

RESOLUTION 2024-P-15

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY,
AUTHORIZING CONFERENCE OF THE TOWNSHIP COMMITTEE WITH THE
PUBLIC EXCLUDED**

WHEREAS, N.J.S.A. 10:4-12 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee of the Township of Chatham is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Personnel
 - b. Contract Negotiations
 - c. Potential Litigation
3. It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.
4. The Committee will come back into Regular Session and may take further action.
5. This Resolution shall take effect immediately.

Adopted: September 24, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2024-17

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 3, POLICE REGULATIONS, SECTION 3-10, CONSTRUCTION AND CONTRACTOR ACTIVITY ON SUNDAYS AND HOLIDAYS, SUBSECTION 3-10.1, DEFINITIONS, AND SUBSECTION 3-10.2, CONSTRUCTION AND CONTRACTOR ACTIVITY ON SUNDAYS AND HOLIDAYS PROHIBITED, OF THE TOWNSHIP CODE

WHEREAS, the Township Committee of the Township of Chatham (the “Township”) desires to amend the Revised General Ordinances of the Township (the “Township Code”) Chapter 3, Police Regulations, Section 3-10, Construction and Contractor Activity on Sundays and Holidays, subsection 3-10.1, Definitions, to include Juneteenth within the definition of “Holidays,” and subsection 3-10.2, Construction and Contractor Activity on Sundays and Holidays Prohibited, to remove “out-of-doors” activity on Sundays or holidays.

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. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Township Code Chapter 3, Police Regulations, Section 3-10, Construction and Contractor Activity on Sundays and Holidays, subsection 3-10.1, Definitions, and subsection 3-10.2, Construction and Contractor Activity on Sundays and Holidays Prohibited, is hereby amended to read as follows:

§ 3-10.1 Definitions.

CONSTRUCTION OR CONTRACTOR ACTIVITY

Shall mean any work performed by contractors for hire on any property within the Township of Chatham.

HOLIDAYS

Shall mean nationally designated holidays, i.e. New Years Day, Martin Luther King Day, Presidents' Day, Memorial Day, Juneteenth, Fourth of July, Labor Day, Columbus Day, Veterans' Day, Thanksgiving and Christmas Day.

PERSON

Shall mean and include any individual, corporation, partnership, sole proprietorship, or other business entity, and any property owner, tenant or occupant of property within the Township of Chatham.

§ 3-10.2 Construction and Contractor Activity on Sundays and Holidays Prohibited.

No construction or contractor activity shall take place on property within the Township of Chatham on Sundays or holidays, provided that in the event of an emergency unique to the property or to the community at large this regulation shall not apply.

Section 3. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this

Ordinance and the remainder of the Ordinance shall be deemed valid and effective, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. All ordinances or parts of ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect according to law.

Introduced: August 13, 2024

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

Amended: September 24, 2024

Adopted:

Attest:

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2024-18

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 20, PARKS AND RECREATION FACILITIES, SECTION 20-3, SKATE PARK, AND COLONY RECREATION CENTER TENNIS RULES AND PROCEDURES, OF THE TOWNSHIP CODE

WHEREAS, the Township Committee of the Township of Chatham (the “Township”) desires to amend the Revised General Ordinances of the Township (the “Township Code”) Chapter 20, Parks and Recreation Facilities, Section 20-3, Skate Park, and Colony Recreation Center Tennis Rules and Procedures, to implement rules and procedures governing the use of the Township’s parks.

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. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Township Code Chapter 20, Parks and Recreation Facilities, Section 20-3, Skate Park, and Colony Recreation Center Tennis Rules and Procedures is hereby amended to read as follows:

§ 20-3 Parks and Recreational Areas

§ 20-3.1 Park Hours.

Hours of Closing; Special Permits. No person or group of persons shall occupy or use any public park or playground or any portion thereof for any purpose between the hours of (i) 7:00 p.m. to sunrise from November 1 through March 31 and (ii) 9:00 p.m. to sunrise from April 1 through October 31, except upon prior application for a special permit, upon good cause shown therefor, directly to the Township Administrator. The granting of any such permit shall be at the discretion of the Township Administrator. The parks operating hours are not applicable to Township's lighted fields for the use of Township sanctioned sports or recreational activities. No sports or recreational activity shall continue beyond 10:00 p.m. Use of the Township's tennis courts and/or basketball courts shall not exceed a two-hour limit.

§ 20-3.2 Prohibited Uses; Rules of Conduct.

On any land, park, playground, improvements and equipment owned by the Township of Chatham used for active and passive recreation activities, no person shall:

- a. Injure, deface, displace, remove, alter, disturb, tamper with, damage or destroy any trees, shrubs, soil, grass, plant life or any structure, building, post, playground equipment, water fountain, railing, fence, bench, seat, table, platform, walkway, telephone or electric pole, wires, pipes or appurtenances or any other park or recreational equipment or facility, or any hydrant, water, storm or sewer drain, pipe, main, basin covering, manhole or any appendage or appurtenance thereof, or any sign, inscription, post or monument erected or marked for any lawful purpose; or injure or in any way interfere with the operation of any machinery or equipment used under the direction of the Township or any of its departments, agencies or officials; or deface, destroy, alter, damage or tamper with any drive, path, walk, bridge, parking area or shelter; or take up, remove or carry away any asphalt, concrete, stone, rock, wood, gravel, clay or earth or make any excavation of any kind.

- b. Create a disturbance which constitutes a nuisance or to disturb any wildlife or commit any act of nuisance in any park, playground, public open space area or floodplain.
- c. Take any animal into any parks or playgrounds except on a leash not longer than six feet or to permit any pet to go into any active public play area, apparatus area, athletic field or recreational enclosure or building unless said pet is participating in a Township program.
- d. For any leagues or organizations, take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, horseshoes, quoits or model airplanes without a permit issued by the Township of Chatham.
- e. Play or practice golfing unless such facility is specifically designated for such activity.
- f. Engage in fighting or violent behavior.
- g. Spit, urinate or defecate except in designated rest rooms and washroom facilities. Every person using the rest rooms and washrooms shall cooperate to maintain them in a neat and sanitary condition.
- h. Litter and dispose of any trash or garbage on any athletic field, park or playground. This also prohibits littering of ponds, lake, streams or other bodies of water in or adjacent to any park with any substance, matter or thing, liquid or solid, which will or may result in the pollution of the waters. All litter shall be deposited in the receptacles provided.
- i. Exhibit public nudity or public indecency.
- j. Use threatening or obscene language.
- k. Alter or adjust any fence, play surface, or piece of gym equipment (including but not limited to playground equipment or basketball rims) without the prior written approval of the Township of Chatham.
- l. Smoking (as such term is defined in the Township Code, Chapter 3, Section 11, Smoking Regulations, subsection 3-11.1, Smoking Prohibited), or possess or consume an alcoholic beverage, or illegal drugs.
- m. Carry or possess firearms of any kind, including air rifles, spring guns, paint ball guns, bow and arrow or sling shots, or any other form of weapons that pose a danger to human or wildlife safety. Hunting and trapping is also prohibited.
- n. Build fires or grill, except in designated areas where grills are made available for use by reservation through the Township of Chatham.
- o. Possess any type of glass container.
- p. Use any type of artificial illumination for any Township field or recreation facility without the prior approval of the Township of Chatham.
- q. Use of radios, stereos or any type of amplified sound without the prior approval of the Township of Chatham.
- r. Operate or utilize skateboards, roller skates, bicycles, scooters, or any type of motorized vehicle except on driveways or parking lots without the prior approval of the Township of Chatham.

- s. For-profit entities are strictly prohibited from using the Township's fields, basketball courts and tennis courts without a permit issued by the Township of Chatham.
- t. Posting of any sign.
- u. Solicit, sell or offer for sale any goods without a permit issued by the Township of Chatham.
- v. No food or beverages other than water are allowed inside the tennis courts.

§ 20-3.3 Exceptions.

Exceptions will be considered in Subsection 20-3.3 only when requested in advance, in writing, upon good cause shown, to the Township Administrator. A permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions thereof. Any violation by its holder or the holder's agents or employees of any terms or conditions thereof shall constitute grounds for its revocation by the Township Administrator or his/her authorized representative, whose action therein shall be final. The holder of such permit, together with the holder's agents and employees, who violates such terms and conditions, shall be jointly and severally liable to the Township for all damages and loss sustained by the Township. Neither the recovery or collection of such damage shall in any manner relieve such holder or person from liability to punishment for any violation of any provision of this section.

Section 3. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance and the remainder of the Ordinance shall be deemed valid and effective, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. All ordinances or parts of ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect according to law.

Introduced: August 13, 2024

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

Amended: September 24, 2024

Adopted:

Attest:

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2024-19

ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER XXX, TITLED “LAND DEVELOPMENT” OF THE REVISED GENERAL ORDINANCES TO ESTABLISH AN ENVIRONMENTAL STEWARDSHIP OVERLAY ZONE ON BLOCK 48.21 LOTS 174, 174.03 AND 180

WHEREAS, on July 15, 2024, the Planning Board of the Township of Chatham recommended an amendment to the R-1 Residential Zone that would establish the Watershed Management Overlay Zone; and

WHEREAS, the Overlay Zone will permit the administrative, educational, interpretive, advocacy, and other activities of a watershed management organization dedicated to preserving and protecting water and natural areas; and

WHEREAS, it is the purpose of this Ordinance to establish a Watershed Management Overlay Zone; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Chatham, Morris County, New Jersey, that Chapter XXX of the Revised General Ordinances of the Township of Chatham titled “Land Development” is hereby supplemented as follows:

Section 1.

Insert the following new definition in Section 30-6” Definitions”:

Environmental Stewardship Organization

Shall mean an incorporated organization dedicated to protecting and improving the health of the watershed through a variety of approaches including stewardship, education, land preservation, science and advocacy.

Section 2.

Insert the following new Section 30-85 to read as follows:

Section 30-85 Environmental Stewardship Overlay Zone

- a. Applicability. The provisions of this subsection shall be applicable to Block 48.21, Lots 174, 174.03, and 180. Property owners within this Zone may choose to use the property in accordance with the underlying zoning or in accordance with this Overlay Zone.
- b. Permitted Uses.

The following uses and activities shall be permitted when operated by a duly incorporated Environmental Stewardship Organization:

- 1. Office Building
- 2. Indoor Storage
- 3. Water quality laboratory
- 4. Adult and Family programs
 - a) Student experiential learning programs
 - b) Outdoor gardens and garden structures

- c) Other activities that advance the mission of the Environmental Stewardship Organization

c. Area and Yard Requirements.

The R-1 Zone requirements shall apply as shown on the Schedule of Zoning Requirements except for the following:

1. The minimum lot area shall be 3 acres.
2. Minimum front yard setback shall be 80 feet.
3. Minimum side yard setbacks shall be 50 feet each and 100 feet combined.

d. Site Plan Review Requirements.

1. The property shall have access to a public street, either directly or via an easement or other right of way.
2. Adequate off-street parking and loading shall be demonstrated.
3. Permitted activities may be conducted both outdoors and within the principal building and one accessory building.
4. Adult and Family programs shall not exceed 100 attendees and shall end no later than 9:00 p.m.
5. Student experiential learning programs shall require 1 chaperone for every 10 students and no more than one school bus load of students shall be on the property at any time.
6. A split rail fence shall be installed to delineate outdoor activity areas at a height and location and at such time as determined by the Planning Board.

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 become effective according to law.

Introduced:

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

Adopted:

Attest:

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-183

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING PAYMENT OF BILLS, PAYROLLS, SCHOOL TAXES AND COUNTY TAXES

BE IT RESOLVED that bills in the total amount of \$1,122,828.04 and the prior month's payroll of \$498,534.09 Current Fund, \$70,024.64 Sewer Utility, \$58,413.42 Open Space and \$16,278.24 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of September 2024, in the amount of \$3,644,912.00 be paid.

Adopted: September 24, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2024-184

**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 August 13, 2024 and September 10, 2024.

Adopted: September 24, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2024-185

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

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 August 13, 2024 and September 10, 2024.

Adopted: September 24, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Stacey Ewald, Mayor

DRAFT

RESOLUTION 2024-186

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE SALE OF SURPLUS MUNICIPAL EQUIPMENT

WHEREAS, the Township of Chatham is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Township Committee are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:

ITEM

2016 Ford Explorer VIN # 1FM5K8AR6GGA04806

2016 Ford Explorer VIN # 1FM5K8ARXGGA01696

- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Township of Chatham reserves the right to accept or reject any bid submitted.

Adopted: September 24, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-188

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

WHEREAS, an overpayment of sewer taxes has been made for the following property;
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>
70	20	Michael Neuberger 10 Rainbow Drive Millington, NJ 07946 Re: 4 Joanna Way	\$187.50 3 rd Quarter 2024
48.02	8	Re: 502 Fairmount Avenue Roseanne Tisch 110 Park Avenue Apt 1430 Florham Park, NJ 07932	\$187.50 3 rd Quarter 2024

Adopted: September 24, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Stacey Ewald, Mayor

RESOLUTION 2024-189

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE PURCHASE OF AN E-ONE HR100 LADDER TRUCK FROM ABSOLUTE FIRE PROTECTION CO., INC., PURSUANT TO SOURCEWELL COOPERATIVE PURCHASING PROGRAM CONTRACT E-ONE #113021-RVG-1CONTRACT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a cooperative pricing system and to enter into cooperative pricing agreements with other contracting units as defined under N.J.S.A. 40A:11-2(1) for its procurement of goods and services; and

WHEREAS, the Township of Chatham (the “**Township**”), as a local government contracting unit, is a member of the Sourcewell Cooperative Purchasing Program (the “**SCPP**”); and

WHEREAS, the Township may, without advertising for bids, purchase any materials, supplies, services, or equipment under an approved cooperative contract, whereby the contracting unit, SCPP, serving as the lead agent, has complied with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1, *et seq.*) (the “**LPCL**”); and

WHEREAS, the SCPP awarded Contract E-One #113021-RVG-1Contract to Absolute Fire Protection Co., Inc., 2800 Hamilton Boulevard, South Plainfield, New Jersey 07080 (“**Absolute**”), for the purchase of an E-One HR100 Ladder truck (the “**Vehicle**”); and

WHEREAS, the Township needs to purchase the Vehicle for the Township Fire Department as specifically set forth in the quote from Absolute, which is attached hereto as Exhibit A, pursuant to SCPP Contract E-One #113021-RVG-1Contract in an amount not to exceed One Million Eight Hundred Ninety-Nine Thousand and Five Hundred Fifty-One Dollars (\$1,899,551.00); and

WHEREAS, the Chief Financial Officer of the Township has certified that adequate funds for such a purchase are available.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that:

1. The forgoing Recitals are hereby incorporated herein by reference as if set forth at length.
2. The Township hereby authorizes the purchase of the Vehicle for the Township Fire Department as specifically set forth in the quote from Absolute, which is attached hereto as Exhibit A, pursuant to SCPP Contract E-One #113021-RVG-1Contract in

an amount not to exceed One Million Eight Hundred Ninety-Nine Thousand and Five Hundred Fifty-One Dollars (\$1,899,551.00).

3. A certified copy of this Resolution shall be provided by the Township Clerk to each of the following:
 - i. Township Purchasing Agent
 - ii. Township Chief Financial Officer
 - iii. Township Director of Department of Public Works
 - iv. Absolute

4. This Resolution shall take effect immediately.

Adopted: September 24, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

CERTIFICATION OF THE AVAILABILITY OF FUNDS

I hereby certify that as of September 24, 2024, sufficient funds are available in account C-04-55-956-070 to carry out the purpose of this Resolution.

Debra A. King
Chief Financial Officer

I, Gregory J. LaConte, Township Clerk of the Township of Chatham in the County of Morris, New Jersey, hereby certify the foregoing to be a true complete copy of a resolution adopted by the Township Committee of the Township of Chatham at a regular meeting held on September 24, 2024.

Date Issued: _____

Township Clerk

RESOLUTION 2024-190

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE
EXECUTION OF A MUNICIPAL SERVICES REIMBURSEMENT AGREEMENT
WITH ENCLAVE AT CHATHAM CONDOMINIUM ASSOCIATION, INC.**

WHEREAS, N.J.S.A. 40:67-23.2 et seq., as amended (the “**Act**”), requires every municipality to provide certain services to “Qualified Private Communities” as defined in the Act in the same manner in which the municipality furnishes those services, or to provide monetary reimbursements for such services consistent with the manner in which the municipality furnishes those services, all as more specifically described in the Act; and

WHEREAS, Enclave at Chatham Condominium Association, Inc. (the “**Association**”) is a Qualified Private Community as defined in the Act; and

WHEREAS, the Township of Chatham (the “**Township**”) and the Association have agreed to set forth herein the responsibilities of the Township with respect to monetary reimbursement for or provision of services to the Association, including: (1) fire hydrants; (2) collection of recyclable materials; (3) the removal of snow, ice and other obstructions from the roads based upon Township standards for ice and snow removal; and (4) the lighting of the roads, to the extent of payment for the electricity required, but not including the installation or maintenance of lamps, standards, wiring or other equipment (collectively referred to as the “**Reimbursable Services**”).

WHEREAS, the Township desires to authorize a municipal services reimbursement agreement with the Association sets forth the terms and conditions for the reimbursement of the Reimbursable Services to resident of the Association (the “**Municipal Services Reimbursement Agreement**”).

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham that authorization is given as follows:

1. The recitals set forth above are incorporated by reference as if set forth at length herein.
2. The Mayor is hereby authorized and directed to execute the Municipal Services Reimbursement Agreement, in substantially the form on file with the Clerk, together with such additions, deletions and modifications as deemed necessary by the Mayor upon consultation with the Township Administrator and Township Attorney. The Clerk is hereby authorized and directed to attest to the signature of the Mayor on the Municipal Services Reimbursement Agreement and to deliver same to the Association.

3. The Mayor, Chief Financial Officer and Clerk are hereby authorized and directed to take any and all action and execute and deliver any and all documents, certificates, agreements or instruments necessary to effectuate the transactions contemplated by this Resolution and the Municipal Services Reimbursement Agreement.
4. This Resolution shall take effect immediately.

Adopted: September 24, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Stacey Ewald, Mayor

CERTIFICATION OF THE AVAILABILITY OF FUNDS

I herewith certify that as of September 24, 2024 sufficient funds are or will be available upon adoption of the budget for the respective years to carry out the purpose of this resolution.

Debra A. King
Chief Financial Officer

RESOLUTION 2024-192

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED MUNICIPAL SERVICES REIMBURSEMENT AGREEMENT WITH MELROSE CONDOMINIUM ASSOCIATION, INC.

WHEREAS, N.J.S.A. 40:67-23.2 et seq., as amended (the “**Act**”), requires every municipality to provide certain services to “Qualified Private Communities” as defined in the Act in the same manner in which the municipality furnishes those services, or to provide monetary reimbursements for such services consistent with the manner in which the municipality furnishes those services, all as more specifically described in the Act; and

WHEREAS, Melrose Condominium Association, Inc. (the “**Association**”) is a Qualified Private Community as defined in the Act; and

WHEREAS, the Township of Chatham (the “**Township**”) and Association entered into that certain Municipal Services Reimbursement (the “**Original Reimbursement Agreement**”) to set forth the terms and conditions of the Township’s obligation to provide the Association monetary reimbursement of the Reimbursable Services (as defined herein); and

WHEREAS, the Township and the Association desire to amend the terms and conditions of the Original Reimbursement Agreement to further describe the responsibilities of the Township with respect to monetary reimbursement for or provision of services to the Association, including: (1) fire hydrants; (2) collection of recyclable materials; (3) the removal of snow, ice and other obstructions from the roads based upon Township standards for ice and snow removal; and (4) the lighting of the roads, to the extent of payment for the electricity required, but not including the installation or maintenance of lamps, standards, wiring or other equipment (collectively referred to as the “**Reimbursable Services**”); and

WHEREAS, the Township desires to authorize an amendment to the Original Reimbursement Agreement with the Association sets forth the terms and conditions for the reimbursement of the Reimbursable Services to resident of the Association (the “**Amended and Restated Municipal Services Reimbursement Agreement**”).

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham that authorization is given as follows:

1. The recitals set forth above are incorporated by reference as if set forth at length herein.

2. The Mayor is hereby authorized and directed to execute the Amended and Restated Municipal Services Reimbursement Agreement, in substantially the form on file with the Clerk, together with such additions, deletions and modifications as deemed necessary by the Mayor upon consultation with the Township Administrator and Township Attorney. The Clerk is hereby authorized and directed to attest to the signature of the Mayor on the Amended and Restated Municipal Services Reimbursement Agreement and to deliver same to the Association.
3. The Mayor, Chief Financial Officer and Clerk are hereby authorized and directed to take any and all action and execute and deliver any and all documents, certificates, agreements or instruments necessary to effectuate the transactions contemplated by this Resolution and the Amended and Restated Municipal Services Reimbursement Agreement.
4. This Resolution shall take effect immediately.

Adopted: September 24, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Stacey Ewald, Mayor

CERTIFICATION OF THE AVAILABILITY OF FUNDS

I herewith certify that as of September 24, 2024 sufficient funds are or will be available upon adoption of the budget for the respective years to carry out the purpose of this resolution.

Debra A. King
Chief Financial Officer