

June 9, 2010

The Township Committee met on the above date. Mayor Kelly called the meeting to order 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 Township Committeeman Michael J. Hlubik. Also present were John C. Gillespie, Township Attorney and Nancy W. Jamanow, Township Engineer. The Open Public Meetings Act statement was read and compliance noted.

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

Approval of Minutes

The minutes of the Executive Session of May 12, 2010 were approved on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

The minutes of the Special Meeting of May 13, 2010 were approved on a motion by Mr. Durr and second by Mr. Kelly. All agreed with the exception of Mr. Hlubik who abstained.

The minutes of the regular and executive session meetings of May 27, 2010 were approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed with the exception of Mr. Kelly who abstained.

Approval of Raffle License Application

The application of the Robert Wood Johnson Hamilton Foundation to hold a raffle and 50/50 on June 28 at the Old York Country Club was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Police Department Report

Chief Wilson reported 205 calls for the month of May and informed the Committee that the notices have gone out to the towing companies.

Resolution for Public Hearing

The public hearing on Resolution 2010-5-14 was opened on a motion by Mr. Durr and second by Mr. Hlubik. All agreed. Mayor Kelly explained the purpose of the resolution and, hearing no comments, the public hearing was closed on a motion by Mr. Durr and second by Mr. Hlubik. The resolution was unanimously approved.

RESOLUTION 2010-5-14

RESOLUTION TO AMEND THE 2010 APPROVED MUNICIPAL BUDGET

WHEREAS, the local Municipal Budget for the year 2010 was introduced and approved on the 25th day of March 2010; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget;

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 following amendment to the approved budget of 2010 be made:

	<u>From</u>		<u>To</u>
GENERAL REVENUES:			
(1) Surplus Anticipated	\$ 2,513,000.00	236,100.00	\$ 2,749,100.00
Total Surplus Anticipated	\$ 2,513,000.00	236,100.00	\$ 2,749,100.00
(5) Subtotal General Revenues (items 1,2,4)	<u>\$ 4,031,064.00</u>	<u>236,100.00</u>	<u>\$ 4,267,164.00</u>
(7) Total General Revenues	<u>\$ 4,356,966.00</u>	<u>236,100.00</u>	<u>\$ 4,593,066.00</u>
CURRENT FUND APPROPRIATIONS:			
(8) General appropriations			
(N) Transferred to Board of Education For Use of Local Schools (NJSA 40:48-17.1 and 17.3)	\$ -0-	236,100.00	\$ 236,100.00
(H-2) Total General Appropriation for Municipal Purposes Excluded from "CAPS:	\$ 1,634,118.11	236,100.00	\$ 1,870,218.11
(O) Total General Appropriations - Excluded from "CAPS"	<u>\$ 1,634,118.11</u>	<u>236,100.00</u>	<u>\$ 1,870,218.11</u>
(9) Total General Appropriations	<u>\$ 4,356,966.00</u>	<u>236,100.00</u>	<u>\$ 4,593,066.00</u>

BE IT FURTHER RESOLVED that the Township Clerk be and is hereby authorized and directed to file two (2) certified copies of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey for certification of the 2010 Local Municipal Budget so amended.

BE IT FURTHER RESOLVED that this complete amendment, in accordance with the provisions of *NJSA 40A:4-9* be published in the Burlington County Times in the issue of June 2, 2010 and that said publication contain notice of public hearing on said amendment to be held at the Municipal Building, 300 Bordentown-Chesterfield Road in Chesterfield Township on June 9, 2010 at 7:30 PM.

Resolutions for Consideration and Approval

Resolution 2010-6-1 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-6-1

RESOLUTION AUTHORIZING THE ADOPTION OF THE 2010 MUNICIPAL BUDGET

BE IT RESOLVED by the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey that the budget set forth herein is adopted and shall constitute revenues and appropriations for the purposes stated of the sums herein set forth authorizations of the following amounts:

Surplus Anticipated	\$ 2,513,000.00
Total Miscellaneous Revenues	\$ 1,248,064.00
Receipts from Delinquent Taxes	\$ 270,000.00
Local Tax for Municipal Purposes	\$ 325,902.00
TOTAL REVENUES	\$ 4,356,966.00

Operating Expenses	\$ 2,803,777.11
Deferred Charges/Other Appropriations	\$ 606,388.89
Capital Improvements	\$ 287,500.00
Debt Service	\$ 137,300.00
Reserve for Uncollected Taxes	\$ 522,000.00
TOTAL APPROPRIATIONS	\$ 4,356,966.00

Resolution 2010-6-2 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-6-2

RESOLUTION AUTHORIZING SALARIES OF CERTAIN MUNICIPAL EMPLOYEES

WHEREAS, the Township Committee of the Township of Chesterfield adopted Ordinance 2010-7 Fixing Salaries, Wages and Compensation of Officials and Employees of the Township for 2010; and

WHEREAS, said Ordinance contains salary ranges for various positions; and

WHEREAS, the Township Committee wishes to establish specific salaries for the employees currently serving in those positions;

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 following salaries are authorized for the calendar year 2010 for the employees currently serving in those positions:

Custodian	\$ 16.62 p/h
Dog Registrar	
January 1 - April 30, 2010	\$ 742.56
May 1 - December 31, 2010	\$ 1,000.00
Electrical Subcode / Inspector	\$ 42.43 first hour
	\$ 31.82 each hour after
Environmental Commission Secretary	
January 1 - April 30, 2010	\$ 3,559.80
May 1 - December 31, 2010	\$ 676.00
Land Use Administrator	
January 1 - April 30, 2010	\$ 15,912.00

May 1 – December 31, 2010	\$ -0-
Land Use Secretary	
January 1 – April 30, 2010	\$ 10,657.98
May 1 – December 31, 2010	\$ 3,000.00
Part Time Police Officer	\$ 21.75 p/h
Plumbing Subcode / Inspector	\$ 48.17 first hour
	\$ 36.13 each hour after
Public Works Director Stipend For ILSA w/ North Hanover	\$ 3,000.00
Recreation Coordinator	
January 1 – April 30	\$ 4,243.20
May 1 – December 31	\$ -0-
Road Worker I	\$ 53,692.80
Stipend for ILSA w/ No. Hanover	\$ 1,000.00
Road Worker II	\$ 55,303.38
Stipend for ILSA w/ No. Hanover	\$ 1,000.00
Road Worker III	\$ 31,620.00
Stipend for ILSA w/ No. Hanover	\$ 1,000.00

Resolution 2010-6-3 was presented for approval. The Township Clerk reported that there are people currently living in the house without any rental inspection of sewer connection. A violation notice has been sent for the grass. Mr. Gillespie stated that the Township could refund all but the value of a sewer connection. The Resolution will be modified to reflect these issues. On a motion by Mr. Hlubik and second by Mr. Durr, Resolution 2010-6-3 was approved as amended to refund the difference with deduction of sewer connection fee of \$4,850. All agreed.

RESOLUTION 2010-6-3

RESOLUTION AUTHORIZING REFUND OF PREVIOUSLY PAID SEWER CONNECTION FEES OUT OF THE SEWER UTILITY FUND

WHEREAS, the owners of certain property known as Block 107, Lot 8.02 previously received Planning Board approval for a subdivision of a 2.26 acre site on Bordentown-Crosswicks Road, for nine (9) residential building Lots, six (6) of which would be "Village Lots", one would be a perimeter Village Lot, and an eighth Lot would be utilized for four (4) condominium units while the owners would remain a Lot for themselves; and

WHEREAS, upon obtainment of those approvals, the owners, Leonard F. and Nancy E. Orloski, deposited the sum of Twenty-Nine Thousand One Hundred Dollars (\$29,100.00), representing fifty percent (50%) of the sewer connection fees due on said Lots; and

WHEREAS, the owners have recently petitioned the Township Planning Board to rescind the approvals, and have asked the Township Committee of a refund of said fees; and

WHEREAS, the Planning Board has considered the application to rescind the approvals, and by Resolution No. 11-2010, adopted on March 9, 2010, the Planning Board did rescind said approvals at the applicants' request such that the sewer connection fees now are not due because no development is currently approved for this site; and

WHEREAS, nevertheless, the Township Committee has learned that the existing house on the subject property is, indeed, occupied, and individuals are living in that house, and therefore, pursuant to Section 216-12(A)(1) of the Code of the Township of Chesterfield, it is required that the owner of said property connect the drainage of all sources of sewage to the sewer in accordance with the provisions of Chapter 216 of the Code of the Township of Chesterfield; and

WHEREAS, the connection fee remains at Four Thousand Eight

Hundred Fifty Dollars (\$4,850.00), and the owners of said property shall be required to disconnect the existing individualized septic system, and connect to the sewer system, and the Township shall retain from the aforementioned Twenty-Nine Thousand One Hundred Dollars (\$29,100.00) deposit, the sum of Four Thousand Eight Hundred Fifty Dollars (\$ 4,850.00) representing the connection fee for said property such that the monies to be refunded equal the sum of Twenty Four Thousand Two Hundred Fifty Dollars (\$24,250.00); and

WHEREAS, it is therefore appropriate to refund that portion of the previously deposited monies from the Sewer Utility Fund which do not represent the required connection fee for this property, and the Township's Treasurer has confirmed that funds are available in that account to make this payment;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the Township Treasurer be and is hereby authorized and directed to issue a refund from the Sewer Utility account, to Leonard F. and Nancy E. Orloski in the amount of Twenty-Four Thousand Two Hundred Fifty Dollars (\$24,250.00), to the following requirements:

1. That no third-party has relied upon Resolution No. 54-2005, and that there are no other outstanding issues arising from that approval by the Planning Board;
2. That all land use application fees and costs have been fully satisfied by Leonard F. and Nancy E. Orloski prior to the disbursement of the monies authorized to be refunded herein.

Resolution 2010-6-4 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-6-4

**RESOLUTION AUTHORIZING THE CLOSURE OF MUNICIPAL STREETS
DURING THE SPIRIT OF CHESTERFIELD FESTIVAL**

WHEREAS, the second annual Spirit of Chesterfield Fall Festival will be held Saturday, September 25, 2010 in the Village of Crosswicks; and

WHEREAS, it has been requested by the Festival Committee that Church Street be closed to vehicular traffic between the hours of 8:00 AM and 5:00 PM; and

WHEREAS, it has been determined by the Chief of Police of Chesterfield Township that, in the interest of public safety, certain municipal streets should be closed to vehicular traffic during the hours of the Festival;

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 request of the Spirit of Chesterfield Festival Committee and the recommendation of the Chief of Police to close Church Street between Front Street and Main Street between the hours of 8:00 AM and 5:00 PM on Saturday, September 25, 2010 for the Spirit of Chesterfield Festival is hereby approved.

Resolution 2010-6-5 was opened for public comment. Hearing none and confirming with Chief Wilson that there are no objections, the resolution was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-6-5

**RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL
CONSUMPTION LICENSE TO CHESTERFIELD BLACK STALLION INN**

WHEREAS, Chesterfield Black Stallion Inn has applied to the Township Committee of the Township of Chesterfield for renewal of

Plenary Retail Consumption License No. 0307-33-001-003 for the term July 1, 2010 through June 30, 2011 as permitted by *N.J.S.A. 33:1-1 et. seq.*, and *N.J.A.C. 1:2-6*; and

WHEREAS, the Township Committee, before making a decision on whether to renew this license, opened the matter to the public at which time no objections were noted; and

WHEREAS, the Township Committee deems the renewal of this license to be appropriate;

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 application of Chesterfield Black Stallion Inn for the renewal of its Plenary Retail Consumption License No. 0307-33-001-003 for the term July 1, 2010 through June 30, 2011 is hereby approved and the license is granted.

Resolution 2010-6-6 was opened for public comment. Hearing none and confirming with Chief Wilson that there are no objections, the Resolution was approved on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

RESOLUTION 2010-6-6

RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE TO OLD YORK RESTAURANT SERVICES LLC

WHEREAS, Old York Restaurant Services LLC has applied to the Township Committee of the Township of Chesterfield for renewal of Plenary Retail Consumption License No. 0307-33-002-006 for the term July 1, 2010 through June 30, 2011 as permitted by *N.J.S.A. 33:1-1 et. seq.*, and *N.J.A.C. 1:2-6*; and

WHEREAS, the Township Committee, before making a decision on whether to renew this license, opened the matter to the public for a hearing on the application, at which time no objections were noted; and

WHEREAS, the Township Committee deems the renewal of this license to be appropriate;

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 application of Old York Restaurant Services LLC for the renewal of its Plenary Retail Consumption License No. 0307-33-002-006 for the term July 1, 2010 through June 30, 2011 is hereby approved and the license is granted.

Resolution 2010-6-7 was opened for public comment. Mr. Gillespie explained the transfer from Old York Restaurant Services to Old York CC @ Chesterfield Corporation. Ed and Corinne Eget were present and informed the Committee that the National Junior Golf Championship will be held at Old York in August. Youth from 49 states will attend and this is the first time this event has been held in New Jersey. On a motion by Mr. Durr and second by Mr. Hlubik the resolution was approved.

RESOLUTION 2010-6-7

***RESOLUTION AUTHORIZING PERSON-TO-PERSON TRANSFER OF
PLENARY RETAIL CONSUMPTION LIQUOR LICENSE***

WHEREAS, Old York CC at Chesterfield Corporation has filed an application for a Person-To-Person Transfer of Plenary Retail Consumption Liquor License Number 0307-33-002-006, heretofore issued to Old York Restaurant Services LLC, 228 Old York Road, Chesterfield, New Jersey for premises located at 228 Old York Road, Chesterfield, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the License has been properly renewed for the current license term; and

WHEREAS, *N.J.S.A. 33:1-1 et. seq.* allows for the transfer of this license from person-to-person; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the Division of Alcoholic Beverage Control requires approval from Chesterfield Township for this transfer;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield that the Person-To-Person Transfer of Plenary Retail Consumption Liquor License Number 0307-33-002-006, to Old York CC at Chesterfield Corporation be and is hereby approved, and does hereby direct the Township Clerk to endorse the license certificate to the new owner.

Resolution 2010-6-8 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-6-8

**RESOLUTION CERTIFYING COMPLIANCE WITH THE REGULATIONS
PROMULGATED BY THE LOCAL FINANCE BOARD REGARDING THE
2009 MUNICIPAL AUDIT**

WHEREAS, *N.J.S.A. 40A:5-4* requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the annual report of audit for the year 2009 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of *N.J.S.A. 40A:5-6*, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled Findings and Responses; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: Findings and Responses as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52 “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chesterfield in the County of Burlington and State of New Jersey hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution 2010-6-9 was approved on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

RESOLUTION 2010-6-9

RESOLUTION AUTHORIZING PARTICIPATION IN THE BURLINGTON COUNTY MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, Emergency Medical Service, Fire Departments, Fire Companies or EMS Organization and Fire Departments situated in Fire Districts operated by a Board of Fire Commissioners, are permitted pursuant to *N.J.S.A. 40A:14-26* and *40A:14-156.1*; and

WHEREAS, the President, in Homeland Security Directive (HSPD-5) directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS) which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, "The New Jersey Civilian Defense and Disaster Control Act" App. A9-33 et. seq. provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving

the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, the Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," *N.J.A.C. 52:14E-11 et. seq.*, commonly referred to as the "Fire Service Resource Emergency Deployment Regulations: *N.J.A.C. 5:75A et. seq.*, and

WHEREAS, it is deemed to be in the best interests of the residents of Chesterfield Township to enter into a mutual aid and assistance agreement with the County of Burlington and other municipalities including, but not limited to: Municipal Police, Emergency Medical Service or Fire Departments, Volunteer Fire Companies or EMS Organizations and/or Fire Districts to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation, damage or destruction to person and property, in those situations when outside aid and assistance is needed;

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:

- A. That the Township of Chesterfield is hereby authorized and directed to enter into the Burlington County Mutual Aid and Assistance Agreement Between Participating Units, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.
- B. That the Mayor and Township Clerk of the Township of Chesterfield are hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the Township of Chesterfield.
- C. That the Township Clerk is hereby authorized and directed to forthwith file a certified copy of this Resolution and an executed copy of the Agreement with the Burlington County

Department of Public Safety Services, Office of Emergency Management. Said office shall serve as the central repository and shall maintain a master listing of all Participating Units to the Mutual Aid and Assistance Agreement.

Ordinances for Adoption

Ordinance 2010-7 AN ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD TO FIX SALARIES, WAGES AND COMPENSATION OF OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF CHESTERFIELD FOR THE YEAR 2010 was finally adopted on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

Ordinances for Public Hearing and Adoption

Ordinance 2010-10 AN ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD TO AMEND, SUPPLEMENT, REPEAL AND REPLACE PROVISIONS OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD CONCERNING MANDATORY RECYCLING REQUIREMENT AND LAND USE STANDARDS FOR RECYCLING FACILITIES, was tabled on a motion by Mr. Hlubik and second by Mr. Durr until the Township Engineer has reviewed the Ordinance and provided a report to the Planning Board.

The public hearing on Ordinance 2010-11 was opened on a motion by Mr. Hlubik and second by Mr. Durr. Chief Wilson explained the salary for the temporary officer. Hearing no comments, the public hearing was closed on a motion by Mr. Hlubik and second by Mr. Durr. Ordinance 2010-11 AN ORDINANCE TO AMEND ORDINANCE 2010-7 TO PROVIDE A SALARY FOR THE TEMPORARY POLICE OFFICER was finally adopted on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Ordinance for Introduction by Title

Ordinance 2010-12 AN ORDINANCE TO REDUCE THE SPEED LIMIT ON WARD AVENUE TO TWENTY-FIVE (25) MILES PER HOUR FOR THE DURATION OF THE NEW JERSEY TURNPIKE WIDENING PROJECT was

presented for introduction by title. Mrs. Jamanow explained that there is a section of the roadway where the driving lanes will be narrowed while the turnpike widening construction is taking place. The introduction of this ordinance by title was approved on a motion by Mr. Durr and second by Mr. Hlubik. All agreed. Public hearing on this ordinance will be June 24, 2010.

Mr. Gillespie stated that the Township needs to amend the Ordinance concerning fees for the duplication of records. There is a new statute which requires municipalities to charge only actual costs effective July 1. On a motion by Mr. Hlubik and second by Mr. Durr, Ordinance 2010-13 was added to the agenda. All agreed. Ordinance 2010-13 AN ORDINANCE TO AMEND CHAPTER 154 ENTITLED "PUBLIC ACCESS TO RECORDS" was approved for introduction by title on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. Public hearing will be June 24, 2010.

Township Engineer

Mrs. Jamanow reported that, at the request of the Committee she requested quotes for the flow meter at pump station # 1. She requested 8 quotes and received 2, the lowest being from MacRose for \$19,495. Her original estimate was \$21,000. She is requesting authorization for the permanent installation of the flow meter. The meter will be calibrated annually and the sewer operator will be responsible for reading and any servicing necessary would be done by outside agency, On a motion by Mr. Durr and second by Mr. Hlubik, this request was approved.

Weight Limits - Mrs. Jamanow reported that the State has concerns with lifting the weight restrictions on Sykesville Road and Hogback Road due to the restrictions currently in place in contiguous municipalities. The weight restriction on Georgetown road can be lifted. Lifting the restrictions on Sykesville Road from Route 528 to Route 537 and Hogback Road from Route 528 to Ward Avenue is ok with the state. She

will let the committee know when the state formally approves the lifting of these restrictions.

School Connection Pedestrian Path – the bridge construction has begun from Harness Way to the school site. A cost estimate for the path from bridge through to school site as presented at \$84,480. All of the area is within the wetlands and wetlands buffers. The DEP will permit the project as long as the elevation is not raised. The estimate presented is for replacement of the existing path. Mrs. Jamanow will look at the area to see if the existing material could be re-used to recognize a cost savings. The Engineering estimate was previously submitted and will be presented at next meeting. The area is also in flood zone. Mr. Durr stated that he does not believe it has flooded in that area in the past. The proposal proposes amending the existing DEP permit already obtained by the school which also recognizes a cost savings.

Cross Creek to Greene II path – Mrs. Jamanow has not prepared a cost estimate for this project as the Committee seemed to want to put the project on hold. The Committee agreed that they are not prepared to go forward at this time.

Herman Black Road – Nancy presented estimates for the drainage work going out to bid (\$410,000) as compared to being performed by the Public Works Department (\$150,000). The road reconstruction and paving would be bid, with an estimate of \$240,000. The drainage work being done in-house would require a force account with DOT to pay for materials without labor. The paving contract must be awarded by October 2010. The contract for the paving could be awarded if Public Works was close to finishing. Mr. Durr stated that he does not believe that is a realistic time frame. Mrs. Jamanow stated that it could be awarded for completion next year. Mr. Durr asked if the project was started in house and there were issues, could it be bid and completed by a contractor. Mrs. Jamanow stated that it is ok too. The design is complete and all of the permits have been obtained. The project could start tomorrow, however, due to the bog turtle issue, construction cannot start before July

1. There must be a bog turtle expert to inspect once per week to monitor the bog turtle habitat issue. Mr. Durr stated that he feels the project should be done in-house. Mayor Kelly agreed and thought the grant money should be used for purchase of the materials to avoid missing the deadline. On a motion by Mr. Hlubik and second by Mr. Durr, the grant money will be used for the materials and the project will be performed by the Public Works Department. Mrs. Jamanow stated that the Treasurer will be required to keep purchase orders and copies of checks in a separate file for reimbursement. Mrs. Jamanow also stated that the plans for the paving are done and specifications are almost complete.

Saddle Way - The Township Committee was copied on the letter to the Planning Board with the options available for the re-design of the island on Saddle Way. The Planning Board reviewed the options and will discuss them further at the next meeting. This issue was brought about by the fire at the Elementary School when it was observed that the island width needed to be reduced. Brian Wilson will come back to the Planning Board with the recommendations of Fire District 1. The island is currently 18 feet wide with on street parking. Mr. Gillespie asked if there was any discussion of how the change would be made. That street has not been dedicated so the change may require an amended site plan application. Mrs. Jamanow has spoken to K. Hovnanian and suggested they not install the top course paving and contributing that cost to the Township. Mr. Gillespie stated that it may be easier to do an amended site plan application before dedication and then all the residents will be noticed at that time. This is a health and safety issue. Bob Schoen asked if this will be an issue with the Renaissance development? Mrs. Jamanow responded that she has submitted a letter to the Planning Board to discuss that and amend the plans prior to final approvals. Mr. Gillespie will discuss this with Fred Hardt. Mrs. Jamanow also stated that the option of restricting on-street parking and making alleys one-way has also been considered.

Master Plan Road to Ward Avenue - Mrs. Jamanow looked at another option of putting the bypass road through PSEG property instead of

Colonial Pipeline property. This pushes the roadway west and in more of a straight line. The roadway would run under the high tension wires between D'Angelo electric and the Colonial Pipeline fence. She has not had any contact with PSEG. This would be a straighter and shorter road than the last option with no expense to relocate the electrode field. The Committee authorized Mrs. Jamanow to speak with PSEG concerning this.

Discussion

Cell tower specs – Mr. Gillespie presented amended specs which address the issues raised by Mr. Durr. The height of the structure is not to exceed 160 feet. The Committee needs to discuss the monthly rent and co-location fees. Mr. Gillespie directed the Committee to review page 7 and the 2 options provided. Option 2 will be more expensive to construct and the minimum monthly rent should be lower. Mayor Kelly suggested eliminating “stealth silo” and change to “stealth design in keeping with the agriculture character of the community”. Mr. Gillespie could reach out to the company that approached the Township to get a feel of the rent they would be willing to pay. Mayor Kelly suggested contacting more than one carrier. Mr. Gillespie stated that Vickie Fannon in his office works on these all the time and these are the numbers that are currently being used elsewhere. Mayor Kelly asked about the process after the bid is awarded and Mr. Gillespie explained. The amendments will be made as requested. On a motion by Mr. Hlubik and second by Mr. Durr, the solicitation of bids was authorized.

Property Maintenance Violations – Glenn has presented several properties that have received violation notices for property maintenance violations going back several months that he has received no response. He is requesting the Township clean up the properties and place liens against the properties. Mr. Gillespie explained the process. Mayor Kelly asked if the Township can we recover the notification costs. Mr. Gillespie responded that what the Township will charge to clean up the violations will more than cover all expenses. Mr. Gillespie was authorized to take the next step.

Payment of Bills

The bill list was approved with the amended amount for the Orloski refund on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Mayor Kelly opened the meeting to the public for comments. Tom Mizerak stated that he has received nothing concerning the land swap, he has paid all the money and it has been 27 months. Mr. Gillespie responded that the deeds are being recorded at the County and Mr. Mizerak's attorney has been notified.

Tom Landree questioned the master plan road discussed earlier asked if the Public Service Rights-of-Way are in any wetlands and Mrs. Jamanow responded that she does not believe so.

Hearing no other comments and having no need for an executive session, the meeting was adjourned at 9:20 PM on a motion by Mr. Durr and second by Mr. Hlubik. All agreed.

Respectfully submitted,

Bonnie J. Haines, RMC
Township Clerk