

**MINUTES  
TOWNSHIP COMMITTEE  
REGULAR MEETING  
NOVEMBER 12, 2024**

Mayor Ewald called the Regular Meeting of the Township Committee of the Township of Chatham to order at 6:33 P.M.

**Adequate Notice** of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both *The Chatham Courier* and the *Morris County Daily Record* on January 3, 2024; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 3, 2024; and notice was filed with the Township Clerk on January 3, 2024.

**Roll Call**

Answering present to the roll call were Committeeman McHugh, Committeewoman Rowland, Deputy Mayor Choi and Mayor Ewald.

Committeeman Lois arrived during Executive Session.

**Executive Session**

**RESOLUTION 2024-P-20  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING CONFERENCE OF  
THE TOWNSHIP COMMITTEE WITH THE PUBLIC EXCLUDED**

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

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

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

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
  - a. Personnel
  - b. Contract Negotiations
  - c. Litigation
3. The matters to be discussed in closed session are to remain in the strictest of confidence by all Township Committee Members in furtherance of their fiduciary duties to the Township of Chatham.
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.

Committeewoman Rowland moved to adopt Resolution 2024-P-20 to enter Executive Session at 6:34 PM. Committeeman McHugh seconded the motion.

**Roll call:** Committeeman Lois, Absent; Committeeman McHugh, Aye; Committeewoman Rowland, Aye; Deputy Mayor Choi, Aye; Mayor Ewald, Aye.

The Township Committee returned to Public Session at 7:31 PM.

Mayor Ewald led the Flag Salute.

**Proclamation**

Mayor Ewald read aloud the attached proclamation for the 102<sup>nd</sup> Anniversary of the founding of the Colony Association.

Karen Blumenfeld, Martha Wells and Pat Wells were present to receive the proclamation.

Pat Wells said that Mrs. Blumenfeld is one of the few descendents of the original Colony residents who still live in the neighborhood.

Mrs. Blumenfeld thanked the Township Committee for the proclamation. She spoke about the history of the Colony.

### **Presentation – Police Department Re-Accreditation**

Harry J. Delgado, the Accreditation Program Manager for NJSACP, spoke about the significance of the Chatham Township Police Department being re-accredited.

Mayor Ewald spoke about the professionalism of the Chatham Township Police Department, and said she receives comments from the public about how kind and helpful they are.

### **Hearing of Citizens**

Mayor Ewald opened the Hearing of Citizens.

1. Arlene Driscoll, Terrace Drive, asked about comments by the Mayor quoted in the Chatham Courier about rehabilitation of condos at Vernon Grove. Mrs. Driscoll asked about the process and for information what is involved.

Mayor Ewald said that it is still be determined how that process will work.

Mr. Shehady said that there would be a building condition survey, and negotiations are underway with the Vernon Grove management.

Mrs. Driscoll asked if there would be expansion. Mr. Shehady said that items such as roofing, hot water heaters, boilers, and other such systems that have aged over the years would be fixed.

Seeing no further public comment, Mayor Ewald closed the Hearing of Citizens.

### **Workshop Session**

#### **Meeting Schedule for 2025**

Mr. LaConte said that a proposed list of meeting dates for 2025 was distributed to the Township Committee. He asked if the Committee wanted to have separate workshop and regular meetings in January or one combined meeting. Mr. LaConte also went over the remaining proposed schedule. He noted that in November there is one meeting because the first Tuesday is the General Election and the second Tuesday is Veterans Day. December is proposed to have two meetings on the first and third Tuesdays, but that can be modified as well.

Mayor Ewald said she would prefer to have the two meetings in January as there are affordable housing deadlines. She also asked that December have two meetings.

#### **Hometown Heroes Program**

Tom Salvas presented the Hometown Heroes Program. He stated that the Chatham Borough Council adopted a resolution to support the program. Mr. Salvas said that as part of the Veterans Program in the Chathams, interviews were conducted with nine veterans, and the interviews were screened at the Library of the Chathams. Regarding the Hometown Heroes Program, Mr. Salvas said that Southern Boulevard would be a likely place for the banners to be posted. He noted that permission would be needed from the utility companies that own the poles.

Committeewoman Rowland asked where the veteran interview videos can be viewed. Mr. Salvas said they are posted on the Library website. He also commented on the interview process.

Mayor Ewald asked about showing support for the program either by Resolution or by Proclamation. The consensus of the Township Committee was to add the draft resolution to the Consent Agenda.

### Best Practices

Mr. Shehady provided a review of the Township's response to the State's Best Practices Checklist. He noted that there are scored and unscored portions. The Township scored well enough this year to maintain State Aid levels.

### Sewer Service Area

Mayor Ewald said that the Township Planner recommended the Township Committee consider removing the River Road Corridor from the Sewer Service Area. Mr. Shehady said that this would be to prevent high density development in that area which would overburden the infrastructure in the area, and would also have a negative environmental impact. He also said that there will be time for input from the public on this matter. Mr. Shehady further noted that a draft memo from Mr. Ruschke's office shows the current sewer service area as well as the proposed reduced area. Mr. Shehady also commented on the process for this change to be made.

### Circular Litter Regulations

Mrs. Cofoni presented a draft ordinance based on Westfield's ordinance to limit the distribution of unsolicited printed material. She noted that there are limits for where such material could be delivered, and said that there is an opt-out opportunity in the draft.

Committeeman McHugh commented on the proposed delivery zone for the unsolicited printed material.

Committeeman Lois asked if this ordinance would apply to non-profit organizations. Mrs. Cofoni said that there are not any exemptions as drafted. Committeeman Lois recommended that the ordinance target commercial materials so that residents seeking input on petitions are not affected.

The consensus of the Township Committee was to revisit this topic in January when revisions are made to the draft.

### Regular Meeting Session

#### Mayor's Message

Mayor Ewald noted that Diwali was recently celebrated, and wished a belated Happy Diwali to those who celebrate. Mayor Ewald also acknowledged Veterans Day. She also thanked the Township's emergency response organizations, as they have had an unusual number of fires in the Township lately and have served as backup to those departments that have been fighting wildfires. Mayor Ewald noted that the Township is in a drought watch and there is a Stage 3 Fire Restriction. The Environmental Commission has shared info on water conservation. Mayor Ewald wished everyone a Happy Thanksgiving.

#### Township Committee Reports

Committeeman Lois commented on the Green Village Veterans Day Service.

Committeeman McHugh reported that the Library has a table where residents can write a Thanksgiving Card to veterans. He also reported on discount offered to library card holders to the Shakespeare Theatre of New Jersey. Regarding the Environmental Commission, Committeeman McHugh reported on the recent tree planting event. The Open Space Committee also recently met, and the Hillside Trail was a topic of conversation.

Committeewoman Rowland reported that the Historical Society has a new display of photos posted in the Municipal Building, and the theme celebrates that the Great Swamp was not turned into a jetport. She also reported that the Health Department is hosting a Flu Clinic on November 13<sup>th</sup> at the Municipal Building, and high dose shots are available. Committeewoman Rowland further noted that the Health Officer has reported that the current covid vaccine matches well the strains that are circulating.

Deputy Mayor Choi reported that the second annual Fall Festival was recently held, and he thanked those groups who helped make it a successful event.

Mayor Ewald said that there was a Mayors Walk at the Great Swamp Outdoor Education Center. Mayor Ewald also reported that the Senior Center will be closed Thanksgiving weekend. She also noted that the Senior Center has some upcoming holiday luncheons. There will be a further closure in late December and early January for some renovations.

Mr. Shehady reported that the Winter Wonderland Festival is tentatively scheduled for December 12<sup>th</sup>, and information will be advertised soon.

**Public Hearing/Final Adoption of Ordinances**

**Ordinance 2024-19**

**ORDINANCE 2024-19  
ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW  
JERSEY, AMENDING CHAPTER XXX, TITLED “LAND DEVELOPMENT” OF THE  
REVISED GENERAL ORDINANCES TO ESTABLISH AN ENVIRONMENTAL  
STEWARDSHIP OVERLAY ZONE ON BLOCK 48.21 LOTS 174, 174.03 AND 180**

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

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

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

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

**Section 1.**

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

**Environmental Stewardship Organization**

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

**Section 2.**

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

**Section 30-85 Environmental Stewardship Overlay Zone**

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

b. **Permitted Uses.**

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

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

- b) Outdoor gardens and garden structures
- c) Other activities that advance the mission of the Environmental Stewardship Organization
- c. Area and Yard Requirements.

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

- 1. The minimum lot area shall be 3 acres.
- 2. Minimum front yard setback shall be 80 feet.
- 3. Minimum side yard setbacks shall be 50 feet each and 100 feet combined.
- d. Site Plan Review Requirements.
  - 1. The property shall have access to a public street, either directly or via an easement or other right of way.
  - 2. Adequate off-street parking and loading shall be demonstrated.
  - 3. Permitted activities may be conducted both outdoors and within the principal building and one accessory building.
  - 4. Adult and Family programs shall not exceed 100 attendees and shall end no later than 9:00 p.m.
  - 5. Student experiential learning programs shall require 1 chaperone for every 10 students and no more than one school bus load of students shall be on the property at any time.
  - 6. A split rail fence shall be installed to delineate outdoor activity areas at a height and location and at such time as determined by the Planning Board.

**REPEALER**

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

**SEVERABILITY**

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

**EFFECTIVE DATE**

This Ordinance shall become effective according to law.

Mr. LaConte reported that the Planning Board determined that Ordinance 2024-19 was not inconsistent with the Master Plan.

Mayor Ewald opened the Public Hearing on Ordinance 2024-19. Seeing no public comment, Mayor Ewald closed the Public Hearing.

Committeewoman Rowland moved to adopt Ordinance 2024-19. Committeeman McHugh seconded the motion.

**Roll call:** Committeeman Lois, Aye; Committeeman McHugh, Aye; Committeewoman Rowland, Aye; Deputy Mayor Choi, Aye; Mayor Ewald, Aye.

**Ordinance 2024-20**

**ORDINANCE 2024-20  
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 by the Township. This prohibition excludes the use of plastic “practice” wiffle golf balls outside any active public play area, apparatus area, athletic field or recreational enclosure or building.
- 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. Vaping, Smoking (as such term is defined in the Township Code, Chapter 3, Section 11, Smoking Regulations, subsection 3-11.1, Smoking Prohibited), or possess or consume an alcoholic beverage, or illegal drugs.
- m. Carry or possess firearms of any kind, including air rifles, spring guns, paint ball guns, bow and arrow or sling shots, or any other form of weapons that pose a danger to human or wildlife safety. Hunting and trapping is also prohibited.
- n. Build fires or grill, except in designated areas where grills are made available for use by reservation through the Township of Chatham.
- o. Possess any type of glass container.
- p. Use any type of artificial illumination for any Township field or recreation facility without the prior approval of the Township of Chatham.
- q. Use of radios, stereos or any type of amplified sound without the prior approval of the Township of Chatham.
- r. Operate or utilize skateboards, roller skates, bicycles, scooters, or any type of motorized vehicle except on driveways or parking lots without the prior approval of the Township of Chatham.
- s. For-profit entities are strictly prohibited from using the Township's fields, basketball courts and tennis courts without a permit issued by the Township of Chatham.
- t. Posting of any sign.
- u. Solicit, sell or offer for sale any goods without a permit issued by the Township of Chatham.
- v. No food or beverages other than water are allowed inside the tennis courts.

**§ 20-3.3 Exceptions.**

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

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

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

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

Mayor Ewald opened the Public Hearing on Ordinance 2024-20.  
Seeing no public comment, Mayor Ewald closed the Public Hearing.

Committeewoman Rowland moved to adopt Ordinance 2024-20. Committeeman McHugh seconded the motion.

**Roll call:** Committeeman Lois, Aye; Committeeman McHugh, Aye; Committeewoman Rowland, Aye; Deputy Mayor Choi, Aye; Mayor Ewald, Aye.

Ordinance 2024-21

**ORDINANCE 2024-21**  
**CAPITAL ORDINANCE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE SEWER UTILITY OF THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$650,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE SEWER UTILITY CAPITAL IMPROVEMENT FUND AND SEWER UTILITY CAPITAL SURPLUS 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 make various improvements and acquisitions in, by and for the Sewer Utility of the Township, including, but not limited to: (i) replacement or rebuilding of pumps at the Water Pollution Control Plant (the "Plant"); (ii) replacement of the generator at the Southside Pump Station; (iii) replacement of the chemical treatment system at the Plant; (iv) undertaking of infiltration and inflow reduction studies, GIS mapping and related improvements; and (v) acquisition of a new truck, including original apparatus and equipment. Said improvements and acquisitions shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$650,000 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Sewer Utility Capital Improvement Fund and Sewer Utility Capital Surplus of the Township. The sum of \$200,000 is hereby appropriated from the Sewer Utility Capital Improvement Fund of the Township to the payment of the cost of said purpose. The sum of \$450,000 is hereby appropriated from Sewer Utility Capital Surplus of the Township to the payment of the cost of said purpose.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions 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.

Mayor Ewald opened the Public Hearing on Ordinance 2024-21.

Seeing no public comment, Mayor Ewald closed the Public Hearing.

Committeewoman Rowland moved to adopt Ordinance 2024-21. Deputy Mayor Choi seconded the motion.

**Roll call:** Committeeman Lois, Aye; Committeeman McHugh, Aye; Committeewoman Rowland, Aye; Deputy Mayor Choi, Aye; Mayor Ewald, Aye.

### **Consent Agenda**

#### **RESOLUTION 2024-215**

#### **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 \$774,427.35 and the prior month's payroll of \$525,144.29 Current Fund, \$61,872.99 Sewer Utility, \$12,003.46 Open Space and \$29,751.54 Police Private Employment be paid.

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

#### **RESOLUTION 2024-216**

#### **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 October 22, 2024 and October 30, 2024.

#### **RESOLUTION 2024-217**

#### **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 October 22, 2024.

#### **RESOLUTION 2024-219**

#### **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>
Vasyl Dmytryshyn 5 Mountainview Road Chatham, NJ 07928	PB 22-005 Re: 5 Mountainview Road	E7765834774	\$1,675.45 Plus Interest
4 Robert Drive LLC Attn: Jasen Capraiola 25 Hillcrest Blvd. Warren NJ 07059	BOA-22-021 Re: 4 Robert Drive	E7766178634	\$147.80
Luke Donato 34 Maple Road Chatham, NJ 07928	BOA-24-003 Re: 34 Maple Road	E7766645683	\$0.00

**RESOLUTION 2024-220**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING TAX AND SEWER LIEN**

**WHEREAS**, due to payment by property owner of the lien amount, a redemption of the tax and sewer lien is appropriate; and

**WHEREAS**, the Tax Collector has recommended the refund of redemption monies as well as the Premium to the Outside Lien Holder;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following refund be made as indicated:

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
64.01	7.05	<b>Lienholder:</b>  Christiana T. C/F C&E1/Firsttrust P.O. Box 5021 Philadelphia, PA 19111-5021  Certificate #23-00009  Matthew Carbone 6H Heritage Drive Chatham, NJ 07928	\$ 366.89 Certificate \$ 900.00 Premium \$ 1,266.89 Total

**BE IT FURTHER RESOLVED** that the Tax Collector is authorized to prepare and sign a Discharge of Certificate 23-00009.

**RESOLUTION 2024-221**

**RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ACCEPTING THE RESIGNATION OF FRANK GENOVA**

**WHEREAS**, the Township of Chatham has accepted the resignation of Frank Genova (hereinafter "Employee"); and

**WHEREAS**, the Employee resigned effective October 31, 2024.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township of Chatham Committee, in the County of Morris, that the Committee accepts the resignation of Frank Genova.

**RESOLUTION 2024-222**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY, REJECTING BIDS AND AUTHORIZING A  
RE-BID FOR THE LAFAYETTE AVENUE SIDEWALK PROJECT AND AUTHORIZING**

**WHEREAS**, the Township of Chatham (the “Township”) was awarded a Safe Routes to School Grant to provide for the installation of a sidewalk on Lafayette Avenue (New Jersey Department of Transportation (“NJDOT”) Job No. 6805302; and Federal Project No. HSP-7937 (101) CON) (the “Sidewalk Project”); and

**WHEREAS**, on March 21, 2023, the Township Committee of the Township adopted Resolution No. 2023-077 authorizing the Township to solicit bids for the Sidewalk Project in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the “LPCL”); and

**WHEREAS**, the Township received four (4) bids for the Sidewalk Project, all of which omitted the correct Federal Highway Administration forms, and therefore, all four (4) bidders were not qualified as a responsible bidder; and

**WHEREAS**, the Township Engineer recommended the rejection of the four (4) bids received for the Sidewalk Project; and

**WHEREAS**, on August 15, 2023, the Township Committee adopted Resolution No. 2023-169 rejecting the bids and authorizing a notice to re-bid for the Sidewalk Project; and

**WHEREAS**, the Township received one (1) bid on November 9, 2023, from Diamond Construction in the total amount of \$761,839.00 for the Sidewalk Project; and

**WHEREAS**, on April 23, 2024, the Township Committee adopted Resolution No. 2024-114 rejecting the bids and authorizing a notice to re-bid for the Sidewalk Project; and

**WHEREAS**, the Township received two (2) bid on June 27, 2024, from Diamond Construction in the total amount of \$623,914.00 and from Your Way Construction Inc. in the total amount of \$386,957.25 for the Sidewalk Project; and

**WHEREAS**, by letter dated October 23, 2024, the Township Engineer recommends the rejection of the bids received from Diamond Construction and Your Way Construction Inc. on June 27, 2027 as the documents submitted by the apparent low bidder are not adequate to satisfy the grant requirements and insufficient funds are available to award the project; and

**WHEREAS**, the Township desires to again solicit bids for the Sidewalk Project in accordance with the LPCL.

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

1. The Township Committee hereby rejects the bids received for the Sidewalk Project as the documents submitted by the apparent low bidder are not adequate to satisfy the grant requirements and insufficient funds are available to award the project.
2. The Township Committee hereby authorizes the Township’s Qualified Purchasing Agent, in consultation with the Township Engineer and under the direction of the Township Administrator, to prepare the necessary bid specifications for the Sidewalk Project and advertise same upon approval of the documents by the Department of Transportation, and in accordance with the LPCL.
3. The Township Committee hereby further authorizes the Municipal Clerk, once the bid specifications have been prepared, to advertise soliciting bids for the Sidewalk Project.
4. The Township Clerk shall send a copy of this Resolution to the rejected bidders.
5. This Resolution shall take effect immediately upon adoption.

**RESOLUTION 2024-223**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH DENVILLE LINE  
PAINTING, INC. FOR THE RIVER ROAD AND MT VERNON AVE ROAD RESURFACING  
PROJECT (2024 MUNICIPAL AID)**

**WHEREAS**, the Township Committee of the Township of Chatham awarded a contract to Denville Line Painting, Inc. through the 2024 Morris County Cooperative Pricing Council for the River Road and Mt Vernon Ave Road Resurfacing Project (2024 Municipal Aid) in the amount of \$6,486.00, and;

**WHEREAS**, the contracted work was performed and completed by Denville Line Painting, Inc. in October 2024 and;

**WHEREAS**, the as-built amount completed and billed by Denville Line Painting, Inc. is \$6,830.99, an increase of \$344.99 from the awarded contract.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it hereby approves a final Change Order No. the final Contract amount to \$6,830.99.

**RESOLUTION 2024-224**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH RIVERVIEW PAVING,  
INC. FOR THE RIVER ROAD AND MT VERNON AVE ROAD RESURFACING PROJECT  
(2024 MUNICIPAL AID)**

**WHEREAS**, the Township Committee of the Township of Chatham awarded a contract to Riverview Paving, Inc. through the 2024 Morris County Cooperative Pricing Council for the River Road and Mt Vernon Ave Road Resurfacing Project (2024 Municipal Aid) in the amount of \$277,300.00, and;  
**WHEREAS**, the contracted work was performed and completed by Riverview Paving, Inc. in July and August 2024 and;  
**WHEREAS**, the as-built amount completed and billed by Riverview Paving, Inc. is \$205,350.94, a reduction of \$71,949.06 from the awarded contract.  
**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it hereby approves a final Change Order No. the final Contract amount to \$205,350.94.

**RESOLUTION 2024-225  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
RATIFYING AND CONFIRMING THE APPOINTMENT OF A PUBLIC WORKS  
SERVICEMAN**

**WHEREAS**, the Township of Chatham desires to fill a vacancy in the position of Public Works Serviceman; and  
**WHEREAS**, the Township of Chatham has advertised the vacancy and received resumes that have been reviewed by the Superintendent of Public Works; and  
**WHEREAS**, the Superintendent of Works has recommended that it would be in the best interests of the Township to appoint Ryan Gist as Public Works Serviceman; and  
**WHEREAS**, the Township Administrator appoints Ryan Gist as full-time Public Works Serviceman, Step 14.  
**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that they do hereby ratify and confirm the Township Administrator’s appointment of Ryan Gist as full-time Public Works Serviceman effective November 16, 2024 at a starting annual salary of \$45,451.00 (Step 14), pending satisfactory completion of a criminal background investigation, physical examination and drug screen, subject to satisfactory completion of a probationary period of 180 days and successfully obtaining a CDL with necessary Endorsement(s) within the probationary period.

**RESOLUTION 2024-226  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN  
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING OVERPAYMENT OF  
SEWER TAXES**

**WHEREAS**, an overpayment of sewer taxes has been made for the following property; and  
**WHEREAS**, the Tax Collector has recommended the refund of such overpayment,  
**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following refunds be made:

<b>BLOCK</b>	<b>LOT</b>	<b>NAME &amp; ADDRESS</b>	<b>AMOUNT</b>
72	11	P.H.H Mortgage 1661 Worthington Rd Ste 100 West Palm Beach, FL 33409 Attn: RSVRF  Re: 84 Highland Avenue	\$3,271.99

**RESOLUTION 2024-227  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
APPOINTING A TAX COLLECTOR AND UTILITY COLLECTOR**

**WHEREAS**, the Township of Chatham desires to fill the position of Tax Collector and Utility Collector due to the resignation of the prior Tax Collector and Utility Collector as of October 15, 2024; and  
**WHEREAS**, the Tax Collector is appointed pursuant to N.J.S.A. 40A:9-141 which states that “Notwithstanding any other law the governing body or chief executive, as shall be appropriate to the form of government of the municipality, by ordinance, shall provide for the appointment of a municipal tax collector and the compensation of the tax collector shall be fixed in the manner otherwise provided by law.”; and  
**WHEREAS**, the Tax Collector is required to have the appropriate certificate pursuant to N.J.S.A. 40A:9-145.7, which states: “Commencing on the effective date of P.L. 1993, c.25 (C. 40A:9-145.3a et al),

no person shall be appointed or reappointed as tax collector in any municipality of this State unless he shall hold a tax collector certificate issued pursuant to N.J.S.A. 40A:9-141, section 2 of P.L. 1979, c. 384 (C. 40A:9-145.2), and section 6 of P.L. 1993, c.25 (C. 40A:9-145.3a).”; and

**WHEREAS**, the Tax Collector’s term of office is designated pursuant to N.J.S.A. 40A:9-142, which states: “Every municipal tax collector shall hold his office for a term of four (4) years from the first day of January next following his appointment. Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term.”; and

**WHEREAS**, the Township of Chatham has advertised the vacancy and received resumes that have been reviewed by the Township Administrator and Chief Financial Officer; and

**WHEREAS**, Kristin Walz is certified as a Tax Collector and is qualified to fill the position of Tax Collector; and

**WHEREAS**, the Township Administrator has recommended that it would be in the best interests of the Township to appoint Kristin Walz as Tax Collector and Utility Collector; and

**WHEREAS**, said appointment is for the unexpired term ending on December 31, 2027, and

**WHEREAS**, the Township Committee desires to appoint Kristin Walz as Tax Collector and Utility Collector.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Kristin Walz is hereby appointed Tax Collector and Utility Collector for the unexpired term ending December 31, 2027 at a starting annual salary of \$98,000, pending satisfactory completion of a criminal background investigation, and subject to satisfactory completion of a probationary period of 180 days.

#### **RESOLUTION 2024-228**

### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM SUPPORTING A HOMETOWN HEROES BANNER PROGRAM TO HONOR US MILITARY VETERANS AND ACTIVE-DUTY SERVICE MEMBERS**

**WHEREAS**, we acknowledge November as including Veterans Day during Military Family Appreciation month to recognize the great sacrifice made by members of the U.S. Military, and their families, the Township Committee wishes to pay special tribute to active-duty members and veterans who lived or currently reside in the Chatham Township; and

**WHEREAS**, many towns across America have established a Hometown Heroes Banner Program, where banners printed with each service member’s photo, name, rank, conflict, years of service and major awards are displayed in the towns usually in conjunction with Veteran’s Day and Memorial Day holidays; and

**WHEREAS**, Chatham Borough intends to established a Program with anticipation that discussions will begin in the Township to identify and obtain necessary approvals for a future installation of brackets on some utility poles for banners; and

**WHEREAS**, a volunteer Advisory Committee initially appointed by the Borough Mayor, with preference given to U.S. Military Veterans, and including representatives of the Borough and Township, will recommend the implementation of the Banners program; and

**WHEREAS**, the Library of the Chathams supports and will participate in the program having established the Veterans Project of the Chathams to document the personal stories of veterans from BOTH the Borough and Township,

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

1. The Hometown Heroes Banner Program that is expected to be established by the Borough of Chatham will be open to any active or reserve member of the U.S. Army, Navy, Air Force, Marines or Coast Guard currently living in the Chathams and any U.S. military veteran, living or deceased, so long as honorably discharged, who resides or has lived in the Borough or Township.
2. A Hometown Heroes Banner Program Advisory Committee will be organized with representatives from Chatham Borough and Chatham Township to discuss the details of Program implementation to honor veterans from across the Chatham Community.
3. The Committee will address the process of promoting the Program, accepting banner requests from Veterans and their families, funding sources for the cost of the banners and potential plans to expand the locations for poles and brackets beyond those already in place in Chatham Borough.
4. The goal of the Program Committee will be to secure final approvals from both the Borough and Township to begin necessary activities for initial display of banners during the month of May, 2025.
5. This Resolution shall take effect immediately.

Committeewoman Rowland moved to approve the Consent Agenda. Deputy Mayor Choi seconded the motion.

**Roll call:** Committeeman Lois, Aye; Committeeman McHugh, Aye; Committeewoman Rowland, Aye; Deputy Mayor Choi, Aye; Mayor Ewald, Aye.

**Non-Consent Agenda**

**RESOLUTION 2024-218**  
**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 PUBLIC TRANSPORTATION SERVICES BETWEEN 522 SOUTHERN BOULEVARD AND MADISON TRAIN STATION PROJECT TO BOXCAR, INC. IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW**

**WHEREAS**, the Mayor and Township Committee of the Township of Chatham (the “Township”) adopted Resolution No. 2024-099 on March 26, 2024 authorizing the Township to publicly seek bids for public transportation services between 522 Southern Boulevard and the Madison Train Station (the “Services”); and

**WHEREAS**, the Township received one bid on September 4, 2024 from Boxcar, Inc, 14 Fairmount Avenue, Chatham, New Jersey, for the Services in the amount of Four Dollars Ninety-Nine Cents (\$4.99) per rider and an annual contribution by the Township in the amount of Seventy-Two Thousand Five Hundred Dollars (\$72,500); and

**WHEREAS**, the Township Attorney reviewed the bid received and recommended rejection of the bid in accordance with the Local Public Contracts Law (the “LPCL”), N.J.S.A. 40A:11-23.2, for failure to include a consent of surety as required by the bid specifications, which is a mandatory document and failure to provide it is a fatal defect in the bid; and

**WHEREAS**, on September 24, 2024, the Mayor and Township Committee adopted Resolution No. 2024-194, rejecting the bids received on September 4, 2024 and authorizing the Township to re-bid for the Services; and

**WHEREAS**, in response to the rebid, on October 29, 2024, the Township received one (1) bid, from Boxcar, Inc (“Boxcar”), 14 Fairmount Avenue, Chatham, New Jersey, for the Services in the amount of Four Dollars Ninety-Nine Cents (\$4.99) per rider and an annual contribution by the Township in the amount of Seventy-Seven Thousand Five Hundred Dollars (\$77,500); and

**WHEREAS**, the Township Engineer recommends awarding the contract for the Services to Boxcar as the only responsive and responsible bidder in the total amount of Four Dollars Ninety-Nine Cents (\$4.99) per rider and an annual contribution by the Township in the amount of Seventy-Seven Thousand Five Hundred Dollars (\$77,500) (hereinafter collectively referred to as the “Contract Amount”); 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 Services to Boxcar.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, and State of 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 Services is hereby awarded to Boxcar located in Chatham, New Jersey, in the amount of Four Dollars Ninety-Nine Cents (\$4.99) per rider and an annual contribution by the Township in the amount of Seventy-Seven Thousand Five Hundred Dollars (\$77,500). The Mayor, Township Administrator, Township Clerk and all other necessary Township personnel, are hereby directed and authorized to enter into a contract with Boxcar for the Services, and to in all other ways carry out and effectuate the purposes thereof.
3. This Resolution shall be effective immediately.

Committeeman McHugh asked about the duration of the contract. Mrs. Cofoni confirmed it is for three years.

Mr. Shehady commented on the logistics of the transportation service.

Committeeman McHugh moved to adopt Resolution 2024-218. Committeewoman Rowland seconded the motion.

**Roll call:** Committeeman Lois, Aye; Committeeman McHugh, Aye; Committeewoman Rowland, Aye; Deputy Mayor Choi, Aye; Mayor Ewald, Aye.

**Hearing of Citizens**

Mayor Ewald opened the Hearing of Citizens.

Seeing no public comment, Mayor Ewald closed the Hearing of Citizens.

**Executive Session**

**RESOLUTION 2024-P-21  
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. 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.

Mayor Ewald announced that the Committee would not be taking action following the Executive Session.

Committeewoman Rowland moved to adopt Resolution 2024-P-21 to enter Executive Session at 9:01 PM. Deputy Mayor Choi seconded the motion.

**Roll call:** Committeeman Lois, Aye; Committeeman McHugh, Aye; Committeewoman Rowland, Aye; Deputy Mayor Choi, Aye; Mayor Ewald, Aye.

The Township Committee returned to Public Session at 9:16 PM.

Committeewoman Rowland moved to adjourn at 9:01 PM. Deputy Mayor Choi seconded the motion, which carried unanimously.

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Gregory J. LaConte  
Municipal Clerk