

ORDINANCE 2024-16

ORDINANCE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING A DEED OF HISTORIC PRESERVATION EASEMENT ON CERTAIN PROPERTY OWNED BY THE TOWNSHIP IDENTIFIED AS BLOCK 67, LOT 1 ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP, AND COMMONLY KNOWN AS THE MOUNT VERNON SCHOOL

WHEREAS, the Township of Chatham (the “**Township**”) is the owner of property identified as Block 67, Lot 1 on the Official Tax Maps of the Township and commonly known as the Mount Vernon School (the “**Property**”), which is used and occupied by the Historical Society of the Township of Chatham (the “**Society**”); and

WHEREAS, the Property possesses historic, aesthetic, or cultural significance to the Township and the people of the County of Morris and is listed individually and/or as part of a historic district that is listed in the New Jersey Register of Historic Places and the National Register of Historic Places; and

WHEREAS, as a condition of the Society receiving grants from the Morris County Historic Preservation Trust Fund (2022 and 2023 Exterior Restoration grants) (the “**Grant**”), the Township is required to execute a deed of historic preservation easement, which assures the preservation of the Property, to prevent any use of the Property that is not historically appropriate or that is detrimental to or will significantly impair or interfere with the historic features and to assure that public benefit continues after the expenditure of the Grant (the “**Deed**”); and

WHEREAS, the Township Committee has determined to authorize the Deed in accordance with the requirements of the Grant.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of 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 hereby authorizes the Deed. The Mayor and Business Administrator of the Township (each, an “**Authorized Officer**” and together, the “**Authorized Officers**”) are hereby authorized and directed to take, or cause to be taken, all actions necessary to further the purpose of this Ordinance, including but not limited to the execution, by the Mayor, of the Deed and the Township Clerk is hereby authorized to attest such execution and to deliver same to the other party thereto.

Section 3. All actions previously taken by the Authorized Officers, or by any employee, contractor or consultant employed by or engaged by the Township, in connection with the Grant are hereby ratified, confirmed and approved.

Section 4. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 5. This ordinance shall take effect in accordance with applicable law.

Introduced: June 25, 2024

Adopted:

Attest:

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

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-164

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 \$695,694.56 and the prior month's payroll of \$541,975.72 Current Fund, \$77,085.51 Sewer Utility, \$31,331.69 Open Space, \$13,970.34 Police Private Employment and \$4,699.93 Capital be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of July 2024, in the amount of \$4,624,229.00 be paid.

Adopted: July 16, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By: _____
Stacey Ewald, Mayor

DRAFT

RESOLUTION 2024-165

**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 meeting held on June 25, 2024.

Adopted: July 16, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Stacey Ewald, Mayor

DRAFT

RESOLUTION 2024-166

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, REGARDING THE RENEWAL OF ALCOHOLIC BEVERAGE LICENSES IN THE TOWNSHIP OF CHATHAM FOR THE FISCAL YEAR BEGINNING JULY 1, 2024

WHEREAS, an application for the renewal of an Alcoholic Beverage License in the Township of Chatham for the fiscal year beginning July 1, 2024 has been made by Chattam Wine & Liquor LLC; and

WHEREAS, the applicants have complied with all the requirements of “An Act for the Manufacture, Distribution and Sale of Alcoholic Beverages”, known as the “Alcoholic Beverage Act and Amendments and Supplements thereto”, as well as the Ordinance of the Township of Chatham entitled “An Ordinance to Regulate the Sale and Distribution of Alcoholic Beverages”, as amended, including the submission of the appropriate license fees, and no objections to the renewal of said licenses have been received.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk be and hereby is authorized to deliver the plenary retail distribution license as issued by the New Jersey Division of Alcoholic Beverage Control for the fiscal year beginning July 1, 2024, as follows:

To Chattam Wine & Liquor LLC., trading as Buy Rite Liquor, for premises situate at 650 Shunpike Road, Unit 1A Chatham, New Jersey (Lic. No. 1405-44-004-007).

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk be forwarded to the Division of Alcoholic Beverage Control and the State Department of Taxation and Finance, Newark, New Jersey, for their information and guidance.

Adopted: July 16, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By: _____
Stacey Ewald, Mayor

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 July 16, 2024.

Date Issued: _____

Township Clerk

RESOLUTION 2024-167

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>
Mikhail Ioffe 15 Rockledge Trail Chatham, NJ 07928	BOA-23-014	E7766645211	\$50.05

Adopted: July 16, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-168

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING SUBMISSION OF AN APPLICATION FOR AND EXECUTION OF AN AGREEMENT OF AN AMERICAN RESCUE PLAN GRANT

WHEREAS, the Township of Chatham desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$15,000.00 to carry out a project to Purchase commander ice rescue suits, SAR dry suits, SAR tactical helmets, OPS PFD, and victim PFD's.

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

1. That the Township Committee of the Township of Chatham does hereby authorize the application for such a grant.
2. The Township Committee of the Township of Chatham recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between Township of Chatham and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Adopted: July 16, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

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 July 16, 2024.

Date Issued: _____

Township Clerk

RESOLUTION 2024-169

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING FIREWORKS FOR FAIRMOUNT COUNTRY CLUB

WHEREAS, state regulations require municipal governing body approval for the use of fireworks displays; and

WHEREAS, the Township has received an application to conduct a fireworks display by the Fairmount Country Club on September 2, 2024, to take place at the Fairmount Country Club on Southern Boulevard, Chatham, New Jersey; and

WHEREAS, the Township wishes to permit the applicant to conduct this fireworks display in accordance with all applicable laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that it hereby approves the Fairmount Country Club Fireworks Application contingent upon the payment of all required fees, posting of appropriate insurance certificates, and compliance with all state and local laws and regulations.

Adopted: July 16, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-170

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING CREDIT BALANCE ON COLONY TENNIS FEE

WHEREAS, a full membership registration fee was paid for some Colony Tennis Memberships; and

WHEREAS, the Colony Tennis Program was canceled.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following refunds be made from Account R-98-55-005-020:

<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
Beth Kupchinsky 47 School Avenue Chatham, NJ 07928	\$165.00
Debra Hatzinas 6 Cedar Lane Chatham, NJ 07928	\$165.00
Eve Katz 103 Westminster Road Chatham, NJ 07928	\$165.00

Adopted: July 16, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-171

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE SOLICITATION OF BIDS FOR THE CONSTRUCTION OF REPLACEMENT POOL WALLS AT COLONY POOL

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 “**Colony Pool**”); and

WHEREAS, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. (the “**LPCL**”), the Township desires to solicit bids for the construction of replacement pool walls and other associated improvements at Colony Pool (the “**Contract**”); and

WHEREAS, it is anticipated that the cost of the Contract will exceed the bid threshold, which requires the Township to conduct public bidding in accordance with the LPCL.

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 Township’s Qualified Purchasing Agent, under the direction of the Township Administrator and in consultation with the Township Engineer and Township Attorney, to prepare bid specifications in accordance with the LPCL for the Contract.
3. 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 Contract.
4. This Resolution shall take effect immediately.

Adopted: July 16, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-172

**RESOLUTION THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
TO ESTABLISH AN AFFORDABLE HOUSING COMMITTEE**

WHEREAS, the formation of an Affordable Housing Committee has been proposed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham that the Affordable Housing Committee is hereby established as follows:

1. The Committee will consist of the following members:
 - a. Mayor Stacey Ewald
 - b. Deputy Mayor Mike Choi
 - c. Affordable Housing Attorney Leslie London
 - d. Engineer John Ruschke
 - e. Planner Frank Banisch
 - f. Administrator Ziad Shehady
 - g. Representative from Open Space Committee
2. The desired outcome of the Affordable Housing Committee will be:
 - To evaluate options and advise the Township Committee on how to solve our Fourth Round Obligations
3. The term of office will be for the remainder of the calendar year.

Adopted: July 16, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Stacey Ewald, Mayor

RESOLUTION 2024-173

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH QUALITE SPORTS LIGHTING, LLC FOR THE PURCHASE AND INSTALLATION OF CUSTOM-BUILT VISORS FOR NASH FIELD

WHEREAS, on May 27, 2021, the Township of Chatham (the “**Township**”) adopted Resolution 2021-157 awarding a contract to Qualite Sports Lighting, LLC (“**Qualite**”) for the purchase and installation of a Gamechanger Q-LED lighting system at Nash Field (the “**Contract**”); and

WHEREAS, a change order is required to address an unanticipated condition requiring the installation of custom-built visors to mitigate off-site glare (the “**Change Order No. 1**”); and

WHEREAS, Change Order No. 1 results in an increase to the Contract of Twenty-Two Thousand Five Hundred Forty-One Dollars (\$22,541.00), resulting in the total Contract amount increasing from Three Hundred Forty-Three Thousand Eight Hundred Seventy-Seven Dollars (\$343,877.00) to Three Hundred Sixty-Six Thousand Four Hundred Eighteen Dollars (\$366,418.00); and

WHEREAS, the Township Engineer has reviewed Change Order No. 1 and has recommended the Township’s execution of Change Order No. 1.

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

1. The foregoing recitals are hereby incorporated herein by reference as if set forth at length.
2. Change Order No. 1 to the Contract is hereby authorized. The Mayor of the Township, the Township Administrator, Township Engineer, and other necessary Township employees and consultants are hereby authorized and directed to execute Change Order No. 1 to the Contract and take any and all actions necessary to effectuate Change Order No. 1.
3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
4. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.
5. This Resolution shall take effect immediately.

Adopted: July 16, 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, Debra A. King, CFO, hereby certify that as of July 16, 2024, sufficient funds are available in accounts C-04-55-951-904 and R-98-55-020-006 to carry out the purpose of this Resolution.

Debra A. King
Chief Financial Officer

RESOLUTION 2024-174

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, ACCEPTING THE BID AND AWARDING THE CONTRACT FOR THE CHATHAM WASTEWATER TREATMENT PLANT AND SOUTH SIDE PUMP STATION AUTOMATIC TRANSFER SWITCH REPLACEMENT IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW

WHEREAS, the Township of Chatham (the “**Township**”) determined that it is necessary to replace the automatic transfer switch at the Chatham Wastewater Treatment Plant located at 27 Tanglewood Lane and at the South Side Pump Station located on Harding Avenue (the “**Project**”); and

WHEREAS, on March 26, 2024, the Township Committee (the “**Committee**”) adopted Resolution No. 2024-100 authorizing the Township’s Qualified Purchasing Agent, in consultation with the Township Engineer and under the direction of the Township Administrator, to prepare bid specifications for the Project in accordance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Township thereafter advertised for and accepted bids for the Project, and on June 6, 2024, opened and reviewed two (2) bids received to perform the Project including a total bid in the amount of \$344,000.00 submitted by Power with Prestige, Inc. (“**Power**”), and a total bid in the amount of \$442,770.00 submitted by DeMaio Electrical Company; and

WHEREAS, the Township Engineer recommends awarding to Power as the lowest responsive and responsible bidder in the total amount of \$344,000.00 (the “**Contract Amount**”), which is consistent with the engineering cost estimates for the Project; and

WHEREAS, the Township Chief Financial Officer has certified the availability of funds for the Contract Amount; and

WHEREAS, the Township desires to adopt this Resolution authorizing the award of the contract for the Project to Power.

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

1. The foregoing recitals are hereby incorporated herein by reference as if set forth at length.
2. The contract for the Project is hereby awarded to Power located in Newton, New Jersey, in the amount of Three Hundred Forty-Four Thousand Dollars (\$344,000.00). The Mayor, Township Administrator, Township Clerk and all other necessary Township

personnel, are hereby directed and authorized to enter into a contract with Power for the Project, and to in all other ways carry out and effectuate the purposes thereof.

3. This Resolution shall take effect immediately.

Adopted: July 16, 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, Debra A. King, CFO, hereby certify that as of July 16, 2024, sufficient funds are available I account C-06-55-566-551 to carry out the purpose of this Resolution.

Debra A. King
Chief Financial Officer

RESOLUTION 2024-P-11

**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. Contract Negotiations
3. The matters to be discussed in closed session are to remain in the strictest of confidence by all attendees except as necessary for Township staff and professionals to effectuate the directives of the Township Committee.
4. 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.
5. The Committee will come back into Regular Session and may take further action.
6. This Resolution shall take effect immediately.

Adopted: July 16, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk