

RESOLUTION 2024-P-12

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. Any discussion involving tactics and techniques utilized in public safety:
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: August 13, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Stacey Ewald, Mayor

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, 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.”

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, 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.

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:

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

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. Smoke, 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:

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

Adopted:

Attest:

BY: _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-175

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 \$970,017.68 and the prior month's payroll of \$484,417.48 Current Fund, \$71,498.20 Sewer Utility, \$62,906.85 Open Space and \$23,754.98 Police Private Employment be paid.

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

BE IT FURTHER RESOLVED that taxes due to the County of Morris, for the 3rd Quarter of 2024, in the amount of \$2,648,832.50 be paid.

Adopted: August 13, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-176

**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 July 16, 2024 and July 23, 2024.

Adopted: August 13, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2024-177

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 meeting held on July 16, 2024.

Adopted: August 13, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Stacey Ewald, Mayor

DRAFT

RESOLUTION 2024-178

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>
Imran Chowdhury 274 Roslyn Court West New York, NJ 07093	BOA-23-013 Re: 93 Sunset Dr.	E7766323312	\$94.40
Kasushal Majmudar 55 Mountain Road Chatham, NJ 07928	PLAN-24-001	E7766645253	\$0.00
Jeremy Ebrahim 14 Ferndale Road Chatham, NJ 07928	RO-19-052	E7765172570	\$300.00
Jeremy Ebrahim 14 Ferndale Road Chatham, NJ 07928	RO-19-052	E7765172588	\$490.00

Adopted: August 13, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Stacey Ewald, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2024-179

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM TO AWARD CONTRACT FOR PURCHASE OF POLICE VEHICLES

WHEREAS, the Chief of Police recommends that the Township purchase two (2) 2023 Ford Police Interceptor SUVs with Police Package, including spot lights (the “**Vehicles**”), for the Township Police Department; and

WHEREAS, the State Contract price offered by Winner Ford, State Contract #20-FLEET-01189 is \$42,738.00 per Vehicle; and

WHEREAS, the Police Department received three (3) quotes as follows (1) Koch 33 submitted a price of \$38,200.00 per Vehicle, (2) Nielsen Ford submitted a price of \$46,310.00 per Vehicle, and (3) Hertrich Fleet Services, Inc. submitted a price of \$44,587.00 per Vehicle; and

WHEREAS, as the price offered by Koch 33 is more than 10% less than the State Contract price and the other quotes received, the Chief of Police requests that the Township Committee authorize the purchase of two these vehicles as an exception to public bidding pursuant to N.J.S.A. 40A:11-5(4), 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, upon an affirmative vote of two-thirds of the full membership of the governing body, that:

1. The forgoing Recitals are hereby incorporated herein by reference as if set forth at length.
2. The Township hereby awards a contract to Koch 33, 3810 Hecktown Road, Easton, PA 18045, for the purchase of two (2) Vehicles in an amount not to exceed Seventy-six Thousand Four Hundred Dollars (\$76,400.00), including fit out.
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 Police Chief
 - iv. Koch 33
4. Within five (5) business days of the adoption of this Resolution, the Township Clerk is hereby authorized and directed to file with the Director of the Division of Local Government Services in the Department of Community Affairs, a copy of the purchase order relating to the contract, the requisition for the purchase order, if applicable, and documentation identifying the price of the Vehicles under the State contract and the State contract number.

5. This Resolution shall take effect immediately.

Adopted: August 13, 2024

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Stacey Ewald, Mayor

CERTIFICATION OF THE AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, I, Debra A. King, Chief Financial Officer of the Township of Chatham, have ascertained that there will be available sufficient, uncommitted appropriations pursuant to Police Department Budget – C-04-55-956-080 Purchase of Vehicles to award a contract to Koch 33 of Easton, PA in the maximum amount of \$76,400.00.

Debra A. King
Chief Financial Officer

RESOLUTION 2024-180

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE PURCHASE OF RADIO COMMUNICATION EQUIPMENT AND ACCESSORIES FROM MOTOROLA PURSUANT TO NEW JERSEY COOPERATIVE PURCHASING PROGRAM CONTRACT 83909

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 State of New Jersey Cooperative Purchasing Program (the “NJCPP”); 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, NJCPP, 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 NJCPP awarded Contract #83909 to Motorola Solutions Inc., PO. Box 305, Bordentown, New Jersey 08505 (“Motorola”), for the purchase of radio communication equipment and accessories; and

WHEREAS, the Township needs to purchase radio communication equipment for the Township Fire Department as specifically set forth in quote 26666116 from Motorola, which is attached hereto as Exhibit A, pursuant to NJCPP Contract #83909 in an amount not to exceed Four Hundred Ten Thousand Three Hundred Sixty Dollars 36/100 (\$410,360.36); 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 radio communication equipment for the Township Fire Department as specifically set forth in quote 26666116 from Motorola, which is attached hereto as Exhibit A, pursuant to NJCPP Contract #83909 in an amount not to exceed Four Hundred Ten Thousand Three Hundred Sixty Dollars 36/100 (\$410,360.36).

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 Fire Chief
 - iv. Motorola

4. This Resolution shall take effect immediately.

Adopted: August 13, 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 August 13, 2024, sufficient funds are available to carry out the purpose of this Resolution in account C-04-55-956-060.

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 August 13, 2024.

Date Issued: _____

Township Clerk