

March 25, 2010

The Township Committee met on the above date. Deputy Mayor Lawrence Durr called the meeting to order at 7:30PM and opened with the flag salute and a moment of silence. Roll call was taken showing present: Deputy Mayor Lawrence H. Durr and Committeeman Michael J. Hlubik. Mayor Brian Kelly was not present. There were no professionals in attendance. The Open Public Meetings Act statement was read and compliance noted.

The meeting was opened to the public for comments on matters not appearing on the agenda. Arnold Braun of 6 Barbara Drive was present to address a situation on Barbara Drive concerning excessive water which sweeps down Barbara Drive and pools and freezes. Mr. Braun slipped and fell on ice from the water cascading down Barbara Drive and was seen at the hospital and has had subsequent follow-ups. Mr. Braun presented pictures for the Committee to view of the ice formations along Barbara Drive on the date in question. The water originates from Mr. Braun's neighbor's property. The Braun's are asking the Committee to remediate this condition or require the landowner to fix the problem. Mr. May installed a pipe on his property to control the run-off from his swimming pool. Shortly after, water began appearing on Barbara Drive. There was a problem before this from the natural flow of water but this escalated the problem. Mr. Braun spoke with Greg in the fall of 2009 and presented pictures taken after that conversation. There is no question that the water originates from his neighbor. In the summer of 2009 Mr. Braun received a call from his neighbor, Joann May stating she was aware of problem and would take care of it. Nothing was ever done. In the winter time, sheets of ice block access to mailbox and street. Mailmen, trash men and utility workers are in danger. In the summer time water pools and creates a swamp on his property and breeds mosquitoes. They have never had any children in the Township schools, they never use any public facilities, and they pay their taxes on time and in full. They are asking for the issue to be taken care of as it is a public nuisance. If the landowner will not fix the problem, Township has an obligation to remedy situation and make the street safe. Mr. Hlubik stated that the matter has been discussed with Township Engineer but he is not aware of the outcome. Mr. Durr asked when the neighbor installed the pipe. Mr. Braun replied that it was March 2007. Mr. Durr stated that the matter will be taken care of.

Hearing no other comments, the Committee continued with agenda items.

Approval of Minutes

The Minutes of the Regular sessions of March 3, March 10 and March 16, 2010, along with Executive Session minutes of March 10 and March 16, 2010 were approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Ordinances for Introduction

Ordinance 2010-5 was approved for introduction on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. Public hearing will be April 14, 2010.

Ordinances for Public Hearing

The public hearing on Ordinance 2010-3 was opened on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. Hearing no comments, the hearing was closed on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. Ordinance 2010-3 An Ordinance to Repeal Chapter 176 of the Code of the Township of Chesterfield Entitled "Trailers and Trailer Camps" was finally adopted on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

The public hearing on Ordinance 2010-4 was opened on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. Hearing no comments, the public hearing was closed on a motion by Mr. Hlubik and second by Mr. Durr and Ordinance 2010-4 An Ordinance Creating Chapter 110 of the Code of the Township to be Entitled "Fees" was finally adopted on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Resolutions

Resolution 2010-3-15 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-3-15

RESOLUTION OF THE TOWNSHIP OF CHESTERFIELD AUTHORIZING AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:45-

3e

WHEREAS, the Township Committee of the Township of Chesterfield desires to make application to the Local Finance Board for its review and / or approval of a proposed CAP waiver authorizing the Township of Chesterfield to exceed it's allowable CAP amount by \$620,000.00 pursuant to N.J.S.A. 40A:45-3e; and

WHEREAS, the Township Committee of the Township of Chesterfield believes:

- (a) it is in the public interest to accomplish such purpose
- (b) said purpose is for the health, wealth, convenience or betterment of the residents of the Township of Chesterfield;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant
- (d) the proposal is an efficient and feasible means of providing services for the needs of the residents of the Township of Chesterfield and will not create an undue financial burden to be placed upon the Township of Chesterfield;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Township Auditor along with other representatives of the Township Committee are hereby authorized to prepare such application and to represent the Township of Chesterfield in matters pertaining thereto.

Section 2. The Township Clerk of the Township of Chesterfield is hereby directed to prepare and file a copy of the proposed CAP Waiver Request with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its finding, recommendations and or approvals as provided by the applicable New Jersey Statute.

Resolution 2010-3-16 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-3-16

RESOLUTION AUTHORIZING FINAL APPROVAL OF THE APPLICATION FOR PRESERVATION OF BLOCK 402 LOT 1 THROUGH THE BURLINGTON COUNTY FARMLAND PRESERVATION PROGRAM

WHEREAS, the Township of Chesterfield is committed to preserving, to the extent possible, farmland within the Township for the benefit of the citizens of the Township of Chesterfield as well as for the County of Burlington and for the State of New Jersey; and

WHEREAS, the Burlington County Agriculture Development Board is proceeding with the preservation of the following farm: Brian A. Krause, Block 402 Lot 1 on Orr Road through the Farmland Preservation Easement Purchase Program; and

WHEREAS, the County requests that the Township of Chesterfield provide the necessary municipal cost share at five percent (5%); and

WHEREAS, it is in the best interests of the citizens of the Township of Chesterfield to give final approval on the County's acquisition of development easements for the above farm through the Farmland Preservation Easement Purchase Program;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield, County of Burlington and State of New Jersey that they grant final approval for the acquisition of development easements on the aforementioned property through the Burlington County Farmland Preservation Program; and

BE IT FURTHER RESOLVED that the Township Committee of the Township of Chesterfield shall provide the required municipal cost share in the amount of approximately two thousand six hundred eighty dollars (\$2,680.00), representing five percent (5%) of the total cost to acquire the easements for the above mentioned properties.

Resolution 2010-3-17 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed. The public hearing on the 2010 Municipal Budget will be April 22.

RESOLUTION 2010-3-17

RESOLUTION AUTHORIZING THE INTRODUCTION 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 following statements of revenues and appropriations shall constitute the Municipal Budget of the Township of Chesterfield for the year 2010 and the Township Committee does hereby approved the following as the budget for the year 2010:

Surplus Anticipated	\$ 2,513,000.00
Total Miscellaneous Revenues	\$ 1,248,064.00
Receipts from Delinquent Taxes	\$ 270,000.00
Local Tax for Municipal Purpose	\$ 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

BE IT FURTHER RESOLVED that said budget document be published in the Burlington County Times in the issue of April 9, 2010. A hearing on the Budget and Tax Resolution will be held at the Chesterfield Township Municipal Building, 300 Bordentown-Chesterfield Road in Chesterfield Township on April 22, 2010 at 7:30 PM at this time and place objections to said Budget and Tax Resolution for the year 2010 may be presented by taxpayers or other interested persons.

Resolution 2010-3-18 was approved on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

RESOLUTION 2010-3-18

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE CONTRACT BETWEEN THE CHESTERFIELD POLICE, FOP LODGE 114 FRATERNAL ORDER OF POLICE / NEW JERSEY LABOR COUNCIL AND THE TOWNSHIP OF CHESTERFIELD

WHEREAS, a contract has been negotiated between the Township of Chesterfield and the Chesterfield Police, FOP Lodge 114 Fraternal Order of Police / New Jersey Labor Council (hereinafter "Union"); and

WHEREAS, the Township and the Union have memorialized the agreed upon negotiated terms, where are set forth in the attached "Collective Bargaining Agreement Between the Township of Chesterfield and the Chesterfield Police FOP Lodge 114 Fraternal Order of Police / New Jersey Labor Council, January 1, 2010 through December 31, 2011 (hereinafter "Contract"); and

WHEREAS, the Township has been informed that the Union has approved the Contract; and

WHEREAS, the Contract accurately reflects the negotiated terms of the agreement;

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 Mayor and Township Clerk are hereby authorized to execute the "Contract" which document is attached hereto and made a part hereof.

Discussion

The request by the Police Department for an increase in off duty fees was discussed and agreed to. On a motion by Mr. Hlubik and second by Mr. Durr, Ordinance 2010-6 AN ORDINANCE TO AMEND CHAPTER 42 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD, SPECIFICALLY ARTICLE II AS IT RELATES TO PAYMENT FOR EXTRA DUTY ASSIGNMENTS was added to the agenda. On a motion by Mr. Hlubik and second by Mr. Durr, Ordinance 2010-6 was approved for introduction with a public hearing scheduled for April 14. All agreed.

The re-hiring of Marvin Ames as a part time Patrolman was approved on a motion by Mr. Hlubik and second by Mr. Durr to use as needed. All agreed. A resolution will be prepared for approval at the meeting of April 14.

Payment of Bills

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

Deputy Mayor Durr opened the meeting to comments from the public. Bob Schoen of Fenton Lane asked the Committee how much the Township lost in state aid. Mr. Durr replied that the Township lost approximately \$150,000, however, that number does not include the school.

Brian Meincke representing the Chesterfield BOE was present to ask the Township to have the well associated with the former house of the Wilkinson children capped and abandoned. Mr. Meincke also talked about the auxiliary parking light to left of school site next to the tennis courts. The Board would like to add 6 street lights - 4 in the parking lot and 2 on Wright drive. The lights will be on the portion of the property that belongs to the Township. The school will cover the cost of installation but the Township will need to pay to keep them on. The Board feels these additional lights are necessary for after school activities as this will be the overflow parking lot. Mr. Durr asked why this would be a Township responsibility. Mr. Meincke responded that the lights will be on Township property. Mr. Durr replied that the Township does not need or want the additional lights and they will be used by school so he is not sure where the responsibility lies. Mr. Hlubik stated that he would like the number of lights reduced because of the homeowners who live there. Mr. Durr stated that the Township has to get approval from the Local Finance Board as it is for the budget. Additional costs to be added to the budget are not needed at this point. Mr. Durr would like the Township Engineer and the Planning Board to review this request.

Mr. Meincke was questioned about the School budget. He stated that the budget is very lean, the costs per pupil are less. Due to the loss of state aid and with the debt service for the new school, the average homeowner will see a \$660 raise in their school tax.

Bob Schoen of Fenton Lane asked if the Township has been approached by Public Service about solar panels on poles with street lights? Mr. Durr replied that we have not.

Hearing no other comments and not having a need for an Executive Session, the meeting was adjourned at 8:13 PM on a motion by Mr. Hlubik and second by Mr. Durr. All agreed.

Respectfully submitted,

Bonnie J. Haines, RMC
Township Clerk