

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE AGENDA
DECEMBER 12, 2019
December 10, 2019 Draft

Meeting Called to Order

Adequate Notice of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both The Chatham Courier and the Morris County Daily Record on January 4, 2019; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 4, 2019; and notice was filed with the Township Clerk on January 4, 2019.

Flag Salute

Roll call

Approval of Agenda

Resolutions

1. Resolution 2019-216 Accepting Grant from Chatham Athletic Foundation

Reports: Update on Affordable Housing

Hearing of Citizens/Petitions Note: This is an opportunity for any member of the public to be heard about issues which are not topics scheduled for Public Hearings tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers will be limited to five minutes.

Additional Resolutions

1. Resolution 2019-217 Authorizing Township Attorney to Request Extension of Affordable Housing Compliance Hearing Date

Consent Agenda (routine items that may be passed by a single roll call vote; any Committee member may call for a separate discussion or vote on any item)

1. Resolution 2019-218 Payment of Bills
2. Resolution 2019-219 Receipt of Reports
3. Resolution 2019-220 Approving Meeting Minutes
4. Resolution 2019-221 Approving Executive Session Minutes
5. Resolution 2019-222 Releasing Escrow Balances
6. Resolution 2019-223 Refunding Overpayment of Taxes
7. Resolution 2019-224 Awarding IT Contract
8. Resolution 2019-225 Authorizing Notice to Bidders for Alum Tank
9. Resolution 2019-226 Authorizing Grant Application for Fairmount Sidewalk Extension
10. Resolution 2019-227 Regarding Tax Sale

Public Hearing/Final Adoption of Ordinances

1. Ordinance 2019-19 Fairmount Commons Overlay Zone
2. Ordinance 2019-20 Payment in Lieu of Taxes Ordinance for Arbor Green at Chatham
3. Ordinance 2019-21 Establishing Police Chaplain
4. Ordinance 2019-22 Development Fee Ordinance

Discussion: possible ordinance or resolution

Hearing of Citizens

Executive Session – If Necessary

Adjourn

*In accordance with the Open Public Meetings Act, items to be discussed in Executive Session will be made public as soon as known.

ORDINANCE 2019-19

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, ESTABLISHING AN INCLUSIONARY AFFORDABLE HOUSING OVERLAY ZONE IN THE PI-1 PROFESSIONAL INSTITUTIONAL DISTRICT AND AMENDING CHAPTER XXX, TITLED “LAND DEVELOPMENT”, ARTICLE 7, TITLED “ZONING REGULATIONS” APPLICABLE TO BLOCK 128, LOT 9, LOCATED AT 466 SOUTHERN BOULEVARD TO ADDRESS A PORTION OF THE TOWNSHIP OF CHATHAM’S THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, the Township of Chatham (“Township”) filed a Declaratory Judgment Action in the Superior Court of New Jersey, Morris County, captioned IMO Township of Chatham, Docket No. MRS-L-1659-15 (“Declaratory Judgment Action”), in furtherance of the Supreme Court’s March 10, 2015, decision in In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (“Supreme Court Decision”); and

WHEREAS, the Township entered into a Settlement Agreement with the Fair Share Housing Center, Inc. on December 13, 2018 (“Settlement Agreement”) that determines the Township’s affordable housing obligation and the mechanisms for how the obligation will be addressed; and

WHEREAS, the Township’s Planning Board adopted a Housing Element and Fair Share Plan, that comprehensively provides for the creation of affordable housing in the Township in a manner consistent with all applicable affordable housing statutes and regulations and the Settlement Agreement; and

WHEREAS, the Township identified one parcel of land determined to be appropriate for development of higher-density inclusionary residential development in the Township located on Block 128, Lot 9 located at 466 Southern Boulevard within the PI-1 District which possesses sufficient land area to accommodate inclusionary residential development at appropriate inclusionary zoning densities to address a portion of the Township’s Third Round affordable housing obligation; and

WHEREAS, the zoning amendments herein support residential inclusionary development consistent with the Settlement Agreement and the Township’s Housing Element and Fair Share Plan.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

Section 1. Article XXX, Subsection 30-75.1 titled “Zone Districts” is hereby amended to add a new overlay zone titled “PI-AHO” Professional and Institutional Affordable Housing Inclusionary Overlay Zone as follows:

30-75.1 Zone Districts.

For the purpose of this Chapter, the Township is hereby subdivided into twenty-two (22) zone districts known as:

CP	County Park District
WA	Wilderness Area District
R-1	Residence District
R-1A	Residence District
R-2	Residence District
R-2A	Residence District
R-2B-1	Residence District
R-2B-2	Residence District
R-3	Residence District
R-4	Residence District
R-5	Residence District
R-5A	Residence District
R-6A	Townhouse District
R-6B	Townhouse District
R-6C	Residence District
R-7	Apartment District
AH	Affordable Housing District
B-1	Business Center District
B-2	Neighborhood Business District
PI-1	Professional Institutional District
PI-2	Professional Institutional District
PCD	Planned Commercial District

Overlay Districts:

- Great Swamp Watershed Overlay District (Ord. No. 2017-16)
- Upper Passaic River Watershed Overlay District (Ord. No. 2017-16)
- Professional and Institutional Affordable Housing Inclusionary Overlay Zone

Section 2. Article XXX, Subsection 30-75.2 titled “Map and Schedule” is hereby amended to include the following: one (1) new overlay zone designation, "PI-AHO” Professional and Institutional Affordable Housing Inclusionary Overlay Zone as indicated on the “Official Zoning Map, Township of Chatham, Morris County, New Jersey,” dated March, 1999, which is hereby replaced by the “Official Zoning Map, Township of Chatham, Morris County, New Jersey,” dated March, 1999, revised as of October, 2019, and listed below:

Block 128, Lot 9

Section 3. Amend Article XXX to include a new Section 30-84, titled “Requirements for PI-AHO Professional and Institutional Affordable Housing Inclusionary Overlay Zone”, to the Revised General Ordinances of the Township of Chatham as follows:

(a) Purpose.

The Township recognizes its obligation under the New Jersey Fair Housing Act to provide for its "fair share" of the regional need of low and moderate income (affordable) housing. The PI-AHO Professional and Institutional Affordable Housing Inclusionary Overlay Zone is established to provide an affordable housing overlay development option allowing townhouses and/or apartments on Block 128, Lot 9 to address a portion of the Township's affordable housing obligation subject to the affordable housing set-asides prescribed below.

(b) Area and Density Requirements.

1. Minimum Area. Each development shall have a minimum tract area of three (3) acres. Public or private roads, easements or rights-of-way shall not be deemed to divide acreage of a development.

2. Maximum Density. Twelve (12) dwelling units/acre.
3. Minimum Lot Size Per Dwelling. A minimum lot size of 1,200 square feet shall be required for all fee simple townhouse dwelling units.

(c) Maximum Building Coverage.

1. The total ground floor area of all buildings shall not exceed thirty (30%) percent of the lot area.

(d) Maximum Impervious Coverage.

1. The total area of all impervious surfaces shall not exceed sixty (60%) percent of the lot area.

(e) Setback Requirements.

1. No principal building shall be located within thirty (30) feet of a public street or exterior property line of the tract nor within ten (10) feet of any internal roadway.
2. No townhouse dwelling structure shall have more than two (2) continuous attached dwelling units with the same front building line, and such variations in the building line shall be offset at least four (4) feet.

(f) Distance Between Buildings. Minimum distances as specified below shall be maintained between principal buildings:

Positions of Building Walls	Minimum Distance Between Buildings at Any Point
Front facing front	50'
Front facing rear	50'
Front facing side	25'
Rear facing rear	50'
Rear facing side	30'
Side facing side	15'

(g) Building Requirements.

1. Height. No building shall exceed a height of two and one-half (2 1/2) stories or thirty-five (35) feet whichever is the lesser, except that existing buildings in excess of the permitted number of stories or height may be re-used for any permitted principal or accessory use.
2. Units Per Building. No townhouse building shall contain more than six(6) dwelling units.

(h) Dwelling Unit Requirements.

1. Each dwelling unit shall contain as a minimum a separate living room, a separate bedroom, a separate bath, a room for storage and utilities, and a kitchen, which kitchen facility shall be located separate and apart from other rooms in the unit with the exception of the dining room.
2. Minimum Floor Area. Each dwelling unit shall have a minimum floor area, as "floor area" is defined in Section 30-6, in accordance with the following schedule:

Number of Bedrooms	Minimum Required Floor Area Per Dwelling Unit (in Sq. Ft.)
1	900
2	1,150
For each additional	200 additional

3. No basement shall contain a bedroom.
4. Each dwelling unit shall have at least two (2) private outside entrances.
5. Each dwelling unit shall contain its own heating plant and system and shall constitute a separate, independent unit for metering and all other purposes with respect to all required utilities and similar conveniences. No central or common laundry or similar facilities intended for two (2) or more units shall be permitted.
6. Each dwelling unit shall have at least one (1) individual private yard area, balcony, deck, open patio or court adjoining the unit and having a width of at least fifteen (15) feet and an area of at least one hundred fifty (150) square feet. Each private yard area, patio, court or deck shall be effectively screened in order to provide a reasonable degree of privacy.
7. In addition to the above requirements, a storage space with separate access and containing a minimum of eighty (80) square feet of floor area shall be provided for each dwelling unit in the basement of the building in which the unit is located or in the garage serving the unit. Storage space located in a garage shall not encroach upon or be located above a minimum area of ten feet by twenty (10' by 20') feet for the parking of a motor vehicle.
8. The layout and arrangement of buildings and their design shall incorporate energy saving and green design features where practicable.

(i) Accessory Buildings.

1. Setbacks. Accessory buildings shall meet the street, property line and internal roadway setbacks of the principal buildings and shall be at least twenty-five (25) feet from a principal building and fifteen (15) feet from another accessory building. Detached garages shall be at least fifteen (15) feet from a principal building or from any other garage or accessory building. Clubhouses, swimming pools and recreation facilities shall be at least one hundred (100) feet from a property line.
2. Height. The maximum height of an accessory building shall be fifteen (15) feet except for clubhouses which shall not exceed twenty-eight (28) feet in height. Existing buildings in excess of the permitted number of stories or height may be re-used for any permitted principal or accessory use.
3. When a clubhouse or other accessory building is attached to a building containing a permitted principal use, the bulk requirements for the permitted principal use shall apply.
4. Design. Architectural design and materials used in the construction of accessory buildings shall conform to or complement the style of construction of principal buildings.
5. Except to the extent inconsistent with the specific provisions of this Subsection, the provisions of Subsection 30-96.13 shall be followed.
6. Signs. The provisions of Section 30-98 shall be followed.

(j) Off-Street Parking and Internal Roadways. Off-street parking and internal roadways shall conform to the provisions of Subsection 30-64.2, and, in addition, the following requirements shall be met:

1. All off-street parking areas and internal roadways shall be paved, bounded by permanent curbing and constructed in accordance with Township of Chatham road specifications; provided, however, that, upon recommendation of the Township Engineer, the requirement of curbing may be waived or modified when

found not to be needed for control of storm water, protection of pavement and similar purposes.

- 2. Parking areas shall be located at least five (5) feet from a building and fifteen (15) feet from a property line.
- 3. Except as otherwise provided in the New Jersey Residential Site Improvement Standards, internal roadways shall be at least twenty-four (24) feet in width for two (2)-way traffic and twelve (12) feet in width for one (1)-way traffic and shall not enter a street within fifty (50) feet of an existing intersection. Drives leading from internal roadways to parking areas shall be at least twenty (20) feet in width.
- 4. The arrangement and location of garages, parking areas and internal roadways shall be subject to approval of the Planning Board and shall be designed to insure maximum safety, proper circulation and maximum convenience for residents and their guests.
- 5. Sidewalks shall be provided along at least one side of any internal road serving the development.
- 6. Unless otherwise provided in the New Jersey Residential Site Improvements Standards, minimum requirements for off-street parking spaces shall be as follows for low and moderate income housing units:

1 bedroom	1.75 parking spaces
2 bedroom unit	2.0 parking spaces
3 or more bedroom unit	2.5 parking spaces

(k) Landscaping and Common Open Space.

- 1. There shall be provided a minimum of thirty (30%) percent of the entire tract for common open space, which shall be deed restricted against future development and managed by the homeowners association. Said open space shall not contain any impervious surfaces, detention facilities or other structural or infrastructure improvements.
- 2. The common open space, where improved, shall be attractively landscaped with varieties of flowering plants, grasses, trees and shrubs that will serve to minimize water use. All proposed landscaping, including existing and new trees, shrubs and natural screening shall be shown on the site plan submitted to the Planning Board for approval.
- 3. Except as otherwise provided in the New Jersey Residential Site Improvement Standards, sidewalks or walkways constructed in accordance with the Township specifications shall be provided in such locations and of such widths as required and approved by the Planning Board to insure safe and convenient pedestrian traffic.
- 4. Sidewalks shall be provided along Southern Boulevard within the development.
- 5. Effective screening by a fence or wall no less than five (5) feet nor more than seven (7) feet in height shall be provided to shield parking areas and other common facilities from view of adjoining residential properties, provided, however, screening by hedge or other natural landscaping may be substituted for the required fence or wall if approved by the Planning Board as part of the site plan.
- 6. Lighting. Adequate artificial lighting shall be provided in parking areas and along sidewalks, walkways and internal roadways. The source of lighting shall be directed downward, away from buildings and adjoining streets and property lines.

Lighting fixtures shall be so arranged that the direct source of light is not visible from any adjacent property.

(l) Utilities.

1. Adequate provision shall be made for storm water drainage, water supply and sewage treatment and disposal.
2. All telephone, electric and CATV service, including outdoor lighting on the property, shall be by underground conduit.
3. Fire Hydrants. Fire hydrants shall be installed at locations specified by the Township. Such hydrants shall be provided with appropriate water pressure and otherwise adequately maintained by the owner or owners of the dwelling units. All such hydrants shall conform to the standards of the National Board of Fire Underwriters or Township requirements, whichever is more restrictive.
4. Solid Waste, Including Recyclable Materials. Suitable provision shall be made for the orderly deposit and pick-up of solid waste, including recyclable materials. The locations and numbers of all facilities for such purposes shall be subject to approval by the Planning Board and shall meet all regulations of the Township Board of Health and applicable provisions of Section 18-1 of the Revised General Ordinances of the Township of Chatham as well as the following:
 - (a) Each receptacle shall be located in a completely enclosed building.
 - (b) Buildings used solely for the purpose of housing receptacles shall be located at least five (5) feet from an internal roadway and shall otherwise meet the requirements for accessory buildings.
 - (c) Buildings used to house receptacles shall be so located as to permit convenient vehicular access.

(m) Developer's Obligation to Provide Affordable Housing.

1. Prior to the issuance of any construction permit, and as a condition precedent to the grant of any approval of a development application by the Planning Board, Board of Adjustment or Zoning Officer, as applicable, a developer shall be required to enter into an agreement with the Township Committee to construct at least 15 percent to 20 percent of all dwelling units as low and moderate income housing units as prescribed in Subsection 30-84(m)2 below. At least 50% of the rental units shall be available to low income households with the remainder available to moderate income households. The required agreement shall make provisions for the developer's obligation to construct the affordable units and the phasing of construction of market units shall provide for the construction of affordable units in tandem with the market units according to the requirements of N.J.A.C.5:93-5.6(d).
2. The required minimum residential densities and affordable housing set asides shall be as follows:
 - (a) Townhouse or other for-sale units: 12 dwelling units per acre with a 20% affordable housing set-aside; and/or.
 - (b) Multi-family rental housing, such as garden apartments:
12 dwelling units per acre with a 15% affordable housing set-aside.
 - (c) Townhouse and multi-family at the prescribed densities and set-asides identified above may be mixed on single parcel of land.

(n) Development Option.

The "PI-AHO" Professional and Institutional Affordable Housing Inclusionary Overlay Zone provides a development option allowing townhouses and/or apartments on Block 128, Lot 9 at the election of the owner. The "PI-AHO" Professional and Institutional

Affordable Housing Inclusionary Overlay Zone does not supersede the existing underlying PI-1 Professional Institutional District and does not render existing uses on Block 128, Lot 9 non-conforming.

Section 4. All other Ordinances, part of Ordinances, or other local requirements that are inconsistent or in conflict with this Ordinance are hereby repealed to the extent of any inconsistency or conflict, and the provisions of this Ordinance apply.

Section 5. Notwithstanding that any provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, all remaining provisions of the Ordinance shall continue to be of full force and effect.

Section 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted Ordinance by the Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Introduced: November 14, 2019

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2019-20

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING THE LONG TERM TAX EXEMPTION APPLICATION AND AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A FINANCIAL AGREEMENT BY AND BETWEEN THE TOWNSHIP OF CHATHAM AND SOUTHERN BOULEVARD URBAN RENEWAL, LLC, PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. FOR PROPERTY LOCATED AT 405 SOUTHERN BOULEVARD, ALSO KNOWN AS A PORTION OF LOT 117.27 IN BLOCK 48.16, AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CHATHAM, LOCATED IN THE SKATE PARK REDEVELOPMENT AREA

BE IT ORDAINED by the Township Committee of the Township of Chatham, in the County of Morris, State of New Jersey, as follows:

Section 1. The Township Committee of the Township of Chatham (“Township”) designated a portion of Block 48.16, Lot 117.27 (“Property”) as the Skate Park Redevelopment Area (“Redevelopment Area”) and adopted the Redevelopment Plan for the Redevelopment Area (“Plan”) on December 13, 2018.

Section 2. On December 13, 2018, the Township adopted a Resolution conditionally designating Southern Boulevard Urban Renewal, LLC (“Redeveloper”), as redeveloper of the Property subject to certain conditions.

Section 3. Redeveloper is an urban renewal entity, created in accordance with the Long Term Tax Exemption Law, constituting Chapter 431 of the Pamphlet Laws of 1991 of the State, and the act amendatory thereof and supplementary thereto (“Long Term Tax Exemption Law,” as codified in N.J.S.A. 40A:20-1 et seq.), which shall take title to the Property and act as Redeveloper.

Section 4. On October 21, 2019, Redeveloper obtained preliminary and final site plan and subdivision and bulk variance approvals from the Township Planning Board for the Property for a residential development of 24 affordable housing units and related site improvements (“Project”).

Section 5. The Township and Redeveloper have completed negotiations on a Redevelopment Agreement to be considered for approval by the Township on November 14, 2019, which sets forth certain terms and conditions with respect to the sale of the Property to Redeveloper by the Township, the redevelopment of the Property, the construction of the Project and the payment of certain costs in connection therewith (“Redevelopment Agreement”).

Section 6. Pursuant to and in accordance with the provisions of the Long Term Tax Exemption Law, the Township is authorized to provide for tax exemptions within a redevelopment area and for payments in lieu of taxes.

Section 7. The Redeveloper submitted an application (“Exemption Application,” a copy of which is attached hereto as Exhibit A) to the Township, dated October 25, 2019, including a form of financial agreement (“Financial Agreement,” a copy of which is attached hereto as Exhibit B), for the approval of a Project, as such term is used in the Long Term Tax Exemption Law, all in accordance with N.J.S.A. 40A:20-8.

Section 8. The Exemption Application requests a 30-year term for the Financial Agreement and an annual service charge (“Annual Service Charge”) based on 6.28% of annual gross revenue, subject to staged increases beginning in Year 16, as set forth in the Financial Agreement and as provided for under the Long Term Tax Exemption Law.

Section 9. The Township and Redeveloper reached agreement regarding, among other things, the terms and conditions relating to the Annual Service Charge, and they desire to execute the Financial Agreement.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, New Jersey, as follows:

Section 1. The Township acknowledges that Redeveloper, by effectuating the redevelopment of the Property, will provide significant and long-term benefits to the Township.

Section 2. The Township makes the following findings:

A. Relative benefits of the Project when compared to the costs:

1. The Property currently generates no real estate tax revenue to the Township because the Property is owned by the Township and assessed as municipal property. The projected Annual Service Charge will generate average revenue to the Township of approximately \$17,000 annually over the term;
2. It is estimated that the Project will create approximately 50 jobs during construction and 1 new permanent job after completion of construction;
3. The Project will provide 24 units of affordable housing to the region;
4. The Project will further the redevelopment objectives of the Redevelopment Plan; and
5. The Township has determined that the benefits of the Project significantly outweigh the costs to the Township.

B. Assessment of the importance of the tax exemption in obtaining development of the Project and influencing the locational decisions of probable occupants:

1. The relative stability and predictability of the Annual Service Charge will make the Project more attractive to investors and lenders needed to finance the Project; and
2. The relative stability and predictability of the Annual Service Charge will allow stabilization of the Project operating budget, allowing a high level of design and aesthetics as well as the use of high quality materials which will maintain the appearance of the buildings over the life of the Project, which will insure that it will have a positive impact on the surrounding area.

Section 3. The Exemption Application is hereby accepted and approved.

Section 4. The Financial Agreement shall be for a 30-year term with an annual service charge based on 6.28% of annual gross revenue for the Project, and subject to certain staged increases beginning in Year 16, in accordance with the Long Term Tax Exemption Law.

Section 5. The Financial Agreement is hereby authorized to be executed and delivered on behalf of the Township by the Mayor in substantially the form attached hereto as Exhibit B. The Township Clerk is hereby authorized and directed to attest to the execution of the Financial Agreement by the Mayor and to affix the corporate seal of the Township to the Financial Agreement.

Section 6. This Ordinance shall take effect upon final passage and publication as required by law.

EXHIBIT A

EXEMPTION APPLICATION

EXHIBIT B

FORM OF FINANCIAL AGREEMENT

EFFECTIVE DATE

This Ordinance shall take effect twenty (20) days after publication in accordance with applicable law.

Introduced: November 14, 2019

TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2019-21

AN ORDINANCE ADDING ARTICLE III, TITLED “DEPARTMENTS ESTABLISHED”, SECTION 2-11, TITLED “POLICE DEPARTMENT”, SUBSECTION 2-11.17, TITLED “POLICE CHAPLAIN”, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM TO ALLOW FOR A POLICE CHAPLAIN

WHEREAS, statutory authority provides that the Township Committee of the Township of Chatham by Ordinance may create the appointment of one or more Chaplains to the Police Department; and

WHEREAS, Police Chaplains serve an integral role in providing comfort to members of the Police Department as well as the public and aid in community policing; and

WHEREAS, the Township Committee finds it is in the best interest of the Township of Chatham to create the position of Police Chaplain.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

Section 1. Article III, titled “Departments Established”, Section 2-11, titled “Police Department”, Subsection 2-11.17, titled “Police Chaplain” of the Revised General Ordinances of the Township of Chatham is hereby added as follows:

Subsection 2-11.17 Police Chaplain

- A. Position created. The position of Police Chaplain for the Township of Chatham Police Department is hereby created in accordance with statutory authority. The position(s) will be a volunteer position. The position of Chaplain shall be under the supervision of the Chief of Police.
- B. Qualifications. Any person appointed as Chaplain shall be an ordained clergyman in good standing in the religious body from which he/she is selected. The chaplain shall have basic training and shall be a certified Police Chaplain credentialed in accordance with the rules and regulations of the Township of Chatham Police Department and shall be qualified in accordance with statutory requirements.
- C. Duties of Police Chaplain. The Duties of Police Chaplain shall include, but not be limited to, assisting the Township of Chatham Police Department in death notifications, station house adjustments, and any other duties that may be assigned by the Chief of Police.
- D. Rank and salary. Any person appointed as Chaplain shall serve in that capacity without rank or salary.
- E. Term of office. A person(s) appointed as Chaplain shall serve for a period of one year from the date of appointment and shall continue to serve in that capacity until he/she is either terminated or reappointed with the recommendation of the Chief of Police regarding the appointment of the Chaplain. The Mayor shall appoint the Chaplains in accordance with this section with the advice and consent of the Township Committee.

Section 2. If any Section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the Section,

paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 3. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect after final passage, adoption and publication according to law.

Introduced: November 14, 2019

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2019-22

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER XXIX, TITLED “AFFORDABLE HOUSING” OF THE REVISED GENERAL ORDINANCES TO ADD A NEW SUBSECTION 29-2, TITLED “DEVELOPMENT FEES”

BE IT ORDAINED by the Township Committee of the Township of Chatham, in the
County of Morris, State of New Jersey, as follows:

Section 1. Subsection 29-2 titled “Development Fees” of Revised General Ordinances of the
Township of Chatham, is hereby added as follows:

29-2 Development Fees.

§29-2.1 Purpose

- A. In Holmdel Builder's Association v. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (“Act”), N.J.S.A. 52:27D-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (“COAH's”) adoption of rules.
- B. Pursuant to P.L.2008, c.46 section 8 (N.J.S.A. 52:27D-329.2) and the Statewide Non-residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from nonresidential development.
- C. In Re Adoption of N.J.A.C. 5:96 and 5:97 by COAH, 221 N.J. 1 (2015) (“Mount Laurel IV”), the Supreme Court remanded COAH’s duties to the Superior Court. As a result, affordable housing development fee collections and expenditures from municipal affordable housing trust funds to implement municipal Third Round Fair Share Plans through July 7, 2025 are under the Court’s jurisdiction and are subject to approval by the Court.
- D. This article establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L. 2008, c.46, §§ 8 and 32-38. Fees collected pursuant to this article shall be used for the sole purpose of providing low- and moderate-income housing. This article shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:93-8.

§ 29-2.2 Definitions.

As used in this Subsection, the following terms shall have the meanings indicated:

AFFORDABLE HOUSING DEVELOPMENT

A development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a one-hundred-percent affordable development.

COAH or THE COUNCIL

The New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the state.

DEVELOPER

The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT FEE

Money paid by a developer for the improvement of property as permitted in N.J.A.C 5:93-8.3

EQUALIZED ASSESSED VALUE

The assessed value of a property divided by the current average ratio of assessed-to-true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (N.J.S.A. 54:1-35a through N.J.S.A. 54:1-35c).

SUBSTANTIAL IMPROVEMENT

Any reconstruction, addition, or other improvement of a structure, the cost of which exceeds fifty (50%) percent of the equalized assessed value of the structure before the start of construction of the improvement.

SUBSTANTIVE CERTIFICATION

A determination by COAH approving a municipality's housing element and fair-share plan in accordance with the provision of the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) and the rules and criteria as set forth herein.

§ 29-2.3 Development fees.

A. Residential development fees.

(1) Imposed fees.

- (a) Within the Township of Chatham, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted.
- (b) When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of 4% of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application. Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5% of the equalized assessed value on the first two units; and the specified higher percentage up to 4% of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

(2) Eligible exactions, ineligible exactions and exemptions for residential development:

- (a) Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
- (b) Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval.

Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.

- (c) Except as provided in Subsection 29-2.3A(2)(d) below, development fees shall be imposed and collected on new residential construction or when an existing residential structure undergoes a substantial improvement as defined in Section 29-2.2 above, is demolished and replaced, or is expanded where the size of the change, replacement, or expansion is greater than 2,500 square feet. The development fee shall be calculated on the increase in the equalized assessed value of the new or improved structure.
- (d) Developers of residential structures demolished and replaced as a result of fire, or natural disaster, or other catastrophic events shall be exempt from paying a development fee.

B. Nonresidential development fees.

(1) Imposed fees.

- (a) Within all zoning districts, nonresidential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new nonresidential construction on an unimproved lot or lots.
- (b) Nonresidential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for nonresidential purposes.
- (c) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the preexisting land and improvement and the equalized assessed value of the newly improved structure, i.e., land and improvement, at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the nonresidential development fee shall be zero.

(2) Eligible exactions, ineligible exactions and exemptions for nonresidential development.

- (a) The nonresidential portion of a mixed-use inclusionary or market-rate development shall be subject to the development fee of 2.5% unless otherwise exempted below.
- (b) The fee of 2.5% shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
- (c) Nonresidential developments shall be exempt from the payment of nonresidential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
- (d) A developer of a nonresidential development exempted from the nonresidential development fee pursuant to P.L.2008, c.46, shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the nonresidential development, whichever is later.

- (e) If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Township as a lien against the real property of the owner.

§ 29-2.4 Exempt development types.

The following development types are exempt from development fees:

- A. Nonprofit and public education buildings.
- B. Houses of worship.
- C. Public amenities (recreational, community, or senior centers).
- D. Parking lots and structures.
- E. Nonprofit hospital relocation or improvement.
- F. State, county and local government buildings.
- G. Transit hubs, transit villages, and light-rail hubs.
- H. Commercial farm buildings and Use Group U structures.
- I. Developments with a general development plan approval, or executed developer's or redeveloper's agreement, prior to July 17, 2008, with a fee or affordable housing requirement the equivalent of at least 1% of equalized assessed value.

§ 29-2.5 Collection procedures.

- A. Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority (Planning or Zoning Board) shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- B. For nonresidential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The Developer of a nonresidential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the nonresidential developer as per the instructions provided in the Form N-RDF. The Township Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- C. The construction official responsible for the issuance of a building permit shall notify the Township Tax Assessor that he has prepared to be issued the first building permit for a development, at which time an amount of 50% of the total fee is due at the issuance of the first building permit. The remaining amount owed will be paid at the issuance of a final certificate of occupancy.
- D. Within 30 days of receipt of that notice, the Township Tax Assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development and the fee is calculated as cited above.
- E. The construction official responsible for the issuance of a final certificate of occupancy notifies the Township Tax Assessor of any and all requests for the scheduling of a final inspection on property.
- F. Within 10 business days of a request for the scheduling of a final inspection, the Township Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the remaining amount of the fee due.
- G. Should the Township fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (N.J.S.A. 40:55D-8.6).

H. Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

I. Appeal of development fees.

(1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest-bearing escrow account by the Township. Appeals from a determination of the Board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

(2) A developer may challenge nonresidential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the Township. Appeals from a determination of the Director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§ 29-2.6 Affordable Housing Trust Fund.

A. There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Chief Financial Officer for the purpose of depositing development fees collected from residential and nonresidential developers and proceeds from the sale of units with extinguished controls.

B. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

- (1) Payments in lieu of on-site construction of affordable units;
- (2) Developer-contributed funds to make 10% of the adaptable entrances in a townhouse or other multistory attached development accessible;
- (3) Rental income from municipally operated units;
- (4) Repayments from affordable housing program loans;
- (5) Recapture funds;
- (6) Proceeds from the sale of affordable units; and
- (7) Any other funds collected in connection with the Township's affordable housing program.

C. The Township previously provided COAH with written authorization, in the form of a three-party escrow agreement between the Township, a bank, COAH, to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:93-8. The Superior Court shall now have jurisdiction to direct the disbursement of the Township's trust funds.

D. All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH or a court of competent jurisdiction.

§ 29-2.7 Use of funds.

A. The Township shall not spend development fees until COAH or a court of competent jurisdiction has approved a plan for spending such fees. Thereafter, the expenditure of all funds shall conform to the spending plan approved by COAH or a court of competent jurisdiction. Funds deposited in the housing trust fund may be used for any activity approved by COAH or a court of competent jurisdiction to address the Township's fair share obligation and may be set up as a grant or revolving loan program. Such activities

include, but are not limited to, preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing nonresidential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:93-8 and specified in the approved spending plan.

- B. Funds shall not be expended to reimburse the Township for past housing activities.
- C. At least 30% of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of median income by region.
 - (1) Affordability assistance programs may include down-payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners' association or condominium fees and special assessments, and assistance with emergency repairs.
 - (2) Affordability assistance to households earning 30% or less of median income may include buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income.
 - (3) Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- D. The Township may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:93-8.16(d).
- E. No more than 20% of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20% of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements as set forth in the Court-approved Settlement Agreement with FSHC, dated December 13, 2018. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

§ 29-1.8 Monitoring.

On or about December 13 of each year through 2025, the Township shall provide annual reporting of trust fund activity to the DCA, COAH, or NJLGS, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website. This reporting shall include an accounting of all housing trust fund activity, including the collection of development fees from residential and nonresidential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Township's housing program, as well as to the expenditure of revenues and implementation of the plan approved by

COAH or a court of competent jurisdiction. All monitoring reports shall be completed on forms designed by COAH or other entity designated by the State of New Jersey.

§ 29-1.9 Ongoing collection of fees.

The ability for the Township to impose, collect and expend development fees shall expire with its Court-issued Judgment of Compliance and Repose unless the Township has (1) filed an adopted Housing Element and Fair Share Plan with COAH, a court of competent jurisdiction or other entity designated by the State of New Jersey; (2) has petitioned for substantive certification or filed a declaratory judgment action; (3) and has received COAH's or a court of competent jurisdiction's approval of its Development Fee Ordinance. If the Township fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance and Repose, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (N.J.S.A. 52:27D-320). The Township shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its judgment of compliance; nor shall the Township retroactively impose a development fee on such a development. The Township shall not expend development fees after the expiration of its judgment of compliance.

REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

This Ordinance shall not become effective until approved by the Superior Court of New Jersey.

Introduced: November 14, 2019

Adopted:

Attest:

TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY

BY: _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2019-216

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM AUTHORIZING THE ACCEPTANCE OF A GRANT FOR \$100,000 FROM
THE CHATHAM ATHLETIC FOUNDATION**

WHEREAS, the Chatham Athletic Foundation (CAF) has faithfully served the recreation needs of the children of both Chatham Borough and Chatham Township, and,

WHEREAS, the CAF has met its goals and will cease to operate as of December 31, 2019, and,

WHEREAS, the CAF in 2018 agreed to contribute \$100,000 towards improvements to Nash Field, and,

WHEREAS, a project and backup plan that will benefit youth recreation programs have been agreed to,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Chatham accepts the grant of \$100,000 from the CAF and agrees that the funds will be used for improvements to athletic facilities in the Township or, will be allocated for youth sports programs that use the athletic resources of the Township and,

BE IT FURTHER RESOLVED, that the Township Committee expresses it profound appreciation and thanks to all members of the CAF for the years of dedicated support both financial and physical that they have provided to youth programs in both Chatham Borough and Chatham Township.

Adopted: December 12, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2019-220

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM APPROVING MINUTES OF MEETINGS**

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meetings held on November 14, 2019.

Adopted: December 12, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2019-221

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF CHATHAM APPROVING EXECUTIVE SESSION MINUTES OF MEETINGS**

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meetings held on November 14, 2019.

Adopted: December 12, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2019-222

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY
OF MORRIS, STATE OF NEW JERSEY, RELEASING DEVELOPER ESCROW
ACCOUNT AND/OR PERFORMANCE BOND BALANCES**

WHEREAS, developers are required to deposit monies with the Township for the purposes of offsetting Township professional costs to review plans or to inspect approved development and for the purpose of ensuring the satisfactory completion of public or private improvements; and

WHEREAS, these deposited monies, following all necessary withdrawals to cover Township expenses or costs, may be released upon satisfactory completion of work, receipt of review board decisions, or completion of guaranteed work, upon passage of a Township resolution authorizing such release.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following guarantee amount or account balances, with interest adjustments as prescribed by state and local laws, may be released to the depositor of record:

<u>NAME</u>	<u>Project</u>	<u>A/C NUMBER</u>	<u>AMOUNT</u>
Rosepond LLC Sterling Properties 50 East Mt. Pleasant Avenue Livingston, NJ 07039	EIF 05-135-19/19.01	7760011090	\$136.07
Crown Contracting, LLC 30 Hillside Avenue Springfield, NJ 07081	ROI 2017-09	7764128376	\$166.66
John K. Fetterly, ESQ Britten Road Redevelopment LLC 67 Green Avenue Madison, NJ 07940	PLBD 06-48.20-189	7760011150	\$200.00

Adopted: December 12, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Tayfun Selen, Mayor

RESOLUTION 2019-223

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY,
REFUNDING OVERPAYMENT OF TAXES**

WHEREAS, an overpayment of property taxes has been made for the following
properties; and

WHEREAS, the Tax Collector has recommended the refund of such overpayment,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the
Township of Chatham that the following refunds be made:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
62.09	8.01	Kubida, Gregory J. & McDonough, Krista 18 Birch Hill Dr. Chatham, NJ 07928 Property Address – 18 Birch Hill Dr.	\$15,654.10 4 th Quarter 2019 Overpayment of Taxes
73	18	Scheuber, Scott A. & Margaret K. 63 Hall Rd Chatham, NJ 07928 Property Address – 63 Hall Rd	\$6,133.44 4 th Quarter 2019 Overpayment of Taxes
135	19.24	Newman, Michael J. & Suzanne S. 40 Sterling Dr. Chatham, NJ 07928 Property Address – 40 Sterling Dr.	\$5,662.66 4 th Quarter 2019 Overpayment of Taxes

Adopted: December 12, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2019-225

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM AUTHORIZING A NOTICE TO BIDDERS FOR THE 2020 ALUM TANK
REPLACEMENT PROJECT**

BE IT RESOLVED, by the Township Committee of the Township of Chatham that authorization is given to the QPA and the Township Administrator to issue a Notice to Bidders for the 2020 Alum Tank Replacement Project.

Adopted: December 12, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2019-226

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FAIRMOUNT AVENUE SIDEWALK EXTENSION PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham formally approves the grant application for the above stated project. The project limits are on Fairmount Avenue (CR 638) from Southern Boulevard (CR 647) to Longwood Avenue, which is the Municipal boundary with Chatham Borough.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LAIF-2020- Fairmount Avenue Sidewalk Extension-00035 to the New Jersey Department of Transportation on behalf of the Township of Chatham.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Chatham and that their signature constitutes the acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Adopted: December 12, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Tayfun Selen, Mayor