

April 22, 2010

The Township Committee met on the above date at 7:30 PM. The meeting was called to order at 7:30 pm by Mayor Brian Kelly 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 and John J. Maley, Township Auditor. 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. Frank VanGelder of 16 White Pine Road asked if the Township is employing a "no show" finance officer. He had questions and the CFO has no office hours in the Township. He was reached by phone, and told Frank that he could not answer his questions. Mr. Maley explained that Chesterfield employs a CFO as is commonly done in other towns. He reviews and signs documents as he is required to do. Mr. Gillespie provided further explanation that the Township is saving taxpayers a lot of money and complying with the statute. Mr. VanGelder continued that the CFO should be here watching the financial transactions of the Township. He should be full time and should be here tonight. Mr. Durr stated that this issues goes back fifteen years and Frank is well aware of the situation. The CFO we have now was hired when Frank ended as the auditor. Work is being done as it was done when Frank was the auditor. Frank stated that the auditor is acting as the CFO. Mr. Maley stated that it is not true. Mr. Gillespie read the statute to Mr. VanGelder. Mr. VanGelder questioned several items in the budget and financial statement which were addressed by Mr. Maley and Mr. Durr. Mayor Kelly stated that any further questions concerning the budget will be addressed later in the agenda during the public hearing on the budget.

Mark Rusello of Daniel Avenue was here a few months ago about the impact on his property as a result of the turnpike widening project. The Township Engineer looked at the plans and responded to Mr. Russello about his concerns. He received a letter from Mrs. Jamanow dated March 11 and is very upset with her response. He has since spoken to her on the phone and she stated she would look at it again. The work is starting and he has serious concerns. He does not know what is happening with the Turnpike, but has heard several different rumors about what the plans are. He is concerned how he will access his property during the construction period. Mr. Durr suggested a face to face meeting at the property with the Township Engineer. Mr. Russello is also concerned about when the demolition of the houses will take place as they are unsafe. Mayor Kelly stated that he has had conversations with Turnpike representatives about that issue but he will contact them again.

Brian Meincke of 13 Bullock Way suggested planning a public informational session for the entire town to find out what's going on with the turnpike.

Susan Gallagher of 15 Quaker Street representing the CTAA thanked Mr. Hlubik and Mayor Kelly for their remarks at the opening day celebration. Approximately 200 kids attended the event. Susan stated how unhappy she is with recent meeting minutes concerning Bordentown Little League using one of the fields at Charlotte Rogers Park and the statement that if the CTAA doesn't need that field, do they need the new ones just built. The CTAA does not schedule any games after 3:00 on Saturdays however, they do need the additional fields. Mr. Durr stated that he was under the impression that three new fields would only barely be enough so he didn't understand why fields are available to lend out. Mrs.

Gallagher stated that the CTAA doesn't know if the school fields will be available if the school is sold. It is difficult to schedule practices now because there are not enough fields. Paul Cincotta stated that Bordentown is in a different league and needs different size fields. We use their batting cages and they use our fields as a swap. Mr. Durr stated that he had to ask the question when the CTAA wanted more fields than the town could afford to build and yet there are fields available. Bill Berger stated that he is confused as to why the Township would think that as they don't schedule games from morning until dark. The number of fields requested was based on projections given by the school. Mrs. Gallagher stated that the school is projecting 900 kids when Renaissance is built so all fields will eventually be needed. Everyone is frustrated about the park in general. In Westampton, their new park is the pride of the town. The Township Committee does not seem to be excited about the park or finishing the other side. She has been asking for something on the website to get people involved and brainstorm about what should be there. There have been no recreation committee meetings and the CTAA didn't know the fields were being built. People are frustrated about the lack of communication on the part of the Township and the CTAA. Mayor Kelly stated that there are no plans for the other portion of the park so no meetings have been scheduled. Mrs. Gallagher further stated that there should have been better communication between the Township and the CTAA and the problems with the foul poles and the fence issues could have been avoided. Mr. Durr stated that the Township Engineer looked into these issues and provided answers to the questions. The Township went out to bid on the fields and built it the way it was designed. It was not done in a vacuum. Mr. Hlubik stated that Mr. Durr has put a lot of time and effort into this recreation area. Mrs. Gallagher responded that she has put countless hours into the CTAA and everything seems to be a fight. Mayor Kelly suggested sitting down and discussing all of the issues. The CTAA should decide who should be at the table and schedule a meeting to talk it out.

Ed McDonald of 154 Davenport would like to look at the site plan for the fields to verify what was built there.

2010 MUNICIPAL BUDGET HEARING

The public hearing on the budget was opened on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Jack Maley stated that the introduced budget has been reviewed by DCA and approved, however the budget cannot be adopted until the Local Finance Board approves the CAP waiver. One change has been made moving a portion of the health insurance back inside the CAP. This doesn't change any of the final amounts. The total budget is \$4,357,000, reduced by \$104,000 over 2009. This is a result of a reduction in the reserve for uncollected taxes and less spending in general. The local purpose tax remains flat at 4.1 cents, with a total tax levy of \$325,902. \$2.5 million of surplus is being used to balance the budget, leaving \$3.1 million of surplus remaining. By the end of 2011 we may have problems with surplus as it is not being re-generated as it has in the past.

Frank VanGelder stated that the Township is getting about \$1.3 million from deferred school tax. The Reserve for Uncollected Taxes could be reduced by another \$147,000 which represents 2 cents on the tax rate. The budget figure is based on 96.36% when the actual rate was 97%. Mr. Maley responded that we have no way of anticipating what the collection rate will be in the current economy. Mr. VanGelder stated that the Township

collected three times the local tax levy anticipated and asked why. Mr. Maley responded that the increase was due to added assessments. Mr. VanGelder suggested the Township consider reducing the reserve for uncollected taxes to the minimum and save residents some money. There is enough down payment money in the capital improvement fund for 2 million in capital improvements however, the capital budget does not show any improvements that would require that much money. Mr. Durr stated that the Committee has been discussing a new municipal building and a new building at the recreation field. He does not believe it will be done this year but feels a small amount should be added each year so it does not have to be raised all at once. Mr. VanGelder is only asking to reduce it this year. Voluntary payments are being made for the two properties purchased totaling \$300,000 each year. If it is removed this year the local purpose tax will disappear. Mr. Maley stated that the initial plan was to pay it all in one year but then the Committee decided to pay it over ten 10 years. Mr. VanGelder suggesting spreading that payment over 15 or 20 years so the taxpayers that are here now are not paying for those acquisitions. If the Committee eliminates the local purpose tax for one year, he will support putting that money back in the budget when it is needed. Mayor Kelly stated that, to put this in the proper proportion, the average taxpayer pays 50 cents per day in local purpose tax. It is a challenging time but the Township Committee has worked hard and deserves some credit for reserving some surplus for the future. Mr. VanGelder continued that none of his suggestions will have any bearing on the spending of the township. Taxes are going up a total of \$900 this year for the average homeowner with the school budgets and the Township has the ability to do something about that.

Paul Cincotta of 15 Gallop Way asked what the surplus was at the beginning of 2009? Mr. Maley responded that it was approximately \$ 5.9 million and explained how surplus is regenerated during the year.

Susan Gallagher agrees that this is the year help is needed with the school budget.

Mr. VanGelder questioned the \$78,000 line item for open space and Mr. Durr explained that if we set aside one tax point each year for ten years, we doubled the amount of Green Acres funding we received. There is \$30,000 budgeted as refund of tax appeals and there are none pending so why is it in there? Mr. Gillespie explained how many appeals were tried in 2009 and the beginning of 2010 and the number that have been received already this year. Tax Court cases did not result in any refunds. This year that may not be the case. Mr. Maley stated that it is good to have that in the budget as a good faith effort at Local Finance Board. Mr. VanGelder stated that no other town provides for that in their budget. He further stated that he has shown easily how \$500,000 – \$600,000 could be eliminated from the budget to lower the tax bill. With all the money the township has, why not give some money to the Board of Education to reduce their tax burden?

Hearing no other comments, the public hearing was closed on a motion by Mr. Durr and second by Mr. Hlubik. All agreed. It was reiterated that the Township appears before the Local Finance Board May 12 for the CAP waiver application. The budget could be adopted that evening if the Local Finance Board approves the waiver. There is plenty of time to consider the suggestions made this evening.

Mr. Durr stated that he had a conversation with Dr. Sarruda of Northern Burlington earlier today who has suggested that meetings take place with 1 or 2 officials of local governing bodies to see if a decision can be reached before a public meeting takes place.

Peggy Hallion of 76 Chest-George Road stated that too much goes on at Northern behind closed doors. She has done research into the monies taken from Northern Burlington by the Governor. These monies were sitting in surplus and should not have been there. Northern laid off 17 teachers and put 15 more on notice. The meetings should be open so the public can be aware of what's going on.

Ordinances for Introduction

Ordinances 2010-9 was approved for introduction on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. The public hearing on this Ordinance is scheduled for May 12.

ORDINANCE 2010-9

**A CAPITAL ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD
AUTHORIZING THE APPROPRIATION OF \$ 21,000.00 FROM THE CAPITAL
BUDGET**

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>
All costs associated with the purchase And installation of a flow meter at Chesterfield Township Pump Station # 1 located at the end Of Meadowbrook Drive	\$ 21,000.00

SECTION 2. There is hereby appropriated from the Chesterfield Township Sewer Utility Capital Fund the sum of \$ 21,000.00 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 sewer utility capital budget 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.

Resolutions

Resolutions 2010-4-8 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-4-8

RESOLUTION TO AMEND THE TEMPORARY CAPITAL BUDGET

WHEREAS, the Township of Chesterfield desires to establish the 2010 Temporary Capital Budget of Chesterfield Township 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 2010 Temporary Capital Budget of the Township of Chesterfield is hereby amended by the adoption of a schedule to read as follows:

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

	<u>Est. Costs</u>	<u>Capital Improve. Fund</u>	<u>General Bonds & Notes</u>	<u>General Surplus</u>	<u>Sewer Bonds & Notes</u>
Sewer Utility:					
Acquisition of Flow Meter @ Pump Station Number 1	\$21,000	\$21,000	-0-	-0-	-0-

Section 2.

The Clerk be and is 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 days after the adoption of the 2010 Temporary Capital Budget to be included in the 2010 Permanent Capital Budget as adopted.

Resolution 2010-4-9 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-4-9

RESOLUTION ACCEPTING THE RESIGNATION OF LINDA WILLS

WHEREAS, the Township Committee struggled with preparing the 2010 Municipal Budget and felt the need to reduce some positions to part time status and not fill other positions; and

WHEREAS, the positions reduced to part time are the Land Use Secretary, Environmental Commission Secretary and Dog Registrar; and

WHEREAS, the position of Recreation Coordinator will not be filled for 2010;

WHEREAS, Linda Wills, who currently holds these positions was offered to remain as a part time employee; and

WHEREAS, Ms. Wills has declined the offer of part time employment and tendered her resignation from these positions effective April 30, 2010;

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 resignation of Linda Wills is hereby accepted with an effective date of April 30, 2010.

BE IT FURTHER RESOLVED that the Township Committee hereby extends their best wishes to Linda Wills for all of her future endeavors.

Resolution 2010-4-10 was approved on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

RESOLUTION 2010-4-10

RESOLUTION APPOINTING ADELAIDE NAPOLEON AS LAND USE SECRETARY, ENVIRONMENTAL COMMISSION SECRETARY AND DOG REGISTRAR

WHEREAS, the Township Committee, by Resolution 2010-4-9 has accepted the resignation of Linda Wills; and

WHEREAS, there is a need for the positions of Land Use Secretary, Environmental Commission Secretary and Dog Registrar to be filled; and

WHEREAS, the Township Committee has determined that, at this time, these are all part time positions; and

WHEREAS, Adelaide Napoleon is currently employed as a Secretary for the Police Department and has expressed interest in filling these positions as well;

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 Adelaide Napoleon is hereby appointed to the positions of Land Use Secretary, Environmental Commission Secretary and Dog Registrar, effective May 1, 2010 at the salaries established by Ordinance for the respective positions.

Resolution 2010-4-11 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed,

RESOLUTION 2010-4-11

RESOLUTION AMENDING THE CHESTERFIELD TOWNSHIP EMPLOYEE MANUAL AND PERSONNEL POLICY

WHEREAS, by Resolution 2004-5-5 the Township Committee of the Township of Chesterfield adopted an Employee Manual and Personnel Policy for the employees of the Township of Chesterfield; and

WHEREAS, this policy has been subsequently amended from time to time by Resolution of the Township Committee; and

WHEREAS, the Township Committee wishes to once again amend the Policy to allow Township employees to carry all unused sick time for use in subsequent years;

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 Section Three of the Chesterfield Township Employee Manual and Personnel Policy entitled Paid and Unpaid Time Off Policies, Sick Leave Policy, paragraph 2 is hereby amended to read: "All unused sick time may be accumulated for use in subsequent years or for pay purposes upon retirement. Should the employee have an extended illness, days will be drawn from this reserve. The monetary value of one sick day at retirement shall be equal to 1/250 of the employee's base salary, but the value of accumulated sick leave shall not exceed \$2,500.00."

BE IT FURTHER RESOLVED that this amendment shall be retroactive and become effective as of January 1, 2010.

Resolutions 2010-4-12 and 2010-4-13 were approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-4-12

RESOLUTION AUTHORIZING REFUND OF PROPERTY TAX OVERPAYMENT

WHEREAS, Block 502 Lot 30.26 known as 10 Greenview Drive was previously owned by Martha S. Pywowariw; and

WHEREAS, a homestead rebate was received from the state in the amount of \$1,301.27 for Martha S. Pywowariw and applied to Block 502 Lot 30.26; and

WHEREAS, this payment creates an overpayment on the property which is no longer owned by Ms. Pywowariw and should be refunded to her.

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 homestead rebate in the amount of \$1,301.27 on Block 502 Lot 30.26 to Martha S. Pywowariw at PO. Box 192, Crosswicks, NJ 08515.

RESOLUTION 2010-4-13

**RESOLUTION AUTHORIZING REFUND OF
OVERPAYMENT OF SPECIAL CHARGES**

WHEREAS, Block 203 Lot 20 known as 52 Fenton Lane is owned by Esteban & Beverly Alustiza; and

WHEREAS, the property was subject to special charges which have been paid in full; and

WHEREAS, the final payment received on December 19, 2008 created an overpayment in the amount of \$15.00.

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 Tax Collector is hereby authorized to refund the overpayment in the amount of \$15.00 on Block 203 Lot 20 Special Charges #07-0014 to the property owner Esteban & Beverly Alustiza.

Discussion

FiberTech – a request has been made to use Twp. Rights-Of-Way for the installation of a fiber technology network. They are a public utility and have forwarded a proposed agreement between themselves and the Township. Mr. Gillespie will have more information for the May 12 meeting.

Steering Committee Members– Mayor Kelly stated that this may no longer be relevant as this authority has been shifted to the bridge commission.

Request to Lower Speed Limit on Orchard Drive – this matter will be discussed at the next meeting when the Engineer is present.

Salary for Land Use and Environmental Secretary – Aggie is asking for \$38,000 per year for the additional responsibilities. After a brief discussion, Mr. Durr proposed \$36,500 for this year, and \$38,000 next year. Mr. Hlubik seconded the motion and all agreed. Members of the CTAA questioned the position of Recreation Coordinator and were told that the position is not being filled this year as it was never utilized. Mrs. Gallagher stated that she asked for that person to help with the concession stand after it was built and was told that would not

be the best use of Township funds. Mr. Durr explained that a Township employee being paid to run the concession building is not the best use of funds. Bill Berger stated that he had a meeting with Linda and asked for certain things but never received a response. Ed McDonald requested that the position be re-visited. Mayor Kelly stated that it can be addressed at the meeting with the CTAA and the Mayor. Mayor Kelly continued that the position was created to try to be responsive to the CTAA and create an avenue of support. Ed McDonald stated that the position should not be dropped as the township is growing at a fast pace. James Ruffenach of 46 Fenton Lane stated that it should be an advertised position and not added to someone else's existing positions. Mayor Kelly responded that the Committee knows the town is growing but everything needed cannot be expected right away. It will be part of the conversation with the CTAA. Bill Berger stated that there are residents who would like adult activities to be organized and a recreation coordinator is needed to organize these things.

Recreation Building – Mr. Durr questioned Mr. Gillespie about the CTAA's suggestion that the building be paid for by the CTAA to circumvent prevailing wage issues. Mr. Gillespie responded that it is municipally owned land so prevailing wage will apply regardless of who pays for it. Mayor Kelly stated that the Committee asked the CTAA for a proposal and now they need some time to digest the information. David Sass of 15 Fenton Lane requested that neighbors be consulted before the placement of the building is decided upon. Mr. Durr explained where the proposed location is. Ed McDonald asked when the meeting will take place and Mayor Kelly responded that he will get a list of interested people and perhaps meet with them personally before coming to the entire committee.

Cell tower – the proposed specifications for the cell tower were presented for review by the Committee. Mayor Kelly explained the proposed site. Mr. Gillespie explained stealth designs and rent amounts and stated that there are other things that need to be considered. This matter will be further discussed in May.

Tennis Courts – Glenn Paulsson is in the 2nd week of a 6 week tennis clinic on Saturday afternoons at the Municipal Courts with 45 kids participating. Mayor Kelly is not sure he has the right to operate a money making venture on Community courts. It is Municipal property with Green Acres limitations. Mr. Durr asked if the CTAA could hire this person to give tennis lessons and charge registration fees. Mr. Gillespie stated that his advice now would be to stop it for at least this Saturday while he researches the Green Acres restrictions. All agreed.

Defeated School Budget – the Township Committee is available to meet with the Elementary School on May 4 or May 5. Brian Meincke will check with Louise first thing in the morning. For Northern Burlington's defeated budget, Dr. Sarruda is proposing a meeting with the smaller group to try to come up with a solution and then a public meeting with everyone. The Township Committee agreed that an initial meeting with the small group is a good idea but a public meeting should be scheduled with all of the sending districts before anything is ratified. David Sass asked the Committee to please share everything that was discussed and not just the end result.

Payment of Bills

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

Comments – Frank VanGelder. Asked who he should call for answers to financial questions. The Committee responded that Caryn is the Treasurer and she can answer the questions or get answers.

Bill Berger stated that he has heard feedback that people are upset with the number of administrators at Northern and the teachers shouldn't be losing their jobs. Anna Rebadavia of 74 Harness Way also has the same concerns with the elementary school.

Bill Berger asked if there are any plans to increase the number of members on the Township Committee? Mr. Gillespie explained how that is governed and decided.

Brian Meincke asked if K. Hovnanian has applied for the release of any of their performance bonds as the street trees are terrible. No releases have been requested.

Paul Cincotta stated that, in reference to the foul pole issue at the new fields, he has never seen a field with foul pole that far away. He does not understand the reasoning for the distance and would have thought it would have had an enclosed fence. The fields at Charlotte Rogers have a fence. He has never seen anything like that before. He is still hoping for an outfield fence. Mr. Durr explained the reasoning for not putting up a fence.

Hearing no other comments and not having a need for an executive session, the meeting was adjourned at 10:23 on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Respectfully submitted,

Bonnie J. Haines, RMC
Township Clerk