

October 28, 2010

The Township Committee met on the above date with the meeting being called to order by Mayor Kelly at 7:30 PM. The meeting 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 was John C. Gillespie, Township Attorney. 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. There was none.

#### Approval of Minutes

The minutes of September 28, 2010 regular and executive session were approved on a motion by Mr. Hlubik and second by Mr. Durr. Mr. Durr and Mr. Hlubik agreed; Mr. Kelly abstained as he was not present at the meetings.

The minutes of October 13, 2010 regular and executive session were approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

#### Resolution

Resolution 2010-10-15 was approved on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

### ***RESOLUTION 10-10-15***

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

***WHEREAS***, BAC and the Charles & Lesley Molina made a tax payment for Block 202.07 Lot 7 owned by Mr. & Mrs. Molina; and

***WHEREAS***, the tax payment received from the Molina's created an overpayment in the amount of \$2,047.78; and

***WHEREAS***, the homeowner has requested the overpayment be refunded to them at 31 Fenton Lane.

***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 \$2,047.78 to Charles & Lesley Molina.

### Ordinances for Introduction

Ordinance 2010-16 – An Ordinance of the Township of Chesterfield Supplementing Chapter 66 of the Code of the Township of Chesterfield Entitled “Guarantees and Inspections”. There was some concern that this ordinance doesn’t do what we need. Mr. Gillespie stated the trees will be replaced at the caliper it should be had it not died. Similar trees planted at the same time would be used as a guide. This ordinance does not supersede any developer agreements already in effect, but would effect new agreements. Mr. Hlubik suggested the replacement trees be no bigger than 3 ½ -4” caliper. Larger trees would require more maintenance and have less a chance of survival. Mr. Durr made a motion seconded by Mr. Hlubik to introduce Ordinance 2010-16 adding at the end of K. “up to a maximum of 3 ½-4” caliper. All agreed. The public hearing will be November 10, 2010.

Ordinance 2010-17 – An Ordinance of the Township of Chesterfield Supplementing Chapter 66 of the Code of the Township of Chesterfield Entitled “Alcoholic Beverages”. Mr. Durr made a motion seconded by Mr. Hlubik to introduce the ordinance. Mr. Gillespie stated this ordinance provides for exceptions for underage drinking for those who call 911 for help. All agreed. The public hearing will be November 10, 2010.

### Discussion

Park Names – Mayor Kelly suggested this be discussed at the next meeting.

Ward Avenue Detour – Ward Avenue will be closed for one day at a time when it will not interrupt school buses. This was acceptable and requested a copy be forwarded to the Police Chief.

### Payment of Bills

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

Mayor Kelly asked for any comments from the public. Valerie Jones stated she has the letter of request to the Board when Durr told them he was only going to build one home. The letter was dated March 7, 2007. She also stated that Eric Wilkinson represented Durr at the meeting. Mr. Durr asked Ms. Jones in what capacity he wrote the letter. She stated as the owner of the property. Mr. Durr asked what that has to do with the township Committee. Ms. Jones stated she wants Mr. Durr off the Board and he has no business being on any Board. Mr. Hlubik stated he has heard enough. Ms. Jones stated the lot number in the letter was wrong and it says only one home when Mr. Durr has 3 lots and still has 2 TDRs. Ms. Jones showed Mr. Gillespie the minutes to the Board of Public Utilities meeting of May 11, 2007 and the letter to the Board of Public Utilities.. Mr. Kelly stated this is the same information given at the last meeting and that she is not sharing anything new. Ms. Jones stated that Durr lies to the State Board and said he wants to build one home and farm the remainder. Mr. Gillespie read the letter Mr. Durr wrote which was requesting a utility extension. There was no reference to lots just 100 acres and the one home. Mr. Gillespie also reviewed the transcripts and stated that Mr. Wilkinson is a member of the staff of the Utility Board. Recommendations to the Board of Public Utilities are made by staff members.

Brian Meincke of Bullock Way asked the Committee to look at the intersection of Bordentown-Crosswicks Road and Preservation Blvd. Parking is allowed on both sides of the street. When making a left turn out of Preservation, the cars are too close to the intersection. He stated that if there were two less parking spaces that would help. He also asked if there are any proposals for other pathways to cut through the development. Mr. Durr believed it was looked at and the committee will check with the Township Engineer and get back to him. Mr. Meincke stated that K Hov has done a poor job of maintaining the property. Mr. Gillespie stated that he and Nancy Jamanow have a meeting with K Hov and asked Mr. Meincke to email him his concerns and they will question K Hov.

Mr. Gillespie stated there is a need for executive session to discuss the status of the NJDEP, Turnpike Re-forestation and developer agreement issues. Mr. Durr made a motion seconded by Mr. Hlubik to approve resolution 2010-10-16 and enter executive session at 8:10 PM.

Mr. Hlubik made a motion seconded by Mr. Durr to return to regular session. All agreed.

Having no further business, the meeting was adjourned at 9:50 PM on a motion by Mr.

<u>CURRENT ACCOUNT:</u>	<u>DESCRIPTION:</u>	<u>AMOUNT:</u>	Durr and
Ralph Clayton & Sons	Catch Basin Block	382.12	second
Charles & Lesley Molina	Refund Overpayment of Taxes	2,047.78	by Mr.
Trident Environmental Consultants	Bog Turtle Monitoring	<u>500.00</u>	Hlubik.
TOTAL CURRENT FUND		<u><u>2,929.90</u></u>	All

agreed.

Respectfully submitted,

Caryn M. Hoyer, RMC  
Deputy Township Clerk

***BILL LIST – OCTOBER 28, 2010***