

RESOLUTION 2024-P-09

**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. Litigation
 - b. Attorney-Client Privilege
 - c. Contract Negotiations
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: May 21, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Stacey Ewald, Mayor

RESOLUTION 2024-132

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CAPITAL BUDGET

WHEREAS, the Township of Chatham deems it necessary and desirable to revise the Funding Source and Debt Authorized to the existing Capital Projects not previously reflected in the 2024 Capital Budget of said municipality, and

WHEREAS, N.J. A.C. 5:30-4.4B provides that the Capital Budget of a governing body shall be amended to reflect any provisions, changes or inconsistencies with said Capital Budget,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, in the County of Morris, State of New Jersey, that the 2024 Capital Budget shall be amended to reflect the revised Funding Source and Debt Authorized as reflected in the attached 2024 Capital Budget Sheets not previously reflected for in the Capital Budget.

BE IT FURTHER RESOLVED that the attached form, as promulgated by the Local Finance Board shall represent the amended Capital Budget for the year 2024.

Adopted: May 21, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2024-09

**ORDINANCE OF THE TOWNSHIP COMMITTEE THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP
CODE CHAPTER 4, GENERAL LICENSING, SECTION 4-1, LICENSING OF
PEDDLERS, SOLICITORS AND CANVASSERS, SUBSECTION 4-1.3(b), TERM OF
LICENSE; FEE, AND SECTION 4-1.9(b), TERM AND FEE FOR SOLICITOR'S
PERMIT**

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 4, General Licensing, Section 4-1, Licensing of Peddlers, Solicitors and Canvassers, subsection 4-1.3(b), Term of License; Fee, to increase the license fee from Twenty-Five Dollars (\$25.00) to One Hundred Dollars (\$100.00); and

WHEREAS, the Township desires to amend the Township Code, Chapter 4, General Licensing, Section 4-1, Licensing of Peddlers, Solicitors and Canvassers, subsection 4-1.9(b), Term and Fee for Solicitor’s Permit, to increase the permit fee from Five Dollars (\$5.00) to One Hundred Dollars (\$100.00); and

WHEREAS, the Township desires to increase the fees to be consistent with similar fees in neighboring municipalities, to account for inflation, and to cover the Township’s costs associated with processing the permits.

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 4, General Licensing, Section 4-1, Licensing of Peddlers, Solicitors and Canvassers, subsection 4-1.3(b), Term of License; Fee, is hereby amended to read as follows:

§ 4-1.3 Term of License; Fee

- b. Every applicant for a peddler's license shall submit to the Township Clerk prior to the issuance of the license a fee of One Hundred Dollars (\$100.00) payable to the Township. The amount of this fee shall not vary by reason of the date of the issuance of the license.

Section 3. The Township Code Chapter 4, General Licensing, Section 4-1, Licensing of Peddlers, Solicitors and Canvassers, subsection 4-1.9(b), Term and Fee for Solicitor’s Permit, is hereby amended to read as follows:

§ 4-1.9 Term and Fee for Solicitor’s Permit

- b. Every applicant for a solicitor's permit shall submit to the Chief of Police prior to the issuance of the permit a fee of One Hundred Dollars (\$100.00) payable to the Township. The amount of this fee shall not vary by reason of the date of the issuance of the permit.

Section 4. 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 5. All ordinances or parts of ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect according to law.

Introduced: May 21, 2024

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

Adopted:

Attest:

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2024-10

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 4, GENERAL LICENSING, SECTION 4-4, SWIMMING POOLS, SUBSECTION 4-4.5, LICENSE FEE, 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 4, General Licensing, Section 4-4, Swimming Pools, subsection 4-4.5, License Fee, to increase the license fee from One Hundred Fifty Dollars (\$150.00) to Two Hundred Dollars (\$200.00).

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 4, General Licensing, Section 4-4, Swimming Pools, subsection 4-4.5, License Fee, is hereby amended to read as follows:

§ 4-4.5 License Fee

Every applicant before being issued a license shall pay to the Township a license fee of Two Hundred Dollars (\$200.00).

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: May 21, 2024

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

Adopted:

Attest:

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2024-11

**ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY, ELIMINATING SECTION 68, SLUDGE
DISPOSAL AGREEMENT**

WHEREAS, on August 4, 1988, the Township Committee of the Township of Chatham (the “**Township**”) adopted Ordinance 19-88 authorizing a shared service agreement with the Township of Parsippany-Troy Hills pursuant to the Interlocal Services Act, N.J.S.A 40A:8A-1, to receive sludge disposal services (the “**Agreement**”), which was memorialized in the Revised General Ordinances of the Township (the “**Township Code**”), Chapter 2, Administration, Section 68, Sludge Disposal Agreement; and

WHEREAS, the Agreement is no longer in effect; and

WHEREAS, the Township desires to amend the Township Code, Chapter 2, Administration, to eliminate Section 68, Sludge Disposal Agreement, in its entirety.

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. Township Code Chapter 2, Administration, Section 68 Sludge Disposal Agreement, is hereby repealed and rescinded in its entirety, and shall no longer be of, or remain in, any force or effect.

Section 3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, division, clause or provisions so adjudicated and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. All Ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

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

Introduced: May 21, 2024

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

Adopted:

Attest:

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2024-12

**ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY, ELIMINATING SECTION 69, COOPERATIVE
PRICING AGREEMENT**

WHEREAS, on February 17, 1994, pursuant to N.J.S.A 40A:11-11(5) the Township Committee of the Township of Chatham (the “**Township**”) adopted Ordinance 94-03 authorizing the execution of a Cooperative Pricing Agreement with the Township of Cranford, known as the Police Cooperative Pricing Agreement, with the Township of Cranford serving as the Lead Agency; and

WHEREAS, the Township is no longer a member of the Police Cooperative Pricing Agreement; and

WHEREAS, the Township desires to amend the Revised General Ordinances of the Township (the “**Township Code**”), Chapter 2, Administration, to eliminate Section 69, Cooperative Pricing Agreement, in its entirety.

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. Township Code Chapter 2, Administration, Section 69, Cooperative Pricing Agreement, is hereby repealed and rescinded in its entirety, and shall no longer be of, or remain in, any force or effect.

Section 3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, division, clause or provisions so adjudicated and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. All Ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

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

Introduced: May 21, 2024

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

Adopted:

Attest:

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2024-13

ORDINANCE SUPPLEMENTING CHAPTER 15, ENVIRONMENTAL REGULATIONS, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO ADD NEW SECTION 15-2, PROMOTING THE USE OF NATIVE VEGETATION ON MUNICIPAL PROPERTY

WHEREAS, the Township Committee of the Township of Chatham (the “**Township**”) recognizes the significant benefits of establishing and protecting appropriate native vegetation for species conservation and ecological restoration; and

WHEREAS, native plants are well adapted to the local soils and climate in which they have evolved over thousands of years, tend to be more insect and disease resistant, and require significantly less watering and fertilizing than non-native plants; and

WHEREAS, native plants and the insects they support are the foundation of a diverse, healthy, and sustainable ecosystem; and

WHEREAS, many introduced non-native plants are invasive and outcompete our native vegetation, putting our ecosystem out of balance and causing environmental and economic harm; and

WHEREAS, local governments use native plant ordinances to improve the principles and practices that guide landscaping as well as the addition and replacement of plants on municipal properties; and

WHEREAS, the use of appropriate native vegetation helps achieve water conservation goals, facilitates better stormwater absorption, fosters a healthy ecosystem, preserves natural habitat and reduces landscaping maintenance and costs; and

WHEREAS, wildlife such as birds and pollinators require the native plants with which they co-evolved for food, habitat and protective cover, reproduction, and rearing their young; and

WHEREAS, the lack of proper habitat and food sources for native birds and insects is one factor in the decline of many of these species; and.

WHEREAS, on May 1, 2017, Governor Chris Christie signed into law bill S-227/A-963 which required the New Jersey Department of Transportation, the New Jersey Turnpike Authority, and the South Jersey Transportation Authority to use solely native vegetation for landscaping, land management, reforestation efforts, and habitat restoration; and

WHEREAS, the use of native plants also helps to preserve and celebrate our New Jersey heritage, and restore the ecological balance we have lost through development; and

WHEREAS, the Township desires to support the use of native vegetation through leading by example via the adoption of this ordinance supplementing the Revised General Ordinances of the Township (the “**Township Code**”) to add Section 15-2, which promotes the use of native vegetation on municipal property.

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

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Township Code Chapter 15, Environmental Regulations, is hereby supplemented with the addition of Section 15-2, Promoting the Use of Native Vegetation on Municipal Property, which shall read as follows:

§ 15-2 PROMOTING THE USE OF NATIVE VEGETATION ON MUNICIPAL PROPERTY

§ 15-2.1 Purpose.

The Governing Body desires to increase the amount of native, environmentally beneficial plant species on municipal property in the Township by establishing standards for the purchase and installation of new and replacement plants. The Township strongly recommends that developers, private property owners and landscapers avoid species on the New Jersey Invasive Species Strike Team’s Do Not Plant list. Seeds from invasive plants on private property are spread by birds and damage the ecosystems of the Township woodlands and parks, as well as the Great Swamp National Wildlife Refuge.

§ 15-2.2 Definitions.

For the purpose of this Section 15-2, the following terms shall have the meanings indicated below:

CULTIVAR

A cultivated variety; a plant that has been produced by selective breeding to emphasize or minimize certain traits of the parent plant. These varieties are usually propagated asexually by cloning. These plants are identified by the cultivar name being in single quotes following the Latin scientific name or the common name: For example, *Rudbeckia fulgida* is the straight species of perennial Black-Eyed Susan. *Rudbeckia fulgida* ‘*Goldsturm*’ or ‘*Goldsturm*’ *Black-Eyed Susan* is a cultivar.

HYBRID PLANT

The offspring of two different species or varieties.

INVASIVE PLANT

A plant species that is non-native (or alien) to the ecosystem and whose introduction causes or is likely to cause economic or environmental harm, harm to human health, and/or disruption of naturally occurring native plant communities by altering structure, composition, natural processes, or habitat quality. Refer to the New Jersey Invasive Species Strike Team’s *Do Not Plant List* for an up-to-date list at fohvos.info/invasive-species-strike-team/info-center.

KEYSTONE SPECIES

Native plants that are essential to the ecosystem because they support 90% of the caterpillar species that are the food source for terrestrial birds feeding their young. These are the plants that also serve as food source to both generalist and native bee species who only eat pollen from certain plants. A list of Keystone Native Plants for Chatham Township’s ecoregion

(Ecoregion 8, Eastern Temperate Forests) can be found on the at https://www.nwf.org/-/media/Documents/PDFs/Garden-for-Wildlife/Keystone-Plants/NWF-GFW-keystone-plant-list-ecoregion-8-eastern-temperate-forests.pdf?sc_lang=en&hash=C475FADDFCC2622C7539F25935F5DAA1

LAWN

Continuous plant coverage by a grass species that is regularly mowed to maintain an established height.

MUNICIPAL PROPERTY

Land owned by the Township of Chatham.

NATIVE PLANT

Indigenous terrestrial or aquatic plant species that have evolved and grown naturally in a particular region, ecosystem, and habitat prior to the introduction of plants from other regions or continents. Native plants have evolved over thousands of years to be well-adapted to the climate, light, soil conditions, and wildlife in a particular region. Such plants tend to be more drought- and disease-resistant than species introduced from other regions; and they help preserve the balance and beauty of natural ecosystems. For purposes of this Ordinance, the range of Native Plants shall be the mid-Atlantic region of the United States prior to European contact. Chatham Township is in the Northern Piedmont ecoregion of New Jersey (U.S. ecoregion 64). *Going Native: A Guide to Landscaping With Native Plants in Northern New Jersey* features profiles of many readily available, appropriate plants that are native to the Chatham region and can be found on the Township's website at www.chathamtownship-nj.gov, under Environmental Commission. A list of Recommended trees can be found at <https://ecode360.com/attachment/CH4056/CH4056-022a%20Replacement%20Trees.pdf>

POLLINATORS

Animals (primarily insects, but sometimes birds or mammals) that fertilize plants through the movement of pollen, resulting in the formation of seeds and fruits that humans and other animals rely on for food. The majority of flowering plant species rely on pollinators such as native bees, butterflies and moths, and hummingbirds to make the seeds that will become the next generation of plants. New Jersey is home to approximately 350 species of native bees.

STRAIGHT SPECIES

A native plant that is not a cultivated variety (a.k.a. cultivar) or has not been bred to emphasize or minimize certain traits of the parent plant and is not a Hybrid Plant.

§ 15-2.3 Requirements for Municipal planting of trees, shrubs, and other plants.

Chatham Township requires that all newly procured plants (trees, shrubs, sedges and ornamental grasses, flowers, and groundcovers) used on Municipal Property be Native Plants, in order to:

- a. Protect and promote a healthy ecosystem with appropriate native vegetation; and
- b. Be a leader in addressing the biodiversity crisis; and
- c. Support Pollinators and birds, which have co-evolved with Native Plants and depend on them for food and shelter at all stages of their life cycles.

The use of Straight Species (seed-grown wild type, not propagated by cloning) is strongly encouraged, to ensure biodiversity and preserve a species' natural environmental benefits.

Cultivars bred to alter a species' natural color or bloom shape are strongly discouraged, because those changes can reduce the plant's value to native birds and insects. For example, double blooms make pollen and nectar inaccessible; change in leaf color reflects a change in the plant's chemistry and may repel beneficial insects; unnatural bloom color may make the plant less visible to Pollinators.

Hybrid Plants in which Native Plants are crossed with non-native species are not considered Native Plants.

§ 15-2.4 **Applicability.**

This ordinance shall apply to new and replacement plantings on all Municipal Property, including at all public town buildings and public land within the Township of Chatham. It does not require the removal and replacement of healthy existing plants.

§ 15-2.5 **Invasive species prohibited.**

After the effective date of this ordinance, procurement of Invasive Plants listed on the New Jersey Invasive Species Strike Team *Do Not Plant List* (available at fohvos.info/invasive-species-strike-team/info-center) or the New Jersey Invasive Species Council plant list is prohibited for the purpose of planting on Municipal Property. A copy of the Appendix to the State of New Jersey Department of Environmental Protection's Policy Directive 2004-02, Invasive Nonindigenous Plant Species, can be found on the Native Plant Society of New Jersey website at https://npsnj.org/wp-content/uploads/2023/01/invasive_plant_list.pdf

Plans to replace existing Invasive Plants with ecologically beneficial Native Plants are also encouraged.

§ 15-2.6 **Prioritizing straight species.**

To the extent possible and to the extent such plants are reasonably available, the Township shall prioritize using and installing Native Plants that are Straight Species on any Municipal Property.

§ 15-2.7 **Prioritizing keystone species.**

The Township strongly encourages prioritizing the selection and planting of Keystone Species on Municipal Property.

§ 15-2.8 **Use of deer-resistant Native Plants.**

Deer-resistant Native Plants are encouraged. The Native Plant Society of New Jersey provides a list of deer-resistant plants at npsnj.org/native-plants/plant-lists. It's strongly recommended that newly planted trees be planted with deer rub protectors to be maintained in place while the trees are young.

§ 15-2.9 **Exceptions.**

The use of non-Native Plants (excluding Invasive Plants) shall be permitted in:

- a. Vegetable gardens and areas where fruit and culinary herbs are grown, such as garden plots within the Community Garden of the Chathams.
- b. Municipal lawn areas and athletic fields.
- c. Seasonal planters, pots, and hanging baskets in all commercial business districts.
- d. Dedicated areas around memorial monuments and flag poles within the Township.
- e. The extreme event there are supply issues procuring native plant species; alternates may be considered for use.

§ 15-2.10 **Repealer.**

All regulations pertaining to Municipal Property that are in conflict with this Section, in whole or in part, are hereby repealed to the extent that they are in conflict.

§ 15-2.11 **Severability.**

If any portion of this Section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate provision and shall not affect the validity of the remaining portions of the Section.

§ 15-2.12 **Effective Date.**

This Section shall take effect thirty (30) days after adoption by the Township; provided, however, that this Section shall not apply to any plantings on Municipal Property carried out pursuant to existing contracts, existing invitations to bid, or designs completed prior to the effective date of this ordinance.

Section 3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, division, clause or provisions so adjudicated and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. All Ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

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

Introduced: May 21, 2024

Adopted:

Attest:

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

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 20240-14

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT, AND NEW FIRE TRUCKS AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$4,730,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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 of Chatham, in the County of Morris, State of New Jersey (the "Township") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new communication and signal systems equipment, new information technology equipment, and new fire trucks and new automotive vehicles, including original apparatus and equipment, in, by and for said Township, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

- A. Making of a grant, pursuant to N.J.S.A. 52:27D-311, to Nouvelle, LLC for the development and construction of group home affordable housing units at 482/490 River Road.

Appropriation and Estimated Cost	\$ 426,000
Down Payment Appropriated	\$ 20,300
Bonds and Notes Authorized	\$ 405,700
Period of Usefulness	20 years

- B. Undertaking of improvements to various public buildings, including, but not limited, to the Municipal Building, Police Headquarters and DPW buildings. It is hereby determined and stated that said public buildings to be improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 80,000
Down Payment Appropriated	\$ 3,810

Bonds and Notes Authorized	\$ 76,190
Period of Usefulness	15 years

- C. Undertaking of the study phase for the construction of a new Police Headquarters and Municipal Office Complex.

Appropriation and Estimated Cost	\$ 75,000
Down Payment Appropriated	\$ 3,575
Bonds and Notes Authorized	\$ 71,425
Period of Usefulness	15 years

- D. Acquisition of new information technology equipment consisting of computer equipment and systems.

Appropriation and Estimated Cost	\$ 15,000
Down Payment Appropriated	\$ 715
Bonds and Notes Authorized	\$ 14,285
Period of Usefulness	7 years

- E. Acquisition of new additional or replacement equipment and machinery consisting of self-contained breathing apparatus equipment and various items of firefighting, emergency and safety equipment for the use of the Volunteer Fire Departments.

Appropriation and Estimated Cost	\$ 51,500
Down Payment Appropriated	\$ 2,600
Bonds and Notes Authorized	\$ 48,900
Period of Usefulness	5 years

- F. Acquisition of new communication and signal systems equipment and new additional or replacement equipment and machinery for the use of the Fire Department consisting of (i) radios and (ii) a turnout gear dryer.

Appropriation and Estimated Cost	\$ 477,650
Down Payment Appropriated	\$ 22,750
Bonds and Notes Authorized	\$ 454,900
Period of Usefulness	10 years

- G. Acquisition of new fire trucks, including original apparatus and equipment, consisting of (i) a ladder truck and (ii) a rescue pumper fire engine.

Appropriation and Estimated Cost	\$3,250,000
Down Payment Appropriated	\$ 154,770
Bonds and Notes Authorized	\$3,095,230
Period of Usefulness	20 years

- H. Acquisition of new additional or replacement equipment and machinery and new automotive vehicles, including original apparatus and equipment, for the use of the Police Department consisting of (i) SUVs and (ii) shields.

Appropriation and Estimated Cost	\$ 145,000
Down Payment Appropriated	\$ 8,000
Bonds and Notes Authorized	\$ 137,000
Period of Usefulness	5 years

- I. Acquisition of new additional or replacement equipment and machinery consisting of an alcotest machine for the use of the Police Department.

Appropriation and Estimated Cost	\$ 25,000
Down Payment Appropriated	\$ 1,200
Bonds and Notes Authorized	\$ 23,800
Period of Usefulness	10 years

- J. Acquisition of new additional or replacement equipment and machinery and a new automotive vehicle, including original apparatus and equipment, for the use of the Department of Public Works consisting of (i) salt spreaders with tailgates, (ii) a truck body and (iii) a utility truck with plow.

Appropriation and Estimated Cost	\$ 184,850
Down Payment Appropriated	\$ 32,280
Bonds and Notes Authorized	\$ 152,570
Period of Usefulness	5 years

Aggregate Appropriation and Estimated Cost	\$4,730,000
Aggregate Down Payment Appropriated	\$ 250,000
Aggregate Amount of Bonds and Notes Authorized	\$4,480,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$75,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$250,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$250,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$4,480,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$4,480,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 17.59 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$4,480,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 14. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Introduced: May 21, 2024

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

Adopted:

Attest:

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2024-15

CAPITAL ORDINANCE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE UNDERTAKING OF ROAD AND SIDEWALK IMPROVEMENTS IN, BY AND FOR THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$550,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP.

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

Section 1. The Township of Chatham, in the County of Morris, New Jersey (the "Township") is hereby authorized to undertake improvements to various roads and construction of sidewalks in, by and for the Township, as set forth on a list prepared or to be prepared by the Township Engineer and placed on file with the Township Clerk and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Township Committee, there may be additions to or deletions from the aforesaid list. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$550,000 is hereby appropriated to the payment of the cost of the improvements authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Capital Improvement Fund of the Township. The sum of \$550,000 is hereby appropriated from the Capital Improvement Fund of the Township to the payment of the cost of said purpose.

Section 3. Said improvements are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefitted.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 5. This ordinance shall take effect at the time and in the manner provided by law.

Introduced: May 21, 2024

Adopted:

Attest:

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

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-119

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 \$938,629.92 and the prior month's payroll of \$507,299.59 Current Fund, \$68,545.51 Sewer Utility, \$2,206.50 Open Space and \$51,273.64 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of May 2024, in the amount of \$3,588,478.00 be paid.

BE IT FURTHER RESOLVED that taxes due to the County of Morris, for the 2nd Quarter of 2024, in the amount of \$2,648,832.50 be paid.

Adopted: May 21, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-120

**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 April 23, 2024 and May 7, 2024.

Adopted: May 21, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2024-121

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 April 23, 2024 and May 7, 2024.

Adopted: May 21, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2024-122

RESOLUTION OF THE 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>
Scott Lechner 6 Crestwood Drive Chatham, NJ 07928	BND 21-0496	E7766323239	\$25,000 Plus Applicable Accrued Interest

Adopted: May 21, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-132

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING A REVISION TO THE SECOND AMENDMENT TO THE AFFORDABLE HOUSING AGREEMENT WITH NOUVELLE HOUSING SOLUTIONS, INC. TO ADD A CONTINGENCY

WHEREAS, on September 1, 2020, the Township of Chatham (the “Township”) entered into an affordable housing agreement (the “Affordable Housing Agreement”) with Nouvelle Housing Solutions, Inc. (“Nouvelle”) for the development of a total of three (3) group homes for persons with developmental disabilities, two (2) on River Road and one (1) on Hillside Avenue (the “**Project**”), to fulfill a portion of the Township’s Third Round Affordable Housing obligation ending on July 1, 2025; and

WHEREAS, the Project is a critical component of the Township’s Affordable Housing Plan; and

WHEREAS, on November 12, 2020, the Township Committee adopted Resolution 2020-250 entitled “Resolution of the Township of Chatham, County of Morris, State of New Jersey of Intent to Fund Spending Plan Shortfall” which committed the Township to bond for any shortfall associated with the Project; and

WHEREAS, the Affordable Housing Agreement was amended by a First Amendment dated December 9, 2021, to make the reverter clause in Section 3.3. of the Affordable Housing Agreement subordinate to the New Jersey Housing and Mortgage Financing Agency (“HMFA”) loan obtained by Nouvelle to finance the Project; and

WHEREAS, as a condition of the HMFA loan obtained by Nouvelle for the Project, HMFA required changes to the Project which created a major subdivision and triggered a major stormwater system, resulting in additional, unanticipated costs that are not attributable to the actions of either party; and

WHEREAS, on February 27, 2024, the Township Committee adopted Resolution 2024-078 to incorporate the Condition as well as to address additional changes in the Project related to its costs and set forth in more detail the obligations of the parties (the “Second Amendment”); and

WHEREAS, the Second Amendment, although authorized by the Township Committee, was never executed between the Township and Nouvelle; and

WHEREAS, subsequent to the adoption of Resolution 2024-078 authorizing the execution of the Second Amendment, Nouvelle requested the Second Amendment be further

amended to incorporate a contingency further obligating the Township to be responsible for any further, unexpected increase in costs incurred in connection with the Project, in an amount not to exceed One Hundred Eighteen Thousand Six Hundred Twenty-Eight Dollars (\$118,628.00) (the “Contingency”); and

WHEREAS, the Township desires to approve the Contingency, incorporate the Contingency into the terms of the Second Amendment, and authorize the Township to execute the Second Amendment with the Contingency.

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

1. The recitals set forth above are incorporated by reference as if set forth at length herein.
2. The Contingency is hereby approved, and the Second Amendment is hereby amended to incorporate the terms of the Contingency as set forth above.
3. Except as stated in the Second Amendment to the Affordable Housing Agreement, all other terms and conditions of the Affordable Housing Agreement shall remain unchanged and in full force and effect.
4. The Mayor is hereby authorized and directed to execute the Second Amendment with the incorporation of the Contingency, with such changes, omissions, or amendments as the Mayor deems appropriate in consultation with the Township Administrator and Township Attorney. The Township Clerk is hereby authorized and direct, upon execution of the same, to attest to the signature of the Mayor and to affix the seal of the Township.
5. The Mayor, Chief Financial Officer and Township 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 Second Amendment.
6. This Resolution shall take effect immediately.

Adopted: May 21, 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 hereby certify that as of May 21, 2024, sufficient funds are available to carry out the purpose of this Resolution.

Debra A. King
Chief Financial Officer

RESOLUTION 2024-124

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING THE TOWNSHIP OF CHATHAM PURCHASING MANUAL

WHEREAS, the Township of Chatham (the “Township”) is required by the State of New Jersey to establish procedures to comply with the Local Public Contracts Law, N.J.S.A. 40A:11 *et seq.*; and

WHEREAS, uniform purchasing procedures are a necessary part of any encumbrance system along with control processes put in place to safeguard public funds; and

WHEREAS, the Township Committee desires to adopt the Township of Chatham Purchasing Manual attached hereto as Exhibit A (the “Purchasing Manual”).

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Purchasing Manual attached hereto as Exhibit A is hereby adopted by the Township, subject to modification or revision deemed necessary or desirable by the Mayor and Township Administrator in consultation with counsel.
3. All purchases by the Township shall be guided by the policies and procedures set forth in the Purchasing Manual.
4. The Township Clerk shall deliver a copy of this resolution and the Purchasing Manual to all department heads in the Township for further distribution to their respective employees.
5. This Resolution shall take effect immediately.

Adopted: May 21, 2024

Attest:

Gregory J. LaConte, Clerk

THE TOWNSHIP OF CHATHAM
IN THE COUNTY OF MORRIS

By _____
Stacey Ewald, Mayor

RESOLUTION 2024-125

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING A CHANGE IN CLAIMANT CERTIFICATION REQUIREMENT

WHEREAS, N.J.S.A. 40A:5-16 requires that the governing body of any local unit shall not pay out of its monies unless:

- (a) the person claiming or receiving payment first presents a detailed bill of items or demand, specifying particularly how the bill or demand is made up (the Invoice), with the certification of the party claiming payment that the bill or demand is correct (the Claimant Certification).
- (b) the payment carries a written or electronic certification of some officer or duly designated employee of the local unit having knowledge of the facts that the goods have been received by, or the services rendered to, the local unit (certification of the user department).

WHEREAS, N.J.A.C. 5:30-9A.6(c), N.J.A.C. 5:31-4.1, and Local Finance Notice 2018-13 gives local units discretion to not require claimant certification by enacting a standard policy by resolution for vendors or claimants who do not provide such certification as part of its normal course of business; and

WHEREAS, the Township of Chatham Chief Financial Officer has in place internal accounting controls and has determined same to be sufficient to avoid errors and fraud in the processing of claims for payment.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township hereby establishes a policy requiring the claimant certification pursuant to N.J.S.A. 40A:5-16(b) under the following circumstances only:
 - a. Advances or reimbursement of employee expenses, or
 - b. Services provided exclusively and entirely by an individual (e.g. sole proprietors)
3. The Township reserves the right, in its sole discretion, to require claimant certification as it deems necessary and appropriate.
4. This policy regarding claimant certifications shall be communicated to vendors.
5. This Resolution shall take effect immediately.

Adopted: May 21, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-126

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CORPORATE CAFÉ D/B/A VESPUCCI'S MARKET, PERMITTING THE OPERATION AND MANAGEMENT OF THE CONCESSION STAND AT COLONY POOL IN THE TOWNSHIP OF CHATHAM

WHEREAS, the Township of Chatham (the "**Township**") is the owner of property located at 555 School Avenue, Chatham, New Jersey 07928 and commonly known as Colony Pool (the "**Property**") and the Township desires to contract with a contractor to operate and manage a concession stand at the Property for the benefit of everyone using the Property for the 2024 pool season (the "**Concession Agreement**"); and

WHEREAS, pursuant to the Local Public Contracts Law, (the "**LPCL**"), specifically N.J.S.A. 40A:11-4a, the Township is authorized to enter into contracts that do not exceed the bid threshold without public advertising for bids and bidding therefor; and

WHEREAS, pursuant to N.J.A.C. 5:34-9.4, for determining whether a concession exceeds the bid threshold pursuant to the LPCL, the total estimated value of a concession shall include all revenue, if any, that may be expected to be received by the concessionaire; and

WHEREAS, based upon prior years, it is anticipated that the revenue that may be expected to be received by the concessionaire will not exceed the bid threshold and therefore the Township is able to authorize and execute the Concession Agreement without public advertising for bids and bidding therefor; and

WHEREAS, the Township desires to enter into a Concession Agreement with Corporate Café d/b/a Vespucci's Market, 90 Ridgedale Avenue, East Hanover, New Jersey (the "**Contractor**") based upon its previous experience operating at Colony Pool and its desire and interest to continue; and

WHEREAS, the Concession Agreement will require that the Contractor indemnify the Township from all risk of loss and/or damage to property or injury to or death of persons arising out of the Contractor's use of the Property; and

WHEREAS, the Concession Agreement will require that the Contractor provide the Township with a Certificate of Insurance that names the Township as an additional insured in accordance with the requirements of the Township's Risk Manager; and

WHEREAS, the concession will be operated by Corporate Café d/b/a Vespucci's Market at no cost to the Township and the Contractor shall pay the Township Two Hundred Fifty

Dollars (\$250.00) as compensation for the Concession Agreement and therefore a certification of funding pursuant to N.J.S.A. 40A:4-57 is not required for this Resolution; and

WHEREAS, the Township desires to authorize the execution of the Concession Agreement with the Contractor as set forth herein.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Committee hereby authorizes the execution of a Concession Agreement with the Contractor, subject to receipt of the Two Hundred Fifty Dollar (\$250.00) payment by the Contractor, and all other documents required by law. The form of the Concession Agreement shall be consistent with the terms herein and shall be subject to review and approval by the Mayor, Township Administrator and Township Attorney.
3. This Resolution shall take effect immediately.

Adopted: May 21, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-130

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COUNTY OF MORRIS FOR THE TRANSFER OF A 2005 CHEVROLET IMPALA AND A TORO GROUNDSMASTER 325-D LAWN MOWER

WHEREAS, the Township of Chatham (the “Township”), pursuant to the Local Public Contracts Law (the “LPCL”), specifically N.J.S.A. 40A:11-5(2), is authorized to enter into contracts with the county without public advertising for bids and bidding therefor; and

WHEREAS, the County of Morris (the “County”) is the owner of a certain 2005 Chevrolet Impala, VIN#2G1WF52K959205729 and a certain Toro Groundsmaster 325-D Lawn Mower (VIN#30788-60756) (collectively, the “Vehicles”); and

WHEREAS, the County adopted Resolution 2024-365 on April 24, 2024 finding that the vehicles are no longer needed for County use and authorizing the transfer of the Vehicles to the Township for the sum of One Dollar (\$1.00) each; and

WHEREAS, in accordance with the LPCL, the Township desires to purchase the Vehicles from the County, AS IS, for the sum of One Dollar (\$1.00) each; and

WHEREAS, the Township has determined that it will be cost-effective and in the best interest of the Township to enter into agreements with the County for the acquisition of the vehicles.

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 acquisition of the Vehicles from the County as set forth herein is hereby approved.
3. The Mayor is hereby authorized and directed to execute an agreement with the County for the acquisition of the Vehicles as set forth herein, with such changes, omissions, or amendments as the Mayor deems appropriate in consultation with the Township Administrator and Township Attorney. The Township Clerk is hereby authorized and directed to attest to the signature of the Mayor and to affix the seal of the Township.
4. The Mayor, Chief Financial Officer and Township 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.

5. This Resolution shall take effect immediately.

Adopted: May 21, 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 May 21, 2024, sufficient funds are available to carry out the purpose of this Resolution.

Debra A. King
Chief Financial Officer

RESOLUTION 2024-131

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE SOLICITATION OF BIDS FOR CELL TOWER LEASE FOR THE WIRELESS COMMUNICATIONS FACILITY AT 405 SOUTHERN BOULEVARD

WHEREAS, the existing land lease agreement by and between the Township of Chatham (the “Township”) and Crown Atlantic Company LLC for a portion of the property owned by the Township known as Block 48.16, Lot 117.27 and commonly known as the Department of Public Works site located at 405 Southern Boulevard, which contains the wireless communications facility (the “Property”), expires on March 16, 2025; and

WHEREAS, the Township of Chatham (the “Township”) desires to enter into a new land lease for the Property (the “Cell Tower Lease”); and

WHEREAS, it is anticipated that the cost of the Cell Tower Lease will exceed the bid threshold, which requires the Township to conduct public bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the “LPCL”).

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

1. The Township Committee hereby authorizes the Township’s Qualified Purchasing Agent, under the direction of the Township Administrator, to prepare bid specifications in accordance with the LPCL for the Cell Tower Lease.
2. The Township Committee hereby further authorizes the Municipal Clerk, once the bid specifications have been prepared, to solicit bids pursuant to the LPCL for the Cell Tower Lease.

Adopted: May 21, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-133

**RESOLUTION OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS,
NEW JERSEY CANCELLING AND RESCINDING ORDINANCE 2024-07 IN ITS
ENTIRETY**

WHEREAS, on April 9, 2024, the Township of Chatham, in the County of Morris, New Jersey (the “Township”) adopted Ordinance 2024-07 (“Ordinance 2024-07”), providing for, among other things, the acquisition of property for open space purposes, located at 441 Southern Boulevard, also known as Block 48.16, Lots 121 and 122 on the official tax maps of the Township (the “Project”); and

WHEREAS, Ordinance 2024-07 appropriated \$790,000 for the Project, including a \$350,000 Morris County Open Space, Recreation, Farmland and Historic Preservation Trust Fund Grant (the “Morris County Grant”) and \$21,000 from the Township’s Open Space Trust Fund, and authorized the issuance of \$419,000 bonds or bond anticipation notes to provide for the cost of the Project not funded by the Morris County Grant and Township Open Space Trust Funds; and

WHEREAS, in lieu of issuing up to \$419,000 in bonds or bond anticipation notes, the Township has determined to provide for such amount from the Township’s Open Space Trust Fund; and

WHEREAS, accordingly, the Township now wishes to cancel and rescind Ordinance 2024-07 in its entirety.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Chatham, in the County of Morris, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Committee hereby cancels and rescinds Ordinance 2024-07 in its entirety.
3. A copy of this resolution shall be available for public inspection at the offices of the Township Clerk.
4. This resolution shall take effect in accordance with applicable law.

Adopted: May 21, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk