

March 3, 2010

The Township Committee held a special meeting 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 was John C. Gillespie, Township Attorney. Notice of this meeting was properly given on Friday, February 25, 2010 by filing written notice with the Clerk of the Township and members of the governing body, posting notice on the Township's website and sending notice to the Burlington County Times and all persons requesting meeting notices. The agenda for this meeting was sent to the Burlington County Times on Sunday, February 28, 2010 and posted on the Township's website in accordance with the requirements of the Open Public Meetings Act.

Mayor Kelly opened the meeting to the public for comments on matters not appearing on the agenda. Hearing none, the Committee continued with agenda items.

Consent Agenda

The minutes of the Executive Session of December 30, 2009, Regular and Executive Session of January 28, 2010 and a raffle and bingo license application for the Chesterfield PTA were approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Chief Wilson was not present for the Police Department report.

Ordinances for Introduction

Ordinance 2010-3 was approved for introduction on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. Public hearing on this ordinance is scheduled for March 25.

ORDINANCE 2010-3

AN ORDINANCE TO REPEAL CHAPTER 176 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED, "TRAILERS AND TRAILER CAMPS"

WHEREAS, upon review of miscellaneous and various Ordinances, the Township Committee has determined that there is no longer any need for Chapter 176 of the Code of the Township of Chesterfield entitled "Trailers and Trailer Camps", given that there are no "tourist camps" or "trailer coach parks" within the municipality which would fall within the regulations set forth in Chapter 176; and

WHEREAS, the governing body deems it appropriate to therefore repeal said Ordinance so that there can be no misunderstanding as to the fact that said trailer camps are not permitted uses within the municipality;

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

176 of the Code of the Township of Chesterfield, entitled "Trailers and Trailer Camps" be and the same is hereby repealed in its entirety.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon proper passage in accordance with the law.

Ordinance 2010-4 was approved for introduction on a motion by Mr. Durr and second by Mr. Hlubik. All agreed. Public hearing on this Ordinance is scheduled for March 25, 2010.

ORDINANCE 2010-4

CREATING CHAPTER 110 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD TO BE ENTITLED "FEES"

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that a new Chapter 110 of the Township Code is established entitled "Fees" to compile the various fees established by Township Committee which fees are found throughout the various Ordinances of the Township Code, said Chapter 110 to read as follows:

Chapter 110. FEES.

Article 1. Legislative Declaration.

§110-1. Statement of Intent.

The Township Committee of the Township of Chesterfield hereby determines that:

A. The various fees, deposits or other payments required to be made for applications for licenses, permits, or approvals issued by the Township, or its agencies, or for services rendered by the Township, all of which have been provided for by ordinances of the Township Committee, shall be removed from the various ordinances in which they originally appeared, which ordinances have for the most part become chapters of the Code of the Township of Chesterfield, and shall be compiled into this chapter of the Code entitled "Fees."

B. The Township Committee that the listing of these fees and deposits in a single chapter will make for ease of reference and will facilitate future revisions to such fees and deposits in a more readily understandable fashion.

C. Any section of the Code which currently identifies a specific application, license, permit, inspection or escrow fee or charge will

be amended to make reference to the appropriate section of Chapter 110, established herein.

Article II. Schedule of Fees.

§ 110-2 through § 100-34. [reserved.]

§ 110-35. Fees under Chapter 35, Municipal Sewer Utility.

The Municipal Utility is hereby authorized to receive such fees, rents, rates or other charges for or in connection with the use or services of such Municipal Utility, which sums shall be held, used and applied in accordance with the Local Bond Law, N.J.S.A. 40A:2-1 et seq., and the Local Budget Law, N.J.S.A. 40A:4-1 et seq., of the State of New Jersey, as well as other applicable statutes.

§ 110-36 through § 100-43. [reserved.]

§ 110-44. Fees under Chapter 44, Public Defender.

Any person applying for representation by the township's public defender shall first pay an application fee of \$200 for said representation. The Municipal Magistrate may, in his or her discretion, and based upon evidence submitted to the Municipal Magistrate, waive said application fee in full or in part if the Judge determines that the application fee represents an unreasonable burden on the person seeking such representation.

§ 110-45 through § 100-63. [reserved.]

§ 110-64. Fees under Chapter 64, Alarm Systems.

Every application for an alarm user permit shall be accompanied by a fee of \$15.

§ 110-65. [reserved.]

§ 110-66. Fees under Chapter 66, Alcoholic Beverages.

- A. Plenary retail consumption license: \$2,500.
- B. Club license: \$188.per year, and said license fee is to be prorated according to the portion of the year remaining after issuance thereof.

§ 110-67 through § 100-69. [reserved.]

§ 110-70. Fees under Chapter 70, Amusement Devices.

- A. Premises. An operator shall be charged a fee of \$100 per annum, which fee shall be submitted with the application for the operation of the premises.
- B. Commercial amusement devices. A fee of \$50 per annum shall be charged for each commercial amusement device located on the premises for any portion of a calendar year beginning January 1 and ending December 31.

- C. Vending machines. A fee of \$10 per annum shall be paid for the operation of each vending machine located on any premises for any portion of a calendar year beginning January 1 and ending December 31.

§ 110-71 through § 100-89. [reserved.]

§ 110-90. Fees under Chapter 90, Certificate of Compliance.

The fees for inspections performed pursuant Chapter 90 are:

- A. Fifty dollars (\$50) for the initial resale inspection and one subsequent reinspection, if necessary.
- B. Twenty-five dollars (\$25) for the initial rental inspection and one subsequent reinspection, if necessary.
- C. Twenty-five dollars (\$25) for each subsequent inspection following the first reinspection.

§ 110-91 through § 100-93. [reserved.]

§ 110-94. Fees under Chapter 94, Construction Code, Uniform.

The Township Committee hereby establishes the following fees for a construction permit, which shall be the sum of the subcode fees listed in Schedules A, B, C and D.

- A. New structure fees. Schedule A:
 - 1. Use Groups B, H, I-1, I-2, I-3, M, E, R-1, R-2, R-3, R-4, R-5, U: \$0.025 per cubic foot.
 - 2. Use Groups A-1, A-2, A-3, A-4, F-1, F-2, S-1: \$0.014 per cubic foot.
 - 3. Use Groups S-2 and commercial farm buildings: \$0.007 per cubic foot, maximum fee not to exceed \$815.
- B. Renovations, alterations, repair and minor work fees. The applicant shall submit cost data by the architect or engineer of record, a recognized estimating firm or by contractor bid. The Construction Official will review the construction costs for acceptability. The fees shall be:
 - 1. Estimated costs up to and including \$50,000: \$18 per \$1,000.
 - 2. Portion of costs from \$50,001 up to and including \$100,000: additional fee of \$15 per \$1,000.
 - 3. Portion of cost above \$100,000: additional fee of \$12 per \$1,000.
- C. Plumbing fees. Schedule B:

1. Plumbing fixtures and devices: All fixtures, appliances (future and current), gas piping and non-testable backflow preventers, except as listed below: \$10.
2. Grease traps, oil separators, water-cooled air conditioners, refrigeration units, utility service connections, backflow preventers (testable), steam boilers, hot-water boilers, entrance, active solar systems, sewer pump interceptors and fuel oil piping: \$65.
3. Periodic inspections: For cross connections and backflow preventers that are subject to testing, requiring reinspection annually, the fee for each device shall be \$46.
4. Plumbing permit fees for connection to sanitary sewer system shall be \$66.
5. The minimum permit fee shall be \$43.

D. Electrical fees. Schedule C:

1. Electrical fixtures and devices. For the purpose of computing this fee, the term "receptacles, fixtures or switches" shall include lighting outlets, fluorescent fixtures, burglar alarm devices, telephone outlets, smoke detectors, intercom devices, light standards, heat detectors, pool bonding, thermostats and CRT outlets.
 - a. From one to 50 receptacles, fixtures or switches: \$36.
 - b. Each additional 25 receptacles, fixtures or switches: \$6.
2. Motors:
 - a. Greater than one hp or less than or equal to 10 hp: \$10.
 - b. Greater than 10 hp or less than or equal to 50 hp: \$46.
 - c. Greater than 50 hp or less than or equal to 100 hp: \$90.
 - d. Greater than 100 hp: \$450.
3. Electrical devices (include transformers and generators):
 - a. Greater than one kw or less than or equal to 10 kw: \$10.
 - b. Greater than 10 kw or less than or equal to 45 kw: \$46.
 - c. Greater than 45 kw or less than or equal to 112.5 kw: \$92.
 - d. Greater than 112.5 kw: \$450.
 - e. For the purpose of computing this fee, typical electric device sizes are listed below:

<u>Device</u>	<u>KW Rating</u>
Electric dryer	5.0 kw
Hot-water heater	4.5 kw
Electric range	10.8 kw
Central air	1.4 kw
Surface units	5.1 kw
Dishwasher	1.2 kw
Geothermal	kw range of 3.8 to 19.2
Heat pump	2.6 to 7.4 kw

Electric baseboard
heater greater than
four-foot length 1.3 kw

Hard-wired
microwave ovens 1.4 kw

4. Service equipment (term includes service panel, service entrance and subpanels):
 - a. Greater than 0 amp, less than or equal to 200 amp: \$46.
 - b. Greater than 200 amp, less than or equal to 1,000 amp: \$92.
 - c. Greater than 1,000 amp: \$450.
 - d. The fee for annual inspection of public pools shall be \$43.
 - e. The minimum permit fee shall be \$43.

E. Fire protection and hazardous equipment fees. Schedule D:

1. Smoke and heat detectors:

<u>Detectors</u>	<u>Fee</u>
1 to 3	\$ 43
4 to 20	\$ 60
21 to 100	\$111
101 to 200	\$212
201 to 400	\$550
401 to 1,000	\$761
Over 1,000	\$972

2. Wet and dry sprinkler heads:

<u>Heads</u>	<u>Fee</u>
1 to 20	\$ 60
21 to 100	\$111
101 to 200	\$212
201 to 400	\$550
401 to 1,000	\$761
Over 1,000	\$972

3. Pre-engineered systems: \$85.
4. Standpipe fees: \$212.
5. Gas and/or oil-fired appliance which is not connected to the plumbing system: \$43.
6. Kitchen exhaust system R-3, R-4 and R-5: \$43.
7. Incinerators: \$338.
8. Crematoriums: \$338.
9. The minimum permit fee shall be \$43.

F. Demolition or removal permit.

1. For a structure less than 5,000 square feet in area and less than 35 feet in height, for one- or two-family residences (R-3) and for structures on farms, including commercial farm buildings, the fee is \$43. For all other structures, the fee is \$111.

2. The fee for removal of one building from one lot to another or to another location on the same lot shall be \$7 per \$1,000 of the estimated cost of a new foundation and all work necessary to place the building in its completed condition in the new location.
- G. Sign fees:
1. Square foot surface area of the sign at \$1.11 per square foot (Note: fee to be based on one side of double-sided sign).
 2. The minimum fee shall be \$43.
 3. No permit is required for signs less than 25 square feet.
- H. Non-depletable and alternate energy systems (solar heating):
1. Light commercial and R-3 with one thermostat: \$195.
 2. All other structures: \$975.
- I. Certificate of occupancy fees. Certificate fees are calculated as part of the permit fee and collected with the permit fee.
1. The fee shall be in the amount of 10% of the new construction fee. The minimum fee shall be \$111.
 2. Exceptions. One- and two-family residences less than 5,000 square feet in area and less than 35 feet in height and farm structures and commercial farm buildings: the fee shall be \$28.
 3. Fee for certificate of occupancy granted for change of use: \$161.
 4. Fee for certificate of continued occupancy: \$111.
- J. Training and certification fees.
1. The fee shall be in the amount of \$0.00265 per cubic foot of volume of structure for new construction and additions.
 2. The fee shall be in the amount of \$1.35 per \$1,000 of alteration and remodeling costs.
- K. Pursuant to N.J.A.C. 5:23-2.27, in the case of discontinuance of a building project, plan and review fees are not refundable. Plan and review fees are set at 5% of the amount to be charged for the new construction fee.
- L. Variation fees:
1. Class I is \$200; resubmittal is \$100.
 2. Class II and III are \$50; resubmittal is \$25.
 3. Applicant must submit variation application with the above applicable fee.
- M. Administrative fees. An administrative fee of 15% shall be charged by this Department for any subcode performed by any third-party agency. All computed fees that would normally contain cents shall be rounded to the next highest dollar. Prototype plans shall be reduced by the amount of the plan review fee.

- N. Pools:
 - 1. Aboveground pools: \$50.
 - 2. In-ground pools: \$100.
 - 3. Electric, except panel boards and underwater lights: \$43.
- O. Modular house unit: \$50 per unit.
- P. Circus tents, carnival tents and temporary structures in excess of 900 square feet or more than 30 feet in any dimension shall be a flat fee of \$150.
- Q. Reserved.
- R. Roofing and siding, residential: \$46.
- S. The minimum basic construction permit covering any or all building and fire protection work shall be \$43.
- T. Reserved.
- U. Reserved.
- V. Reserved.
- W. Elevators: state plan review and inspection.

§ 110-95 through § 100-105. [reserved.]

§ 110-106. Fees under Chapter 106, Dogs.

- A. Persons applying for the license and registration tags shall pay the following fees:

1. Annual license fees and renewals:

	<u>Spayed</u>	<u>Non-Spayed</u>
Chesterfield Township license fee	\$6.80	\$ 6.80
New Jersey registration fee	\$1.00	\$ 1.00
New Jersey Pilot Clinic Fund	\$0.20	\$ 0.20
New Jersey Animal Population Control Fund	<u>\$0.00</u>	<u>\$ 3.00</u>
Total	\$8.00	\$11.00

- 2. In addition, fees paid after March 31 of the calendar year shall incur a late fee of \$5 per month or portion thereof for each spayed and non-spayed animal.

3. In the event that a replacement registration tag is requested, a fee of \$2 per tag shall be charged.

B. Notwithstanding the licensing and registration provisions contained in Subsection A, the fee for issuing a special license for a potentially dangerous dog pursuant to § 106-21 hereof shall be \$700 for said license, for each dog and for each annual renewal.

§ 110-107 through § 100-113. [reserved.]

§ 110-114. Fees under Chapter 114, Fire Prevention.

A. The inspection and permit fees established by the Uniform Fire Code adopted February 18, 1985, as amended and supplemented, shall be charged by the Fire Official under Chapter 114.

§ 110-115 through § 100-117. [reserved.]

§ 110-118. Fees under Chapter 118, Flood Damage Prevention.

A. A development permit fee of \$50 shall be tendered by each applicant and collected by the Construction Official at the time the application is filed.

§ 110-119 through § 100-129. [reserved.]

§ 110-130. Fees under Chapter 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 the ordinance is filed.

A. Informal discussions:

1. Application filing fee: \$50.
2. Escrow fee: \$20 dollars per proposed lot for subdivision or per acre for site plan, with a minimum fee of \$250.

B. Minor Subdivision.

1. Application fee: \$150.
2. Escrow fee: \$1,000 per lot.

C. Minor Site Plan.

1. Application fee: \$150.
2. Escrow fee: \$400 per acre with a minimum deposit of \$1,000.00.

D. Preliminary Major Subdivision.

1. Application fee: \$300.
2. Escrow fee: \$500 per lot.

E. Preliminary Major Site Plan.

1. Application fee: \$300.

2. Escrow fee: \$500 per acre with a minimum deposit of \$1,000.00.

F. Final Major Subdivision.

1. Application fee: \$200.
2. Escrow fee: \$100 per lot with a minimum deposit of \$300.00.

G. Final Major Site Plan.

1. Application fee: \$200.
2. Escrow fee: \$500 per acre.

H. Request for extension of preliminary or final site plan or subdivision approvals.

1. Application fee: \$100.
2. Escrow fee: \$500.
- 3.

I. Request for reapproval of site plan or subdivision.

1. Application fee: 50% of original fee.
2. Escrow fee: 50% of original fee.

J. Use variance.

<u>Type of Variance</u>	<u>Filing Fee</u>	<u>Escrow Fee</u>
Residential	\$75 (1 to 10 residential units)	\$1500. per unit
Business	\$350	\$2500 first acre; \$200 each add. acre
Industrial	\$350	\$500 first acre; \$200 each additional acre

K. Bulk variance.

1. Residential: \$750.
2. Business: \$1500.
3. Industrial: \$200.

L. Appeals.

1. Application fees: \$150.
2. Escrow fees: \$500.

M. Performance escrow.

1. Five percent of the cost of improvements as calculated by Approving Authority's engineer.
2. The above shall be posted prior to construction of an on-site or off-site improvement.

N. Revised site plan or subdivision.

1. Applicant will be required for each refiling of plans not requiring a new application, to post an additional sum equal to 1/4 of the escrow fee normally established for the proposal as set forth above.
- O. Conditional use.
1. Application fees: \$150.
 2. Escrow fees: \$300 per acre with a minimum deposit of \$1,000.
- P. Rezoning.
1. Application fees: \$100.
 2. Escrow fees: \$2,000.
- Q. Transfer development rights. Fee schedule for transfer of development rights ordinance:
1. Application fees for all applications under the TDR Ordinance: \$100.
 2. Escrow fees: At the time of application, the applicant shall deposit an escrow fee in the amount of \$500 per enrollment, regardless of the number of credits enrolled in the deed of enrollment.
 3. All fees are cumulative.
- R. Architectural review fees. The following fees shall be deposited for the review of applications to construct 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-a-like" standards of this chapter.

<u>Application for</u>	<u>Fee</u>
One building	\$130
Two buildings	\$100 per building
Three buildings	\$80 per building
Four through nine buildings	\$70 per building
Ten or more buildings	\$60 per building

§ 110-131 through § 100-145. [reserved.]

§ 110-146. Fees under Chapter 146, Parks and Recreation Areas.

[reserved.]

§ 110-147 through § 100-149. [reserved.]

§ 110-150. Fees under Chapter 150, Peddling and Soliciting.

- A. Upon approval of the license application, the applicant shall pay an application fee of \$75 and, if the application is approved, a permit fee of \$50.00.

§ 110-151 through § 100-153. [reserved.]

§ 110-154. Fees under Chapter 154, Records, Public.

The following schedule of administrative fees are hereby adopted for the reproduction of public records in and by the Township of Chesterfield:

- A. For all checks or drafts dishonored or for any other reason returned uncollected by the drawer's bank to the township: \$20.

- B. Copies of public records:
 - 1. First page to tenth page: \$0.75 per page.
 - 2. Eleventh to twentieth page: \$0.50 per page.
 - 3. All pages over twenty: \$0.25 per page.
 - 4. For certain public records requests where, due to the nature, format, manner of collation or volume of a government record, the record cannot be reproduced by ordinary document-copying equipment in ordinary business sizes, the Township shall charge its actual direct cost for reproduction.
 - 5. In appropriate circumstances, the Township may collect a special service charge as permitted by N.J.S.A. 47:1A-5c. The special service charge shall be imposed, in addition to the actual cost of duplicating the record, where the nature, manner of collation or volume of printed matter is such that it cannot be reproduced by ordinary document-copying equipment in ordinary business size or where such record involves an extraordinary expenditure of time and effort to accommodate the request. The fee shall be assessed on a case-by-case basis using the standards and criteria established by the Government Records Council as may be amended from time to time. The requestor shall have the opportunity to review and object to the special service charge prior to it being incurred.
 - 6. For reproducing tape recording of municipal meetings, including Township Committee, Planning Board and other meetings which are recorded: \$10, or in the event that the cost of duplication exceeds same, then the actual cost to the township for said duplication.

- C. Municipal Court Discovery.
 - 1. All requests for discovery in matters pending in the Chesterfield Township Municipal Court shall be submitted through the Municipal Prosecutor.
 - 2. The following fees shall be payable by the requestor to the Township of Chesterfield for the discovery provided:
 - a. Per page for each of the first 10 pages photocopied: \$0.75.
 - b. Per page for each of the next 10 pages photocopied: \$0.50.
 - c. Per page for each of the pages photocopied thereafter: \$0.25.

- d. Actual postage for any discovery sent by mail.
- e. For the envelope for any discovery sent by mail: \$0.25.
- f. Photographs will be photocopied at the rates established herein. If requests are made for duplicate photographs, the actual cost of making the photographs shall be charged.
- g. Duplication of videotapes constitutes an extraordinary duplication process and will be charged at the rate of \$5 per videotape.
- h. On any item that cannot be photocopied on the Township copy machine or not otherwise provided for in this schedule, the actual cost incurred in making the copy shall be charged.

3. Where the discovery must be obtained from an entity other than the Township of Chesterfield, e.g., another police department, the actual cost paid to the other entity shall be paid by the requestor.

D. The following fees shall be paid by the requestor to the Township of Chesterfield for the following documents:

- 1. For a certified copy of a vital statistic record: \$10.
- 2. For any correction of a vital statistic record: \$5.

§ 110-155 through § 100-161. [reserved.]

§ 110-162. Fees under Chapter 162, Smoke Detectors.

A. Smoke detector fees are found at §110-94(E)(1).

§ 110-163 through § 100-165. [reserved.]

§ 110-166. Fees under Chapter 166, Soil Removal.

A. Application fee: \$500.00

B. Renewal fee: \$500.00

§ 110-167 through § 100-169. [reserved.]

§ 110-170. Fees under Chapter 170, Streets and Sidewalks.

A. Street Opening Permit:

1. Application fee \$100.00

2. Application fee if not associated with Site Plan or Subdivision: \$200.00

3. Initial Inspection Escrow: \$500.00

B. Driveway Apron Permit:

1. Initial driveway apron: \$100.00
2. Additional driveway
3. apron on same property: \$25.00 (per apron)
4. Escrow if drainage or swale required: \$500.00

§ 110-171 through § 100-175. [reserved.]

§ 110-177 through § 100-203. [reserved.]

§ 110-204. Fees under Chapter 204, Food Establishments, Retail.

- A. Food handling certificate: \$50.00
- B. Itinerant retail food handling certificate: \$50.00

§ 110-204 through § 100-215. [reserved.]

§ 110-216. Fees under Chapter 216, Sewers.

- A. For the filing of an application and plans for a permit to locate and construct an individual sewage disposal system: \$25.
- B. For the filing of an application and plans for a permit to alter an existing individual sewage disposal system: \$25.
- C. For the issuance of a permit to locate and construct or alter an individual sewage disposal system: \$25.
- D. For each reinspection of an individual sewage system or part thereof caused by the failure of the permittee to locate and construct or alter the same in accordance with the terms of the permit issued or the terms of the aforesaid code, an inspection fee of \$25 shall be charged.
- E. For any application for either a permit to locate and construct, or to alter, an individual sewage disposal system, where the applicant also seeks a waiver from any of the standards set forth in § 216-3, an escrow fee of \$100 shall be required to compensate the municipality for the fees incurred by the Township's professional staff in reviewing said application.
- F. Escrow under § 216-5: \$500.00

§ 110-217 through § 100-221. [reserved.]

§ 110-222. Fees under Chapter 222, Swimming Pools.

- A. Public swimming pool license: \$25.00

§ 110-223 through § 100-227. [reserved.]

§ 110-228. Fees under Chapter 228, Water.

The following fees and charges are herewith established:

- A. For the issuance of a permit to locate and construct or alter a water supply: \$25.
- B. For each reinspection of a water supply or part thereof caused by the failure of the permittee to locate and construct or alter the same in accordance with the terms of the permit issued or the terms of the aforesaid code, an inspection fee of \$25 shall be charged.

§ 110-A239. Fees under Chapter A239, Cable Franchise Fee.

- A. The company shall, during each year of operation under the consent granted herein, pay to the township 2% of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers to its cable television reception service within the franchise territory or any amount otherwise allowed by law. It is acknowledged that the current law in New Jersey limits the franchise fee to 2% of the gross revenues from all recurring charges in the nature of subscription fees received by the company as described above. In the event that applicable law hereafter permits a larger franchise fee to be collected, the township shall be entitled to the larger franchise fee.

BE IT FURTHER ENACTED, that Chapter 110-130, established herein is supplemented by adding a new paragraph "S" which amends the Township Code by increasing the fee for the application of zoning permit to provide for the true cost of field inspection, photos, measurements, plan review and administrative paperwork, said paragraph to read as follows:

- S. Application for a Zoning Permit \$50.00

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.

Ordinances for Public Hearing

The public hearing on Ordinance 2010-2 was opened on a motion by Mr. Hlubik and second by Mr. Durr. Hearing no comments, the public hearing was closed on a motion by Mr. Durr and second by Mr. Hlubik and Ordinance 2010-2 AN ORDINANCE TO AMEND CHAPTER 130 SECTION 83 E (9) OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD RELATING TO FENCES IN THE PLANNED VILLAGE DISTRICT was adopted on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Resolutions

Resolution 2010-3-1 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-3-1

**RESOLUTION AUTHORIZING TRANSFER AMONG
BUDGET APPROPRIATION RESERVES**

WHEREAS, various 2009 bills have been presented for payment this year, which bills were not covered by order number; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

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 2009 Budget Appropriation Reserves in accordance with the following schedule of transfers:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>	<u>AMOUNT</u>
Engineering OE	\$ 2,917.08		
Vehicle Maint. OE	\$ <u>403.83</u>		
TOTAL	\$3,320.91		
		Tax Map Maint.OE	\$ 382.75
		Legal OE	\$ <u>2,938.16</u>
		TOTAL	\$3,320.91

Resolution 2010-3-2 was approved on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

**RESOLUTION 2010-3-2
RESOLUTION DEFERRING SCHOOL TAX**

WHEREAS, the governing body of a municipality is permitted to defer school taxes amounting to not more than 50% of the total school tax levy; and

WHEREAS, it is the desire of the Township Committee of the Township of Chesterfield to defer local district school tax amounting to \$3,351,799.00 representing 50% of the 2009-2010 local school district tax levy and to defer regional high school tax amount to \$1,503,202.68 representing 43% of the 2009-2010 regional high school tax levy;

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 2009-2010 local district school tax levy be deferred in the amount of \$3,351,799.00 and that the 2009-2010 regional high school tax levy be deferred in the amount of \$1,503,202.68.

Resolution 2010-3-3 was approved on a motion by Mr. Hlubik and second by Mr. Durr with the stipulation that the retirement cannot be accepted with a guarantee of re-hire in 30 days. All agreed.

**RESOLUTION 2010-3-3
RESOLUTION ACCEPTING RETIREMENT OF PART-TIME POLICE OFFICER**

WHEREAS, Marvin Ames has been a part time Police Office for the Township of Chesterfield since 1980; and

WHEREAS, Patrolman Ames has indicated, by letter dated January 25, 2010, his intention to retire from the Chesterfield Township Police Department effective March 1, 2010; and

WHEREAS, the Township Committee deems it appropriate to accept the retirement of Patrolman Ames;

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 Marvin Ames official notice of retirement effective March 1, 2010 is hereby accepted;

BE IT FURTHER RESOLVED that the Township Committee expresses their appreciation for the dedicated services provided by Marvin Ames to the Township of Chesterfield.

Resolution 2010-3-4 was tabled on a motion by Mr. Durr and second by Mr. Hlubik. Mr. Durr will have a conversation with Mr. Archer concerning the price increase. It was also noted that a resident who required the services of the Emergency Squad wrote a letter to the Register News praising the services she received. All agreed to table the approval of the resolution.

Resolution 2010-3-5 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-3-5

RESOLUTION APPOINTING DEPUTY TAX ASSESSOR

WHEREAS, through the adoption of Ordinance 2010-1, the Township of Chesterfield has created the position of Deputy Tax Assessor; and

WHEREAS, Glenn McMahon has been serving as the assistant to the Tax Assessor and has fulfilled all the requirements of a Certified Tax Assessor; and

WHEREAS, the Township Committee believes it to be in the best interest of the Township in service to their residents to appoint a Deputy Tax Assessor to serve in accordance with and in the absence of the Tax Assessor;

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 Glenn P. McMahon is hereby appointed as Deputy Tax Assessor for the Township of Chesterfield; and

BE IT FURTHER RESOLVED that this appointment will take effect immediately upon approval of this Resolution, however, in accordance with NJSA 40A:9-148, the four (4) year term for this appointment will begin July 1, 2010 and expire June 30, 2014.

Resolution 2010-3-6 was approved on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

RESOLUTION 2010-3-6

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR LEASE OF FARMLAND AT
BLOCK 203 LOT 43**

WHEREAS, the Township of Chesterfield purchased land on Bordentown-Chesterfield Road referred to as Block 203 Lot 43 on the Tax Maps of Chesterfield Township; and

WHEREAS, the Township intends to develop this parcel as a passive recreation area at a future date; and

WHEREAS, while those plans are being developed, the Township Committee feels it is in the best interest of the Township to lease the parcel as farmland in order to generate revenue; and

WHEREAS, the Township advertised the Notice of Proposed Lease of Farmland in two editions of the Burlington County Times; and

WHEREAS, one (1) bid was received and opened on February 23, 2010, submitted by Katona Farms Incorporated in the amount of Two thousand five hundred fifty dollars (\$2,550.00);

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 Township hereby awards a lease agreement to Katona Farms Incorporated of 355 Ellisdale Road in Chesterfield Township, for property located at Block 203 Lot 43, to be used for the purpose of crop farming / soybeans, in accordance with the terms of the lease agreement, for the remainder of calendar year 2010, in the amount of Two thousand five hundred fifty dollars (\$2,550.00).

Discussion

PSE&G Energy Audit – the Committee approved participation in this program on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

Off Duty Employment Fees – the Committee decided to wait for the contract negotiations to be finalized before considering this amendment.

JIF Safety Incentive Program – Glenn McMahon was present to inform the Township Committee that the Township qualified and received the Gold Award for 2009 for the most improved safety program over two years. Glenn explained the safety programs currently being conducted throughout the year and asked that, if the Committee had any suggestions for other programs to please contact him. The Committee congratulated Glenn on a great job and commended him for his continued efforts as Safety Coordinator.

Remaining Amendments to Fence Ordinance – the Committee tabled this discussion until they have had more time to review the proposal.

Budget meetings – the Committee will hold a budget meeting March 10 at 5:00 PM with Jack Maley, prior to the regular Township Committee meeting.

Paper Recycling Cart – after a brief discussion by the Committee, it was requested that a sample smaller cart be requested or, at least the dimensions of the smaller size.

Look-Alike Review Procedure – the Clerk has received a request from the Construction Official to have the Construction Office begin performing the look-alike reviews currently being performed by the Township Planner. A fee could be charged for this service to generate revenue for the Township. On a motion by Mr. Durr and second by Mr. Hlubik, it was decided that the Construction Office will begin performing the look-alike reviews immediately at a cost of \$60.00 per permit. All agreed.

On a motion by Mr. Hlubik and second by Mr. Durr, the introduction of Ordinance 2010-4 was amended to include the modification of the fees for architectural review. All agreed.

Payment of Bills

The bill list, as presented, was approved on a motion by Mr. Hlubik and second by Mr. Durr. The Clerk pointed out that this is a ratification of bills that were previously paid in February. Both February meetings were cancelled because of severe weather and there were bills that could not wait to be paid. All agreed.

Comments from the Public and the Committee

There were no comments from the public. Mayor Kelly stated that the Crosswicks Innkeepers are moving forward with the rental of their COAH unit and have scheduled an Open House for March 14.

The Township Committee reviewed a memorandum from the attorney's office concerning the cell tower specifications. It was suggested that the proposal needs to be clear that Township property is exempt from property taxes which should escalate the minimum rent. Alternative designs will probably also alter the amount of rent offered.

The Committee approved Resolution 2010-3-7 authorizing an Executive Session for the purpose of Discussing the Police Contract Proposal, Shared Services Agreement with North Hanover Township, Acquisition of Property from Colonial Pipeline, Liptak Litigation and the Possible Purchase of the Existing Elementary School on a motion by Mr. Durr and second by Mr. Hlubik. All agreed. The Committee entered closed session at 8:40 PM.

The Committee resumed open session and adjourned the meeting at 10:15 PM on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

Respectfully submitted,

Bonnie J. Haines, RMC
Township Clerk