

December 8, 2010

The Township Committee met on the above date. Mayor Kelly called the meeting to order at 7:30 PM and opened with the flag salute and a moment of silence. Roll call was taken showing present: Mayor Brian J. Kelly, Deputy Mayor Lawrence H. Durr and Committeeman Michael J. Hlubik. Also present were John C. Gillespie, Township Attorney and Nancy W. Jamanow, Township Engineer. The Open Public Meetings Act statement was read and compliance noted.

Mayor Kelly opened the meeting to the public for comments on matters not appearing on the agenda. Paul Cincotta of 15 Gallop Way asked about the \$250,000 county grant that was received and questioned where that would be used and was told that it would supplement funds for the Village Green. In reference to the CTAA, Paul stated that the Fenton Lane soccer fields were used this year and were great. As for the Baseball/softball fields, roofs on the dugouts were discussed and the CTAA would like them added. There is also no storage at this time and the Committee had previously talked about a building to be used as concession and storage. He would also like the status of that. The CTAA will be purchasing some sort of box for storage for equipment if the building is not in the near future. Mr. Cincotta also questioned what will happen with the old school and will the fields be available for use by the CTAA? Mayor Kelly responded that the Township Committee has not made a decision as to whether the school will be retained by the Township. Mr. Cincotta continued that the CTAA would like use of the gym for batting cages. Mayor Kelly suggested talking to the school board. It is his understanding that when the new school opens the existing school will be mothballed. Mr. Cincotta asked about installing gates in the fence at the new soccer field. The field is fairly close to the fence and the soccer ball frequently gets kicked over the fence. Mrs. Jamanow responded that the fence was a requirement for the DEP permitting but feels that a gate could be installed without an issue. The CTAA should indicate the desired locations for the gates. Mr. Durr questioned if the dugouts are designed for roofs and Mrs. Jamanow

responded that they are not. Chris Trebisky from ERI stated that vinyl could be installed on top for shade purposes, or trees could be planted to help with shade. Mr. Hlubik questioned what time of day the fields are being used and Mr. Cincotta responded that games are played from 5:30 until dark from March to mid-June. It was decided that all of the items being requested should be part of the 2011 budget discussions. Mr. Cincotta questioned if bleachers were ever purchased for the fields and Mrs. Jamanow responded that there were not. Mayor Kelly stated that he has lost track of the status of the discussions on the concession building. Mr. Cincotta responded that the CTAA would like to help out with building but not sure they are legally able to do that. Mr. Durr asked who will be running the concessions and if the CTAA will commit to that? Mr. Cincotta stated that the CTAA is more interested in the storage part of building at this time. Mr. Durr again asked about the concession. Mr. Cincotta responded that he needs to talk to the board about how much they want to participate in that. He will get back to the Township Committee in a month with answers and a wish list.

Hearing no other comments, the Committee continued with agenda items.

#### Consent agenda

The minutes of November 10, 2010 were approved on a motion by Mr. Hlubik and second by Mayor Kelly. All agreed with the exception of the abstention by Mr. Durr.

The appointments of Michael Schwartzman and Michael Stein as Fire Police were approved on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

#### Construction Official

Glenn Riccardi was present to request increases in some of the construction permit fees. He presented documentation to the Township Committee supporting his request including fee schedules from North Hanover, Plumstead and Upper Freehold who all have similar construction

activity as Chesterfield. Glenn explained the different fees that are charged and the ones he feels should be changed. An outline of the income and expenses for the past few years was presented as well as the projections for 2011. Mr. Durr questioned the ½ cent increase still resulting in a deficit and suggested raising it more. Mr. Riccardi stated that he believes the difference will be made up with the increase in the minimum permit fees and certificate of occupancy fees. Residents who want to make modifications, add decks, etc. would not see much of a change.

The Committee is in favor of the request and will introduce an ordinance amendment later in the meeting.

#### Police Department Report

Chief Wilson reported 209 calls for the month of November and outlined the training for the month. Patrolman Vincent will be graduating from DARE school and Patrolman Farren will be completely on his own by February, Crossing guards have been hired and are in the process of training. Chief Wilson asked if there is anything the Township can do to regulate the parking along Saddle Way even though we do not own the road. Mr. Gillespie responded that the developer can request the Township enforce Title 39 on their roadways. Chief Wilson continued that no parking in front of the school on Saddle Way is needed to ensure the parents don't line up there to drop off students. Mr. Gillespie continued that, in the meantime, the developers can put up signage to discourage parking in that area.

The Chief reported that the FEMA check has been received for the February 5 and February 6 snowstorm in the amount of \$10,120.75. Mayor Kelly questioned the Chief on the status of the County reducing training and asked if there are cooperative agreements with other towns. Chief Wilson responded that we will send to other counties for the 26 week training and the County is still offering in-service training.

#### Township Engineer

Mrs. Jamanow presented a proposal for the engineering for the pathway between Cross Creek and Green II for budgeting purposes for next year.

She will follow up with a construction proposal. She is working on the engineering and design for the path to the school from the bridge and those plans are near completion. The Township will be making application to the state instead of the school as originally planned. The project should be ready to bid in late winter or early spring.

At the request of a resident, Mrs. Jamanow and Chief Wilson have re-visited the no parking zone on Fenton Lane. The no parking area can be reduced somewhat but will not effect the resident who requested it and the athletic field side will not change.

Mrs. Jamanow explained the Ordinance on the agenda for introduction concerning the multi-way stop at Thorn Lane and Bunting Drive.

Letters have gone out to developers reminding them they are responsible for snow removal on roadways and removal of snow from open space paths. Mr. Gillespie stated that there is another issue with clearing snow from sidewalks as there is no ordinance addressing whose responsibility that is. Chapter 170 concerning sidewalk maintenance and Chapter 164 concerning streets and sidewalks should both be amended. Mr. Durr suggested comparing fees with FEMA charges and neighboring towns for bid contracts.

Mrs. Jamanow reported that her office is working on the Ward Avenue bypass road with PSE&G property which would provide a more direct route. PSE&G has future plans for additional transmission antennae which would be where the roadway was planned. The roadway could be moved around that if the Township Committee is interested in pursuing the idea. Mayor Kelly asked is it would be a less expensive alternative?

Mrs. Jamanow replied that there is less roadway and none of the relocation issues that Colonial Pipeline had.

Mrs. Jamanow is working on the reforestation plans and waiting on information from DEP. She is also working on the grant application. She will need a cost estimate to submit with the application and needs to know if Township personnel will do the work or the Township will bid the project. Mr. Durr asked if it could be bid per tree? Mrs. Jamanow explained how the bid specs will be developed. Mr. Durr would like the specifications written in a way that would enable the Township to add to it without re-bidding. Chris Trebisky suggested preparing the

documents with “ x “ amount of dollars and bidding on how many trees can be planted for that amount. Mrs. Jamanow has been looking at aerals and areas that need buffering. There is still room for additional trees and the Township Committee needs to think about another area. Mr. Durr believes that we would do much better on the price if it were all done at once. He doesn't think trees are going to get any cheaper.

### Resolutions

Resolutions 2010-12-1, 12-2, and 12-3 were approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

### ***RESOLUTION 2010-12-1***

#### ***RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT***

***WHEREAS***, First American made quarterly tax payments for multiple properties in November 2009; and

***WHEREAS***, the tax payment received created an overpayment on Block 1105 Lot 11.02 also known as 277 Sykesville Road owned by Harry & Colleen Case; and

***WHEREAS***, the amount of the overpayment is \$1,970.64; and

***WHEREAS***, First American is now Corelogic and they have 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 in the amount of \$1,970.64 to Corelogic.

**RESOLUTION 2010-12-2**

**RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX  
OVERPAYMENT**

**WHEREAS**, Corelogic made payments for multiple properties in November 2010; and

**WHEREAS**, the tax payment received created an overpayment on Block 107.17 Lot 9 also known as 125 Colemantown Drive owned by Robert A & Janine Marie Meluso; and

**WHEREAS**, the amount of the overpayment is \$560.47; and

**WHEREAS**, Corelogic has requested the overpayment be refunded to Metlife Home Loans;

**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 in the amount of \$560.47 to Metlife Home Loans, ATTN: TMS, 4000 Horizon Way, Irving, TX 75063.

**RESOLUTION 2010-12-3**

**RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX  
OVERPAYMENT**

**WHEREAS**, Landsafe Services made a payment of \$3,286.34 on July 8, 2010; and

**WHEREAS**, the tax payment received created an overpayment on Block 202.08 Lot 6, also known as 13 Quaker Street owned by Paul M. & Trisha J. Meyer; and

**WHEREAS**, the amount of the overpayment is \$1,003.60; and

**WHEREAS**, Landsafe Services has requested the overpayment be refunded to the homeowner.

**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 in the amount of \$1,003.60 to Paul and Trisha Meyer.

Resolution 2010-12-4 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

**RESOLUTION 2010-12-4**

**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 2010 budget in accordance with the following schedule:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>	<u>AMOUNT</u>
Tax SW	\$ 4,025.00		
Tax Assessor OE	\$ 3,000.00		
Park OE	<u>\$ 25.00</u>		
<b>TOTAL</b>	<b>\$ 7,050.00</b>		
		Finance SW	\$ 4,025.00
		Tax Assessor SW	\$ 3,000.00
		Park SW	<u>\$ 25.00</u>
		<b>TOTAL</b>	<b>\$ 7,050.00</b>

Resolution 2010-12-5 was tabled until the meeting of December 30 on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

Mr. Hlubik asked Chief Wilson is communication between local, state and military law enforcement has improved since 9/11. Chief Wilson responded that, unfortunately, it has not.

### Ordinances for Introduction

Ordinance 2010-18 was approved for introduction on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. This Ordinance will be forwarded to the Planning Board for review and, if they approve, public hearing will be December 30.

### **ORDINANCE 2010-18**

#### **AN ORDINANCE TO AMEND CHAPTER 130 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED "LAND DEVELOPMENT"**

#### **ARTICLE II. AMENDED SECTIONS**

A. Section 130-4, "Definitions", is hereby amended to revise the definition of "lot, Corner", to insert the following sentence between the existing second and third sentences of the text:

"...For rear and side yard setbacks of a corner lot, the rear yard shall be the yard that is opposite the designated front of the house (i.e., the side of the house having the front door.) The sole remaining side yard will meet side yard setback requirements for the zone."

B. Section 130-42, "Density and Intensity of Use", is hereby amended at paragraph A, relating to the "Ratio of Development Credits to Uses" table, to change the terms "detached perimeter village house", "detached village house", and "triplex dwelling units", to "detached perimeter village lot"; "detached village lot"; and "triplex dwelling lot."

#### **ARTICLE II. DELETED/REPLACED SECTIONS.**

A. Section 130-49 through 130-74, and Section 130-77, all of which fall under Article XII, "Design and Performance Standards", and all of which repeat sections of the Residential Site Improvement Standards, N.J.A.C. 5:21, et.seq., many of which Standards have since been amended, while the Ordinance has not, are hereby deleted in their entirety, and replaced with simple reference to the Residential Site

Improvement Standards. Section 130-49, still falling under Article XII, “Design and Performance Standards” shall now read as follows:

“130-49. A. The Residential Site Improvement Standards, found at N.J.A.C.5:21, et. seq., as may be hereinafter modified and/or amended, shall govern the design of all residential development within the Township of Chesterfield.

B. For non-residential development, parking shall be provided as set forth in Table B below:

Table B Guidelines for Off-Street Parking Requirements for Nonresidential Land Uses

<u>Nonresidential Land Use</u>	<u>Required Off-Street Parking Spaces Per Indicated Area</u>
Assembly operations	1 per 800 square feet GFA
Bar/nightclub/tavern	1 per 2 seats
Church/synagogue	1 per 3 seats
Community Center	1 per 100 square feet plus 1 per employee
Dentist Office	1 per 250 square feet GFA
Fiduciary institutions (banks)	7 per drive through lane for staking and 5.0 per 1,000 square feet
Health Club	1 per 100 square feet plus 1 per employee
Industrial	1 per 800 square feet GFA
Library	1 per 300 square feet GFA
Manufacturing	1 per 800 square feet GFA
Medical professional office	1 per 250 square feet GFA
Neighborhood convenience center	4 per 1,000 square feet GLA
<u>Offices</u>	
Under 49,999 square feet GFA	4.5 per 1,000 square feet GFA
50,000 to 99,999 square feet GFA	4 per 1,000 square feet GFA
100,000+ square feet GFA	3.5 per 1,000 square feet GFA
Receiving	1 per 5,000 square feet GFA
Research	3.5 per 1,000 square feet GFA
Restaurant	1 per 3 seats
Retail store	1 per 200 square feet GFA

Schools

Elementary	2 per classroom, but not less than 1 per Teacher and staff
Intermediate	1.5 per classroom, but not less than 1 per Teacher and staff
Secondary	2.5 per classroom, but not less than 1 per Teacher and staff

Service Station	4 per bay and work area
Shipping	1 per 5,000 square feet GFA
Shopping Center	4 per 1,000 square feet GLA
Storage Areas	1 per 5,000 square feet GLA
Theater	1 per 3 seats
In shopping center	1 per 4 seats
Warehouse	1 per 5,000 square feet GFA

NOTES:

GFA = Gross floor area

GLA = Gross leasable area

C. Sections 130-50-76 are hereby reserved for future reference and/or use.

D. Section 130-115 entitled, "Guarantees and Inspections", is hereby amended at subparagraph G to add the following new subparagraph (3):

"3". Prior to the release of any performance guarantee for any and all projects for which guarantees are posted, and prior to acceptance of dedication of any sanitary sewer systems in the event that guarantees are not posted, the sanitary sewer system and storm sewer system shall be jet vacuum cleaned, and all debris shall be removed from the pipes. After the pipes are cleaned, the pipes shall be televised by the developer, and a copy of the video showing the cleaned pipes shall be submitted to the Township Engineer for review. Any pipes found to be defective or in need of repair, shall be repaired prior to the performance bond/guarantee being released."

**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.

Ordinance 2010-19 was approved for introduction on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. Public hearing will be December 30.

***ORDINANCE 2010-19***

***AN ORDINANCE TO AMEND SECTION 182-22 RELATING TO “STOP SIGNS” AND SPECIFICALLY TO ESTABLISH A STOP SIGN AT THE INTERSECTION OF THORN LANE WITH BUNTING DRIVE***

***WHEREAS***, the Township has been requested to evaluate the possibility of placing a stop sign on the Thorn Lane approach to the intersection with Bunting Drive, thereby creating a multi-way stop condition, since there are already stop signs on Bunting Drive, in both directions, at its intersection with Thorn Lane; and

***WHEREAS***, the Township Engineer has reviewed the request, and has, in accordance with the provisions of *N.J.S.A. 39:4-8 (B)(1)(c)*, and various provisions of the manual on Uniform Traffic Control Devices, 2009 edition, determined that the installation of such a stop sign advances the interest of public safety, and the Township Engineer has certified to these conclusions, and her recommendation.

***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. AMENDED SECTION.**

Section 182-22 of the Code of the Township of Chesterfield, entitled "Schedule III: Stop Intersections", is hereby amended to add the following stop sign requirement:

<b>STOP SIGN ON</b>	<b>DIRECTION OF TRAVEL</b>	<b>AT INTERSECTION OF</b>
Thorn Lane	both	Bunting Drive

**ARTICLE II. 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.

On a motion by Mr. Hlubik and second by Mr. Durr, Ordinances 2010-20, 2010-21, and 2010-22 were added to the agenda. All agreed.

Ordinance 2010-20 to amend the Construction Code Permit Fees was approved for introduction by title on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. Public hearing will be December 30.

Ordinance 2010–21 to amend chapter 164 and Chapter 170 concerning snow removal from sidewalks was approved for introduction by title on a motion by Mr. Hlubik and second by Mr. Durr. Public hearing will be December 30.

Ordinance 2010–22 to amend Chapter 182 Section 26, specifically to amend the “no parking zone” along Fenton Lane was approved for introduction by title on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. Public Hearing will be December 30.

### Discussion

The Committee has received a letter from the Historic Society which was written by Debbie Kelly. Mayor Kelly will recuse himself from this discussion. Mr. Durr explained the letter requesting that the Township take action on certain abandon and/or run down houses in the Township. Mr. Gillespie explained that the property maintenance code addresses these issues and the construction official can take action if the buildings are uninhabitable. Mr. Gillespie explained the process. Mr. Durr stated that the property owners may walk away from the properties and the Township is stuck with the expense of tearing it down. On a motion by Mr. Hlubik and second by Mr. Durr, it was decided that the letter will be turned over to the Construction Official to determine what action can be taken. All agreed with the exception of Mayor Kelly who abstained.

### Payment of Bills

The bill list was approved for payment as presented on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Mayor Kelly once again opened the meeting to the public for comments on matters not appearing on the agenda. Paul Cincotta asked for an estimate as to when Chesterfield Downs will be turned over to the Township. Mrs. Jamanow responded that she is not sure of their timeframe and none of the developers are moving as quickly as

anticipated. They are currently working on their punchlists. Mr. Cincotta asked about the completion date for the bridge. Mrs. Jamanow stated that she hopes to have it constructed in the Spring. Mr. Cincotta then asked about the existing roadway off of Old York Road and questioned if it will ever be used as an entrance for the school? Mrs. Jamanow explained that it is part of the Renaissance development and will be the main entrance to Old York Village.

Joe Landree of 151 Hogback Road had questions about the outfitting of the crossing guards which were addressed by Chief Wilson. Mr. Landree also asked about the recently installed flowmeter and Mrs. Jamanow addressed his question..

Mayor Kelly spoke about the Sustainable Jersey program available to municipalities and the Clerk advised that the Environmental Commission is currently working on that certification.

Hearing no other comments, the Committee recessed at 9:00 PM.

The Committee resumed at 9:07 PM and on a motion by Mr. Durr and second by Mr. Hlubik, approved Resolution 2010-12-6 to enter Executive Session for the purpose of reviewing and discussing proposals for professional services. All agreed.

The Committee resumed open session and adjourned the meeting at 9:35 on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Respectfully submitted,

Bonnie J. Haines, RMC  
Township Clerk