

February 24, 2011

The Township Committee held a special meeting on the above date beginning at 6:30 PM with the Chesterfield Township Athletic Association and at 7:00 PM with the Crosswicks Community Association concerning their 2011 budget requests.

Representing the CTAA were Paul Cincotta and Matt D'Oria. Mayor Durr asked for a breakdown on what their budget allocation is spent on. Mr. Cincotta gave an outline of the number of participants in 2010 compared to the registrations in 2011. Baseball in 2010 was 185; 2011 is 170. Basketball in 2010 was 175; in 2011 is 165. Soccer in 2010 was 230. Most of the expense in baseball goes to umpires for the 9-12 age groups. The older kids are regionalized and Chesterfield pays their share for the residents who play. Uniforms and registration fees were also explained.

There is a significant balance in their account which is being reserved for big ticket equipment purchases such as 2 gang boxes for equipment, an outfield fence on the fields, a shed and an indoor facility. They are now charging a \$25 late registration fee after a certain date and don't generally receive complaints about the registration costs until the child moves up into a different age bracket and there is a significant increase.

During a conversation about the type of building needed, Mr. Cincotta stated that the CTAA is not interested in running any type of concession stand. They feel that staffing would be a problem and there would not be a great return as there are not enough home games to generate much profit.

Mr. Cincotta also explained that they use an online registration service and the cost for that is \$7.00 per registration. Mr. Cincotta also explained the changes in fees over the years along with fundraising efforts. The CTAA has a need for certain things and do not know what the Township will be giving. He asked the Committee what the long terms plans were for the fields. Mayor Durr responded that there was no outfield fence installed on the fields so they could be used for dual purposes if additional room was needed. In addition, there is more maintenance required with a fence. The conversations concerning a building have gone from a concession building with bathrooms and storage to a building with an indoor basketball court. He is very disappointed that the CTAA is not interested in the concessions. He feels they are missing an opportunity to build the organization and make new friends. The Committee needs direction from the CTAA in order that a building could possibly be included in the grant application for the County. Mr. Cincotta replied that the CTAA is looking for bathrooms, storage and a meeting place. Mayor Durr suggested an unfinished pole barn and Mr. Cincotta thought that would be sufficient if the meeting area was adequate.

Mayor Durr asked if the CTAA currently requires background checks. Mr. Cincotta explained that there is training required but no background checks are currently being done. There are approximately 75 coaches and assistant coaches.

Mr. Cincotta explained why the CTAA sometimes loses participants to programs in other towns.

Herb Ames, Peter Kelly, Desiree Little and Denise Laurenti were present representing the Crosswicks Community Association. Mr. Ames explained that they have money in reserve from years of donation however they had an \$11,000 deficit in their operating

budget for 2010. They are operating in a 90 year old building in desperate need of updated bathrooms and air conditioning. Their rentals would improve with the addition of air conditioning. The playground equipment also needs to be upgraded. The funds will deplete quickly with the implementation of these projects. There is also a parking issue at the facility which affects the rentals. They found out they have not been properly insured over the years resulting in a dramatic increase in the insurance costs. Mr. LoCascio asked if they would possibly be eligible for CDBG grants for any of their projects. Mrs. Jamanow was not present and responded that there are ADA compliance issues with the building. There are categories that the building may be eligible for even though it is not owned by the Township. However, Chesterfield is not eligible for those funds until 2013 and the maximum amount would be \$72,000. The parking lot may also be an eligible project. Mrs. Jamanow suggested checking on grants for historic buildings as well. The Community Association will work with the Township Engineer on what might be required for the CDBG grant.

The Township Committee meeting was called to order by Mayor Durr at 7:40pm and opened with the flag salute and a moment of silence. Roll call was taken showing present: Mayor Lawrence H. Durr, Deputy Mayor Michael J. Hlubik and Committeeman Richard T. LoCascio. Also present was Nancy W. Jamanow, Township Engineer and John C. Gillespie, Township Attorney. The Open Public Meetings Act statement was read and compliance noted.

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

Approval of Minutes

The minutes of February 9, 2011 regular and executive session and February 15, 2011 special meeting were approved on a motion by Mr. LoCascio and second by Mr. Hlubik. All agreed.

Township Engineer

Village Square Park – Mrs. Jamanow presented the bid advertisement and contract award schedule. The plans have been revised with alternates added to the bid specs. There are a total of 6 alternates. Nothing has been deleted. The Clerk reported that a safety inspector from the BURLCOJIF will be in to review the plans for liability issues with the boulders. Mrs. Jamanow stated that the specs could be amended if necessary.

Cross Creek to Greene II – Mrs. Jamanow stated that there is a water and sewer easement in that area and the path will run through it. This project could be included in the county grant application as well as the pedestrian bridge path. The application is at DEP for review. Once those permits are received, that project is ready to go. Mr. Hlubik asked if we could include in the grant application a bike path along Route 528 that would connect into Bordentown Township. It may be looked upon more favorably since we would be

connecting two municipalities. Mrs. Jamanow replied that she thinks that would better be applied for through Municipal Aid grants since it is on a county road. She will look at the bike and pedestrian report to see if Route 528 was included.

Reforestation – The comments from the Environmental Commission have been addressed and the specifications are being prepared. The Village Square Park and then the school buffering will be requested in the first year. Mrs. Jamanow will ask the turnpike to buffer along Daniel avenue.

Charlotte Rogers Park – Nancy’s office has met with a group of 9 residents and all but 1 want the plantings. Four residents still have not been contacted. This area will be included in 2012 or 2013 plans. Mayor Durr asked how far the funding will go and Mrs. Jamanow responded that there will be enough in the first year to do the Village Square Park and the School with enough remaining for about 100 more trees. She would recommend the Fenton Lane fields for the next round of funding. Mr. Gillespie stated that the Committee can authorize the bids to be prepared as we were promised the money by the next meeting. Mayor Durr stated that he was contacted by a resident who is nursery grower who pointed out that in Washington Township the reforestation bid specs require a percentage of the trees to be grown locally. He thinks that is a good idea. Mrs. Jamanow stated that she has reviewed those specs and they require deciduous trees to come from nurseries within 200 miles of the township. She doesn’t feel 200 miles is local but is concerned that local growers would be able to meet the requirements. The Committee agreed that a minimum of 25% of all trees must be grown in the Township.

Relocation of mailboxes on Bordentown – Crosswicks Road – Mrs. Jamanow has made suggestions and the post office is reviewing.

Letters to developers – Mrs. Jamanow has sent letters to the developers requesting target dates for the release of their developments. She believes that the Township will have three of them by the end of summer.

Ordinances for Introduction

Ordinance 2011-7 was approved for introduction on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed. Public hearing will be March 9.

ORDINANCE 2011-7

A CAPITAL ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD AUTHORIZING THE APPROPRIATION OF \$264,000.00 FROM THE RECREATION FUND

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

SECTION 1. There is hereby approved as a capital project within the Township of Chesterfield, not to exceed the costs noted below:

<u>Project / Purpose</u>	<u>Amount Authorized</u>
Bike path from Cross Creek to Greene II	
Engineering design / construction services	\$ 18,500.00
Construction Costs	\$ 76,000.00
School Connection Pedestrian Path	
Engineering design / construction services	\$ 24,000.00
Construction Costs	\$ 84,500.00
Recreation Equipment	<u>\$ 61,000.00</u>
	\$264,000.00

SECTION 2. There is hereby appropriated from the Chesterfield Township Recreation Fund the sum of \$ 264,000.00 to cover the cost of the projects described in Section 1.

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

SECTION 4. The Recreation Fund of the Township of Chesterfield is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk of the Township and is available for public inspection.

Ordinances for Public Hearing

The public hearing on Ordinance 2011-3 was opened on a motion by Mr. Hlubik and second by Mr. LoCascio. Hearing no comments, the public hearing was closed on a motion by Mr. LoCascio and second by Mr. Hlubik. Ordinance 2011-3 AN ORDINANCE TO REPEAL SECTION 182-25 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED “TRUCKS OVER CERTAIN WEIGHTS EXCLUDED” TO RESCIND WEIGHT LIMITS ON HOGBACK ROAD, SYKESVILLE ROAD AND CHESTERFIELD-GEORGETOWN ROAD was finally adopted on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

The public hearing on Ordinance 2011-52 was opened on a motion by Mr. Hlubik and second by Mr. LoCascio. Hearing no comments, the public hearing was closed on a motion by Mr. Hlubik and second by Mr. LoCascio. Ordinance 2011-5 AN ORDINANCE TO AMEND CHAPTER 154 OF THE CODE OF THE TOWNSHIOP OF CHESTERFIELD ENTITLED "PUBLIC ACCESS TO RECORDS" was finally adopted on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

The public hearing on Ordinance 2011-6 was opened on a motion by Mr. Hlubik and second by Mr. LoCascio. Hearing no comments, the public hearing was closed on a motion by Mr. Hlubik and second by Mr. LoCascio. Ordinance 2011-6 AN ORDINANCE TO AMEND ORDINANCE 2010-4 WHICH CREATED CHAPTER 110 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED "FEES" was finally adopted on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

Resolutions

Resolution 2011-2-5 to appoint members to the Agricultural Advisory Board was presented for approval. Names were drawn from a hat for the terms of the appointees. The resolution was approved with those terms on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

RESOLUTION 2011-2-5

RESOLUTION APPOINTING MEMBERS TO THE CHESTERFIELD TOWNSHIP AGRICULTURAL ADVISORY BOARD

WHEREAS, Section 4-1 of the Code of the Township of Chesterfield establishes the Township of Chesterfield Agricultural Advisory Board, to serve as an ad hoc advisory board to the Township Committee for purposes of keeping the Township Committee informed of developments in the farming community, and responding to any ordinances introduced by the Township Committee that may impact upon the farming community; and

WHEREAS, the ordinance provides for the appointment of six (6) members, said Board Members being either active farmers, retired farmers, or engaged in an agricultural-related business, and which Members shall choose from among themselves, once appointed, a Chairman who shall serve as liaison between the Board and the Township Committee; and

WHEREAS, the six (6) positions on the Agricultural Advisory Board have been vacant for some time, the Board in the fashion originally contemplated, such that the first

two (2) members appointed shall service for one year; two (2) Members shall service for two years, and two (2) Members shall serve for three years, terms to expire as per the Ordinance on February 1 of the following year; thereafter, newly appointed Members shall serve for terms of three (3) years; and

WHEREAS, the Township Committee has determined to fill these vacancies, and reconvene the Agricultural Advisory Board;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the following individuals are hereby appointed to the Agricultural Advisory Board, for the terms set forth below; thereafter, their successors shall be appointed for three (3) year terms:

- A. For one year terms, expiring February 1, 2012:
Walter “Chip” Katona and John Homa
- B. For two year terms, expiring February 1, 2013:
Lawrence Kuser and Gregory Lebak
- C. For three year terms, expiring February 1, 2014:
John Calabrese and Raymond Hlubik

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon adoption by the Township Committee and the Agricultural Advisory Board Members shall be so notified of their appointment, and shall be encouraged to convene their meetings at their earliest convenience.

Resolution 2011-2-6 was approved on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

RESOLUTION 2011-2-6

RESOLUTION TO ESTABLISH THE 2011 TEMPORARY CAPITAL BUDGET

WHEREAS, the Township of Chesterfield desires to establish the 2011 Temporary Capital Budget of said municipality by inserting therein the Ordinance as indicated below:

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey as follows:

Section 1.

The 2011 Temporary Capital Budget of the Township of Chesterfield is hereby established by the adoption of a schedule to read as follows:

**TEMPORARY CAPITAL BUDGET
TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON
STATE OF NEW JERSEY**

	Est.	Capital General Improve.	Reserve for Bonds and	
Recreation	<u>Costs</u>	<u>Fund</u>	<u>Notes</u>	<u>Notes</u>
<u>Improvement</u>				
Ordinance 2011-7:				
Construction of Bike Path, Pedestrian Path and Acquisition Of Recreation Equipment 264,000.	\$ 264,000.00	-0-	-0-	\$

Section 2.

The Clerk is hereby authorized and directed to file a certified copy of this Resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey within three (3) days after the adoption of the 2011 Temporary Capital Budget to be included in the 2011 Permanent Capital Budget as adopted.

Resolution 2011-2-7 was presented for approval. Mr. Gillespie explained that he will be adding a clause that if the legislation changes and allows us to charge, we will get the maximum allowed and if they lose their UCC license, the contract can be terminated. The Resolution was approved with these changes on a motion by Mr. Hlubik and second by Mr. LoCascio. All agreed.

RESOLUTION 2011-2-7

RESOLUTION AUTHORIZING EXECUTION OF RIGHTS OF WAY AGREEMENT BETWEEN THE TOWNSHIP OF CHESTERFIELD AND FIBER TECHNOLOGIES NETWORKS, LLC TO PERMIT THE INSTALLATION, USE AND MAINTENANCE OF TELECOMMUNICATIONS FACILITIES WITHIN PUBLIC RIGHTS-OF-WAY FOR PURPOSES OF PROVIDING TELECOMMUNICATIONS SERVICES

WHEREAS, Fiber Technologies Networks, L.L.C. (“Fibertech”), a New York limited liability company, with offices located at 300 Meridian Centre, Rochester, New York, is authorized to provide local exchange and interexchange telecommunications services throughout the State of New Jersey pursuant to an Order issued by the New Jersey Board of Public Utilities (“NJBP”) in Docket No. TE05080683 dated September 14, 2005; and

WHEREAS, Fibertech has requested the consent of the Township of Chesterfield for permission to occupy public rights-of-way within the Township of Chesterfield for a period of fifty (50) years for the purpose of constructing, installing, operating, repairing, maintaining and replacing a telecommunications system; and

WHEREAS, it is deemed to be in the best interest of the Township of Chesterfield and its citizenry, particularly including the commercial and industrial citizens, for the Township of Chesterfield to grant municipal consent to Fibertech to occupy the public rights-of-way within the Township of Chesterfield for this purpose; and

WHEREAS, the granting of such consent is and shall be conditioned upon Fibertech’s continued compliance with all existing and future ordinances of the Township of Chesterfield and its entering into a written agreement with the Township of Chesterfield to, *inter alia*, indemnify and hold the Township of Chesterfield harmless as to all claims and liability resulting from any injury or damage which may arise from the construction, installation, operation, repair, maintenance, disconnection, replacement and removal of its telecommunications system within certain public rights-of-way and

Fibertech's provision of liability insurance coverage for personal injury and property damage.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey:

1. That non-exclusive consent is hereby granted to Fibertech to occupy the public rights-of-way within the Township of Chesterfield for the purpose of construction, installation, operation, repair, maintenance and replacement of a telecommunications system for a period of fifty (50) years.

2. The within granted permission is conditioned upon Fibertech entering into the attached Rights-of-Use Agreement with the Township of Chesterfield and providing liability and property damage insurance coverage.

3. The Mayor and Municipal Clerk are hereby authorized to execute the attached agreement.

4. A copy of this Resolution and the executed Rights-of-Use Agreement shall be filed in the Office of the Municipal Clerk.

Discussion

Update on playground equipment – JIF would like outside inspector to oversee the re-assembly of the playground equipment on Township Property. Mrs. Jamanow will find out who the developers used in Old York Village. In the meantime, Public Works should begin taking down the equipment.

Finalization of 2011 Municipal Budget – The Emergency Squad has requested a \$2000 increase to replace radios and pagers. On a motion by Mr. Hlubik and second by Mr. LoCascio, this increase was approved. Mayor Durr abstained.

CTAA – Mayor Durr stated that it seems like they are banking monies to accumulate funds, but is not sure that is their purpose. He is troubled by them not wanting to do the concession stand and believes it is very important to provide background checks on all coaches. Mr. Hlubik suggested giving them \$20,000 and reserving the \$5000 for the background checks. Mr. Gillespie stated that an ordinance may have to be enacted as a condition to their funding. Randy Wolice of Meadowbrook Drive stated that the entire township is paying for all of this, whether they have kids in sports or not. Mayor Durr stated that he believes a modest pole building could be paid for by the Township and the CTAA could finish the inside. Mr. Wolice responded that a modest building doesn't seem to be what anyone wants – they all want the best. Mayor Durr continued that he feels the building should be included in the County grant application. Mr. Wolice does

not dispute the intentions of the Township Committee but feels there should be some cooperation from the people you are working to help. Peggy Hallion of 76 Chesterfield-Georgetown Road thinks the building should include a provision for some type of concession stand. Mr. Hlubik made a motion to allocate the CTAA \$25,000 and require background checks. There was no second to the motion. Mr. LoCascio stated that their fund balance increased last year. Mr. Hlubik made a motion to fund them \$20,000 and up to \$5000 for background checks. If \$5000 is not enough, they will be required to fund the difference. If they don't spend \$5000 on background checks, they will not be entitled to use that money for anything else. Mr. LoCascio seconded the motion. All agreed. Mr. Gillespie will get draft language for an ordinance requiring background checks for the Committee to review.

Community Association – Mayor Durr stated that he has mixed emotions concerning the Community Association. He was ready to cut their funding but is reconsidering. They have an historical building with severe limitations that is not ADA compliant. Mr. Hlubik stated that they seem to have a lot of volunteers who are working to improve the building. He feels the Township should support them at the previous level of \$14,000 since it doesn't affect other parts of the budget and made a motion to that effect. Mr. LoCascio seconded the motion and all agreed.

Mayor Durr explained to the rest of the Committee the equipment needs for Old York Village.

ICS 402 training will be given to Mr. Hlubik and Mr. LoCascio on March 9, 2011 at 6:30 PM prior to the regular Township Committee meeting,

County Grant Application – the Township will apply for the 2 paths in Old York Village as well as the recreation building on Fenton Lane.

The Township Committee has been invited to participate in the Elementary School budget review and communications committee however. Mr. Gillespie advised that they should not participate on any level in the event the budget fails and comes to the Committee for review.

Having no need for Executive Session, the meeting was adjourned at 9:12 PM on a motion by Mr. LoCascio and second by Mr. Hlubik. All agreed.

Respectfully submitted,

Bonnie J. Haines, RMC
Township Clerk