject, nevertheless, to the posting of the maintenance guarantee and other conditions of the Engineer's review letter;



**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 remaining performance guarantee for Traditions at Old York Village Phase 6 shall be released subject to the following:

1. The posting of a two-year maintenance guarantee in the amount of \$187,713.84, which shall be in a form acceptable to the Township Attorney.
2. Payment of all outstanding charges against escrow accounts and posting of an escrow in the amount of \$9,385.69 to cover professional services during the special performance and maintenance guarantee periods.
3. Posting of Basin/Landscaping Fund contribution in the amount of \$5,335.16.

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**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-14**

**RESOLUTION AUTHORIZING THE RELEASE OF  
PERFORMANCE GUARANTEE AND SUBSTITUTION OF  
MAINTENANCE GUARANTEE FOR THE PROJECT KNOWN AS  
TRADITIONS AT OLD YORK VILLAGE – PHASE 7B**

**WHEREAS**, Traditions at Chesterfield LLC, the developer of the Traditions at Old York Village, has requested release of its performance guarantee with respect to the development known as Traditions at Old York Village Phase 7B; and

**WHEREAS**, this request has been reviewed by the Township Engineer who has issued his letter, dated December 1, 2021, finding the project to be in substantial compliance with the approvals and township ordinances and recommending release of the performance guarantee subject to the posting of a maintenance guarantee and other conditions as set forth in his letter with respect to the project, which letter is attached hereto; and

**WHEREAS**, the Township Committee finds the request to be in order subject, nevertheless, to the posting of the maintenance guarantee and other conditions of the Engineer’s review letter;

**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 remaining performance guarantee for Traditions at Old York Village Phase 7B shall be released subject to the following:

1. The posting of a two-year maintenance guarantee in the amount of \$165,894.97, which shall be in a form acceptable to the Township Attorney.
2. Payment of all outstanding charges against escrow accounts and posting of an escrow in the amount of \$8,294.75 to cover professional services during the special performance and maintenance guarantee periods.
3. Posting of Basin/Landscaping Fund contribution in the amount of \$5,711.35.

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Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolution 2021-12-15. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-15**

**RESOLUTION AMENDING AND ADOPTING THE PERSONNEL  
POLICIES AND PROCEDURES MANUAL**

**WHEREAS**, the Township of Chesterfield is part of the Burlington County Joint Insurance Fund; and

**WHEREAS**, BURLCO JIF requires the Township to adopt a procedure policy as part of the Employment Practices Liability (EPL) coverage; and

**WHEREAS**, the policies are revised periodically to comply with State and Federal Laws and Regulations; and

**WHEREAS**, the attached Personnel Policies and Procedures Manual has been reviewed by the Township Attorney; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the Personnel Policies and Procedures Manual, a copy of which is attached hereto, is hereby adopted as amended.

**BE IT FURTHER RESOLVED** that a copy of the Policy shall be distributed to all Township employees and officials.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

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Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolution 2021-12-16. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-16**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF CHESTERFIELD TO  
ENTER INTO A SHARED SERVICE AGREEMENT WITH THE BOARD  
OF COUNTY COMMISSIONERS OF THE COUNTY OF BURLINGTON  
FOR REIMBURSEMENT OF ROAD PAVING AND REPAIRS TO  
BURLINGTON COUNTY BRIDGE #F2.32**

**WHEREAS**, the County owns and maintains Burlington County Bridge #F2.32 on Sykesville Road; and

**WHEREAS**, the Township completed road paving and repairs on the Township-owned Sykesville Road in 2020; and

**WHEREAS**, in reliance upon a promise by the County of reimbursement, the Township authorized and completed the road paving and repairs to County Bridge #F2.32; and

**WHEREAS**, the County shall reimburse the Township \$26,982 for the costs of the completed road paving and repairs; and

**WHEREAS**, the Township Administrator is authorized to sign the Shared Services Agreement which is attached hereto and made part of this Resolution; and

**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 Township Administrator is hereby authorized to execute the Shared Services Agreement with the Board of County Commissioner of the County of Burlington for certain works and repairs.

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Mr. Dhopte made a motion seconded by Ms. Koetas-Dale to approve Resolution 2021-12-17. All were in favor. Resolution approved.

**TOWNSHIP OF CHESTERFIELD  
RESOLUTION 2021-12-17**

**RESOLUTION AUTHORIZING APPROPRIATION TRANSFERS**

**WHEREAS**, N.J.S.A. 40A:4-58 provides for appropriation transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation;

**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 Treasurer be and the same is hereby authorized to make transfers among the 2021 budget in accordance with the following schedule:

| <u>FROM</u>               | <u>AMOUNT</u>       | <u>TO</u>                    | <u>AMOUNT</u>       |
|---------------------------|---------------------|------------------------------|---------------------|
| Legal – OE                | \$ 10,000.00        | Admin & Executive – S&W      | \$ 1,000.00         |
| Engineering - OE          | \$ 9,000.00         | Planning Board – S&W         | \$ 100.00           |
| Property Maintenance - OE | \$ 10,000.00        | Planning Board - OE          | \$ 1,000.00         |
| Workman’s Comp - OE       | \$ 10,000.00        | Police – OE                  | \$ 24,000.00        |
|                           |                     | Buildings & Grounds - OE     | \$ 4,200.00         |
|                           |                     | Electricity - Utility        | \$ 3,000.00         |
|                           |                     | Telecommunications - Utility | \$ 700.00           |
|                           |                     | Finance - OE                 | \$ 5,000.00         |
| <b>TOTAL</b>              | <b>\$ 39,000.00</b> | <b>TOTAL</b>                 | <b>\$ 39,000.00</b> |

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**Bill List**

Mr. Russo made a motion seconded by Mr. Dhopte to approve the Treasurers bill list. All were in favor.

**Reports and Discussion:**

**Best Practices** – Ms. Hoyer stated this was sent to the Township Committee by Ms. Wulstein a couple of months ago. We met all requirements set by the state of New Jersey in order to receive state aid. The Committee acknowledged receipt and had not questions or concerns.

**Reports of the Administration:**

**Mayor -**

**Cannabis Growing/Manufacturing** – Mr. Panfili would like an expert to come to a Township meeting early next year to discuss this subject. Mr. Morris will reach out to an expert in their office.

**Package Good License** – Mr. Morris said based on the new census results the Township can issue another liquor license in the New Year.

Mr. Panfili asked Mr. Sahol to make this a task going into the New Year for both initiatives.

**Administration** – Mr. Sahol deferred to the Township Engineer for a brief update on White Pine Road. Mr. Hirsh said that regarding White Pine Road he and Troy identified about 400 square yards of asphalt that need base repairs. He reached out for quotes in order to repair the road prior to bad weather and prior to repaving in the spring with the DOT grant. Mr. Hirsh said as soon as the purchase order gets issued he can have the work done. Mr. Sahol asked the committee to make a motion to issue the purchase order not to exceed

\$22,663.95 for repairs on White Pine Road. Mr. Dhopte made a motion seconded by Mr. Russo. All were in favor.

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

Jamie Hart 78 Sykesville Road thanked Sgt. Michael Davison for getting the sings up so quickly on her road. Based on the two recent fatalities on Sykesville Road Ms. Battreall is asking for signs or speed trailer to be put up on the stretch of the road and also for the Township to consider changing the speed limit. She said the majority of drivers speed on this road. Ms. Hart is concerned that there has been limited details given out about the accidents and wants the community to be aware of what happened. Sgt. Davison stated the County Prosecutors office is still working on the case.

Dawn Donahue 79 Bordentown-Chesterfield Rd. said that we need to start enforcing the speed limit in town. She wants tickets given out to residents. Mr. Panfili said that we are in the final hours of increasing the police department by one officer. Ms. Donahue asked that residents protect their mailboxes so that the plows cannot knock them down in snow storms. She said the fireworks are getting bad and she is worried about her dogs getting upset from the noise.

Todd Hutchinson 455 Main Street thanked the Township Committee for adopting larger lot sizes in Crosswicks. He asked the Township Committee to repeal Resolution 2020-5-6 designating an Area in Need of Rehabilitation.

Valerie Jones 21 Buttonwood Street asked the Township Committee to shut down the virtual meetings since it is causing a lot of problems. She suggested to just do the in person meetings. Mr. Panfili replied that based on the new strain of COVID that is going around it is a good idea to keep the virtual component. Ms. Jones asked that we get professionals to help with the virtual equipment since there have been difficulties.

Lorrie Thier 153 Chesterfield-Crosswicks Road read a letter that she sent to the Township Committee regarding Knowlton standing up against warehouses.

Val Jones 21 Buttonwood stated there was a lot of disrespect given at the last Township Meeting virtually. Mr. Panfili agreed it was inappropriate and received multiple complaints.

Herb Ames 106 Chesterfield-Crosswicks Road asked if there is anything new from the County in regards to making a round a bout at the intersection of Chesterfield-Crosswicks Road and Old York Road. He also asked if there is an update on the number of officers we can have based on the number of residents in town. He agreed that the last meeting was offensive to the Township Committee and staff.

Steve Hazen 447 Main Street asked if the Township can look into flashing speed limit signs throughout town.

Agnus Marsala 42 Cromwell apologized for what she did at the last meeting. She said the virtual meeting process is not working well and hopes we can come up with a better solution.

Brett Anderson 62 Brookdale Way says that the virtual component is still important since people get sick and cannot get babysitters but still want to attend the meetings. He thanked the Township Committee for supporting the EMS by passing the resolution tonight and said they do a great job. He is happy to hear there are funds set aside for Olivia Way and would like to be involved with the discussions for what will go into the park. Mr. Anderson read a letter that he will be sending to the Township Committee regarding donations to the Harvest Festival from Active Acquisitions via emails. Mr. Anderson pointed out that email was used as a method to obtain votes from the Township Committee members and does not believe it is allowed based on the Sunshine Law. He also pointed out that all details of the donations were not shared with the Township Committee based on the emails that he saw.

James Codella 470 Main Street asked where we stand with lot sizes in Crosswicks. Mr. Panfili replied that the larger lot sizes were approved 2 months ago.

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

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to add Resolution 2021-12-18 to discuss personnel, no action will be taken. All were in favor.

Mr. Russo made a motion seconded by Mr. Dhopte to approve Resolution 2021-12-18 to enter executive session. All were in favor.

## **CHESTERFIELD TOWNSHIP RESOLUTION 2021-12-18**

### **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.
- Matters relating to contract negotiations.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, assembled in public session on December 9, 2021 that an Executive Session closed to the public shall be held at 9:00 PM 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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Mr. Russo made a motion seconded by Mr. Dhopte to return to regular session at 9:21 PM.

Ms. Koetas-Dale made a motion seconded by Mr. Dhopte to adjourn the meeting. All were in favor. The meeting adjourned at 9:21 PM.

Respectfully submitted,

Caryn M. Hoyer, RMC  
Municipal Clerk