

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
FEBRUARY 25, 2021**

Mayor Ness called the Regular Meeting of the Township Committee of the Township of Chatham to order at 6:30 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 8, 2021; notice was posted on the front door and the bulletin board in the main hallway of the Municipal Building on January 8, 2021; and notice was filed with the Township Clerk on January 8, 2021.

Roll Call

Answering present to the roll call were Committeewoman Felice, Committeewoman Fondaco, Deputy Mayor Ewald and Mayor Ness. Committeeman Hamilton arrived during the Executive Session.

Committeeman Hamilton, Committeewoman Fondaco and Deputy Mayor Ewald participated in the meeting via Zoom.

Approval of Agenda

Committeewoman Felice moved to approve the Agenda. Committeewoman Fondaco seconded the motion, which carried unanimously.

Executive Session

**RESOLUTION 2021-P-05
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 –Kronos Holdings, LLC v. Township of Chatham et al Docket No. MRS-L-2024-20
 - b. Personnel – Police Department
 - c. Potential Litigation – Municipal Real Estate Tax Appeal
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.

Committeewoman Felice moved to adopt Resolution 2021-P-05 to enter Executive Session at 6:32 PM. Committeewoman Fondaco seconded the motion.

Roll call: Committeewoman Felice, Aye; Committeeman Hamilton, Absent; Committeewoman Fondaco, Aye; Deputy Mayor Ewald, Aye; Mayor Ness, Aye.

The Township Committee returned to Public Session at 7:33 PM.

Mayor Ness led the Flag Salute.

Mayor's Message

Mayor Ness reported that she attended an event honoring the 500,000 lives lost to Covid-19. She noted that the Township's number of active cases has dropped to 17. Mayor Ness also commented on the availability of vaccinations, and warned residents to be careful due to the presence of new variants of Covid-19. She further commented on the Senior Center's efforts to help seniors get vaccinated.

Annual Reports

Chatham Township Environmental Commission

CTEC Chairwoman Dot Stillinger gave the 2020 Annual Report. Mrs. Stillinger said she is very proud of the work performed by the Environmental Commission, and she listed the names of the members. Mrs. Stillinger noted that the Environmental Commission also has associate members. She also reported that the Environmental Commission is working toward silver certification from Sustainable Jersey, and she thanked the Township Committee for the resolutions recently adopted to reaffirm environmental programs and policies. Mrs. Stillinger said that the Annual Report will be posted on the Environmental Commission's website. She stated that the Environmental Commission's plans for 2021 are listed in the report. Mrs. Stillinger also thanked ShopRite of Chatham, the Department of Public Works and Chatham Disposal for supporting the Environmental Commission's programs.

Mayor Ness thanked Mrs. Stillinger for her years of service to the Township and the Environmental Commission.

Mrs. Stillinger said that at the next Environmental Commission, a contractor will be chosen to provide charging stations, which will allow for the Environmental Commission to apply for a grant. The charging stations will be located at the Senior Center parking lot, Shunpike Field and Nash Field.

Deputy Mayor Ewald and Committeeman Hamilton both thanked the Environmental Commission for their work.

Open Space Advisory Committee

The Annual Report of the Open Space Advisory Committee was presented by Chairman Joe Basralian. Mr. Basralian reported that the Open Space Committee helped complete the Green Village Pond Loop Trail, and he noted that many people have been using the trail. The Giralda Farms Loop Trail has also been extensively used, and the Hillside Trail is also to be extended. The Open Space Element of the Master Plan was also updated. Massive disturbance of a property on River Road was also prevented.

Mr. Basralian said that the Open Space Committee recommends that the opportunity to preserve a parcel next to Nash Field is running out, and the County is willing to assist in such a purchase. Mr. Basralian also stated that the Open Space Committee supports keeping the Noe Pond property under the current zoning designation. Mr. Basralian further stated that the Open Space Committee recommends keeping the Open Space Tax at \$0.02 per \$100 assessed value. Mr. Basralian also asked the Township Committee to consider allowing either associate or alternate members on the Open Space Advisory Committee.

Mayor Ness said that the proposed budget will include keeping the Open Space Tax at \$0.02 per \$100 assessed value. Open Space Funds can be used to enhance trails and recreational facilities. Mr. Basralian agreed that the Open Space Tax can go toward certain facilities, and the Township has always been resourceful.

Deputy Mayor Ewald said she hopes the Open Space Committee is proud that the public can access so much open space in the Township. She commented on the benefit that open space has to mental health.

Committeeman Hamilton said he looks forward to continuing to work with Mr. Basralian.

Reports

Committeewoman Felice reported that the Colony Pool Committee met, and it is anticipated that registration will be opened up mid-March. She also reported that she met with JCP&L Representative Carol Bianchi, and the Township will be the recipient of about 50 new seedlings as part of JCP&L's program to plant trees for Arbor Day. Committeewoman Felice also noted that the JCP&L website has a feature that shows how many customers are affected by power outages.

Committeeman Hamilton reported that the Library Board of Trustees has adopted a plan to move forward to the next phase of reopening to patrons. He also reported that cases of COVID are declining and vaccinations are increasing. Committeeman Hamilton further reported that residents should lock their cars and not leave valuables in them overnight. He further noted that the Governor has signed a law legalizing recreational use of marijuana, and the Township's ordinance prohibiting cultivation and sale of marijuana has been nullified by that law. Committeeman Hamilton recommended that the Township Committee should take the appropriate steps to adopt a new ordinance that will be valid under the new legislation.

Committeewoman Fondaco reported that on March 22nd, the Environmental Commission is co-hosting a program by Master Gardener Cheri Wilczek about composting. On April 1st there will be an informational session by the Great Swamp Watershed Association about coyotes and wildlife. On April 15th a program will be held regarding pollinators, and on April 17th there will be a town-wide yard sale throughout the Chathams and Madison. On April 22nd there will be an electronic vehicle expo at the Sunday Motor Co. Café. On April 24th there will be a seedling giveaway event. Committeewoman Fondaco reported that the Chatham Emergency Squad will be hosting a blood drive on March 6th at Ogden Memorial Church. On March 21st the Historical Society will host a program on NJ Women in WWII. The Senior Advisory Committee is reaching out to older seniors to help them get COVID vaccine appointments and social services. Committeewoman Fondaco further reported that the Township is seeking applicants for crossing guard positions. She also noted that there are CHS Key Club members who are willing to help seniors shovel their driveways.

Deputy Mayor Ewald reported that the Affordable Housing Committee will be meeting on March 3rd, and she thanked Mike Oien for beginning to map out a process. Deputy Mayor Ewald stated that there are two openings on the Affordable Housing Committee in districts 1 and 9. The Finance Committee has met, and Deputy Mayor Ewald thanked the members for their work in preparing a fiscally responsible Budget. Deputy Mayor Ewald stated that affordable housing costs and the COVID-19 pandemic have had an impact on the 2021 Budget. Deputy Mayor Ewald also stated that the Open Space Tax is proposed to remain at \$0.02 per \$100 assessed value, and she also commented on use of surplus. Deputy Mayor Ewald further reported on the activities and programs of the Municipal Alliance, and there has been a focus on responding to recent legislation legalizing recreational use of marijuana. She noted that the Township has 180 days to readopt an ordinance to prohibit sale and cultivation of marijuana in the Township. Deputy Mayor Ewald also noted that the Planning Board met to adopt resolutions to memorialize approval of three recently approved applications. She also stated that she attended Congresswoman Sherrill's February 16th webinar about the PPP program for small businesses. Mayor Ness asked Committeeman Hamilton to discuss the PPP program with the Business Advisory Committee.

Mayor Ness reported that the Joint Recreation Committee met to discuss spring sports, and High School Sports will begin practices on April 1st. She noted that there are concerns about Spring Break. Mayor Ness reported that the Diversity Committee met to have initial discussions. The Senior Center Board met recently and discussed a reopening plan and assisting seniors in getting vaccine appointments. The Joint Municipal Court Committee will meet again in April. The Communications Committee is in the process of setting up a meeting to discuss communications protocols.

Engineer Ruschke noted that there is a resolution on the Consent Agenda to award a contract for the installation of an above-ground alum storage tank at the Wastewater Treatment Plant.

The Township Clerk reminded residents to renew their dog & cat licenses and thanked those who have already done so. Mayor Ness asked if there are any upcoming rabies shot clinics. The Township Clerk stated that the Township's annual clinic is in November, as the statute requires that rabies shots be valid at least through October of the license year.

Administrator Hoffmann reported that there have been problems with residents not cleaning up after their dogs. He also reported that there is a resolution on the Consent Agenda to forgive 1st Quarter tax interest for those residents who mailed their payments on time but whose payments were received late due to postal service delays. Administrator Hoffmann stated that there are 90 residents who were affected by the postal delays.

Hearing of Citizens

Mayor Ness opened the Hearing of Citizens.

1. Ritambhara Sinha, River Road, addressed the irresponsibility of residents who do not clean up after their dogs. To address the matter, Ms. Sinha suggested that posters and videos could be created to educate residents. She also suggested that disposal bags be made available in areas where people walk their dogs.
2. Ayanna Bahl, Crestwood Drive, said that residents need to be informed of regulations regarding cleaning up after pets so that the ordinances can be enforced. She also said that there are people who are acting irresponsibly by not taking the time to clean up after their pets. Ms. Bahl said that the issue can be solved if residents work together.

Mayor Ness thanked Ms. Sinha and Ms. Bahl for their comments and said that an awareness campaign can be conducted.

3. Carol Bianchi, JCP&L External Affairs Liaison, said that JCP&L conducted 25 miles of tree trimming during 2020 in addition to the regular tree trimming schedule. She noted that there were fewer outages during recent winter storms and restoration was quicker. Mrs. Bianchi also commented on other measures that have been taken to reduce outages and speed up restoration times. Mrs. Bianchi also commended the work performed by the linemen who work to restore outages. She also said that she has been in touch with the Township's OEM Coordinator.

Mr. Hoffmann asked that when the Township receives saplings from JCP&L that they be Eastern Red Cedars.

4. Stewart Carr, Crestwood Drive, commended the superb work of the Environmental Commission and the Open Space Committee. Mr. Carr also noted that the Planning Board Annual Report noted that the Township can use the Oak Knoll Field, and he asked if the Oak Knoll School has been approached about scheduling time for the Recreation Program to use the fields. Mr. Carr also said that at the last meeting he inquired if the Township Committee members would support leaving the Open Space Tax at \$0.02 per \$100 assessed value, and he would also like to know if the Township Committee members would support using the funds for improvements to existing facilities.

Mayor Ness stated that Recreation Coordinator Carol Nauta has reached out to Oak Knoll about using the fields. She also said that the Open Space Tax will be further addressed during the Budget Presentation. Mayor Ness said that once there is money available in the trust fund, it can be used for acquisition of open space properties and for improvements to recreational facilities.

5. Bob Vesseccchia, Spring Valley Road, asked about the resolutions that appeared on the February 11th Consent Agenda to appoint members to three new advisory committee, and if it was a violation of the bylaws that the resolutions were added the day of the meeting. He also asked if that would invalidate the resolutions.

Attorney Cruz said that there is a vote at the beginning of every meeting to approve the Agenda at every meeting. He noted that resolutions can be pulled from the Consent Agenda for separate discussion, and the Township Committee can waive the bylaws by a vote.

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

Public Hearing/Final Adoption of Ordinances

Ordinance 2021-02

ORDINANCE 2021-02
ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, ACCEPTING A CONSERVATION EASEMENT ACROSS LOT 18.02, BLOCK 60 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF CHATHAM.

WHEREAS, on May 16, 2019, Bhaskar M. Nair and Anamika Nair obtained approval of variances from the requirements of Section 30-96.24.g.1 and Section 30-96.24.g.2 of the Land Development Regulations of the Township of Chatham to permit the disturbance of steep slopes during construction and for proposed rear yard improvements from the Township of Chatham Zoning Board of Adjustment for Block 60, Lot 18.02 as shown on the Tax Map of the Township of Chatham; and

WHEREAS, on May 16, 2019, that approval was memorialized by Resolution of the Township Zoning Board of Adjustment; and

WHEREAS, the Zoning Board of Adjustment approval required that a conservation easement be conveyed to the Township across Block 60, Lot 18.02; and

WHEREAS, the owner of Block 60, Lot 18.02 agreed to provide the Township with the drainage easement as memorialized in that Grant of Conservation Easement attached to this Ordinance; and

WHEREAS, the Grant of Conservation Easement is in a form acceptable to the Township Attorney and Engineer; and

WHEREAS, the Township Committee desires to accept that dedication through the Grant of Conservation Easement.

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

1. The Township of Chatham hereby accepts the attached Grant of Conservation Easement and directs the Township Clerk to record the same and charge the escrow account for this application for the recording fees.
2. This Ordinance shall take effect as provided by law.

Mayor Ness opened the Public Hearing on Ordinance 2021-02.
Seeing no public comment, Mayor Ness closed the public Hearing.

Deputy Mayor Ewald moved to adopt Ordinance 2021-02. Committeewoman Felice seconded the motion.

Roll call: Committeewoman Felice, Aye; Committeeman Hamilton, Aye; Committeewoman Fondaco, Aye; Deputy Mayor Ewald, Aye; Mayor Ness, Aye.

Ordinance 2021-03

ORDINANCE 2021-03
AN ORDINANCE TO PROVIDE MINIMUM AND MAXIMUM RANGES FOR COMPENSATION FOR CERTAIN POSITIONS OF EMPLOYMENT IN THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, EFFECTIVE JANUARY 1, 2021

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

Section 1. The following offices and positions of employment in the Township of Chatham in the County of Morris are hereby established and the persons occupying such offices and positions shall be compensated at the rates, or within the ranges, set forth below. Actual compensation, consistent with the salary ranges established herein, is established by Township Resolution.

<u>Office or Position of Employment</u>	<u>Minimum</u>	<u>Maximum</u>
Township Committee Member	\$0	\$2,400
Township Administrator	\$160,000	\$188,000
Chief of Police (as well as additional compensation as outlined in the employment agreement)	\$150,000	\$177,000
Public Works Manager	\$110,000	\$125,000
Chief Financial Officer	\$100,000	\$127,000
Qualified Purchasing Agent	\$3,000	\$8,000
Township Clerk/Registrar	\$60,000	\$78,000
Secretary Board of Health/Dog Licensing Clerk	\$5,000	\$13,000
Deputy Clerk	\$35,000	\$50,000
Tax Collector/Utility Collector	\$60,000	\$83,000
Tax Assessor (PT)	\$20,000	\$38,000

Assistant Tax & Utility Collector	\$20,000	\$46,000
Assistant Tax Assessor	\$20,000	\$46,000
Confidential Administrative Assistant/Payroll Clerk	\$35,000	\$58,000
Human Resources Manager/Assistant Treasurer	\$35,000	\$61,000
Accounts Payable	\$35,000	\$60,000
Administrative Assistant/Deputy Registrar	\$35,000	\$53,000
DPW Administrative Assistant/Recycling Coordinator	\$35,000	\$55,000
Police Administrative Assistant	\$35,000	\$47,000
Police Administrative Assistant/Records Manager	\$35,000	\$57,000
Special Law Enforcement Officer III (SLEO III)	\$25.00 Hr.	\$40.00 Hr.
Emergency Management Coordinator PT	\$3,000	\$10,000
Deputy Emergency Management Coordinator PT	\$1,000	\$3,000
Ass't. Public Works Manager	\$108,000	\$120,000
Licensed Sewer Plant Operator	\$108,000	\$120,000
Construction Official/Building Sub-code Official /Inspector	\$75,000	\$119,000
Construction Office Control Person/Bd. Manager	\$35,000	\$58,000
Construction Office Administrative Assistant	\$35,000	\$48,000
Deputy Zoning Officer(s)	\$3,000	\$7,000
Fire Sub-code Official/Inspector PT	\$13,000	\$24,000
Electrical Sub-code Official/Inspector PT	\$13,000	\$30,000
Plumbing Sub-code Official/Inspector PT	\$13,000	\$30,000
Fire Prevention Official/Inspector PT	\$8,000	\$17,000
Planning Board Secretary		\$250 per meeting
Zoning Board Secretary		\$250 per meeting
Governmental Access TV Manager/Video Producer PT	\$3,000	\$9,000
		\$25 hr special services
Recreation Director/Grant Writer	\$35,000	\$70,000
Pool Manager	\$15,000	\$23,000
Assistant Pool Manager	\$10,000	\$21,000
Second Assistant Pool Manager	\$5,000	\$12,000
Swim Team Coach	\$1,000	\$5,000
Assistant Swim Team Coach	\$1,000	\$3,000
Lifeguard		\$11.10 - \$15.00 Hr.
Substitute Lifeguard		\$11.10 - \$15.00 Hr.
Water Safety Instructor (added to lifeguard wages)		\$.50 Hr.
Gate Attendants		\$11.10 - \$15.00 Hr.
Laborer (PT or seasonal)		\$11.10 - \$15.00 Hr.
Crossing Guards		\$11.10 - \$20.00 Hr.
Clerk/Typist (PT)		\$11.10 - \$20.00 Hr.

Section 2. Overtime for eligible employees shall be at the rate of straight time for hours exceeding 35 per week and one and one-half times employee's regular rate of pay for hours exceeding 40 per week.

Section 3. Employees covered by a collective bargaining agreement shall be entitled to compensation as provided in their respective agreements.

Section 4. Salaries provided herein shall be effective January 1, 2021, for those employed with the Township.

Section 5. When required by law, the Township shall pay at least the minimum wage established for the State of New Jersey.

Section 6. This ordinance shall take effect upon publication as provided by the law.

Mayor Ness opened the Public Hearing on Ordinance 2021-03.

Seeing no public comment, Mayor Ness closed the public Hearing.

Committeewoman Felice moved to adopt Ordinance 2021-03. Committeewoman Fondaco seconded the motion.

Roll call: Committeewoman Felice, Aye; Committeeman Hamilton, Aye; Committeewoman Fondaco, Aye; Deputy Mayor Ewald, Aye; Mayor Ness, Aye.

Ordinance 2021-04

**ORDINANCE 2021-04
ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW
JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Chatham in the County of Morris finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 2.5% increase in the budget for said year, amounting to \$303,026.12 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Chatham, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Township of Chatham shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$424,236.57, and that the CY 2021 municipal budget for the Township of Chatham be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Ness opened the Public Hearing on Ordinance 2021-04.

Seeing no public comment, Mayor Ness closed the public Hearing.

Committeewoman Felice moved to adopt Ordinance 2021-04. Deputy Mayor Ewald seconded the motion.

Roll call: Committeewoman Felice, Aye; Committeeman Hamilton, Aye; Committeewoman Fondaco, Aye; Deputy Mayor Ewald, Aye; Mayor Ness, Aye.

Budget Presentation

Administrator Hoffmann gave the 2021 Budget Presentation. He stated that the public hearing on the 2021 Budget will be at the March 25, 2021 Township Committee meeting. Administrator Hoffmann also explained the capital ordinance process which will allow the Township to appropriate funds for capital projects. He also said that as of the end of 2020 there is a surplus of \$3,678,590 of which \$3,000,000 will be used for the 2021 Budget. Ratables have also increased incrementally which helps offset the need for larger tax increases. Administrator Hoffmann said that the 2021 tax rate increase will be \$0.027 over the 2020 tax rate. The 2021 tax rate will increase from .348 to .375. The Open Space Tax will remain at \$0.02 per \$100 assessed value, and Administrator Hoffmann stated that if the Open Space Tax remains the same in 2022 then all debt for Open Space will be paid off. Administrator Hoffmann gave a breakdown of in-cap, out-of-cap and capital expenses. He also explained that the Reserve for Uncollected Taxes allows the Township to make payments to the School District and County in the event that anyone fails to pay their property taxes. Administrator Hoffmann also discussed anticipated costs related to capital expenses. He also discussed grants that were received for upcoming projects.

Mayor Ness thanked the Finance Committee for their work on the 2021 Budget. She noted that there are a lot of good things in the Budget to address the Township’s needs and to better deliver services.

Committeeman Hamilton noted that there is an increase in the tax rate, albeit less of an increase than in 2020. He asked if the increase includes keeping the Open Space Tax at \$.02. Mayor Ness said that the Open Space Tax was lowered to \$0.01 in 2020 and will remain at \$0.02 in 2021. Administrator Hoffmann confirmed that the Open Space Tax is factored into the reported tax increase. Committeeman Hamilton also asked about investments and a decrease in the return in 2020. CFO Debbie King reported that in 2020 there was an anticipation of \$50,000 in revenue from interest payments but only \$28,868 was received. In the 2021 Budget only \$10,000 in interest revenue is anticipated due to plummeting interest rates. Committeeman Hamilton asked if the Township owns investments. Mrs. King said that the interest is from interest-bearing bank accounts, and there is not enough liquidity to have long-term investments. Committeeman Hamilton said that he has concerns about paying down and eliminating the Township’s debt.

Introduction of 2021 Municipal Budget

RESOLUTION 2021-078
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REQUESTING PERMISSION FROM DLGS FOR USE OF A THREE-YEAR AVERAGE FOR REVENUE ANTICIPATION FOR 2021

WHEREAS, the Township of Chatham, County of Morris realized \$114,050.00 of current Colony Pool Dues collections for the year 2020, and
WHEREAS, the Colony Pool Dues Revenue was adversely impacted by COVID-19, and
WHEREAS, the percentage of cash collections on Colony Pool Dues Revenues for the three prior year was as follows:

Year	Collected
2018	\$168,640.00
2019	\$163,253.50
2020	\$114,050.00

and

WHEREAS the Mayor and Township Committee believe the Colony Pool Dues collections for the year 2021 will improve over the year 2020.
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that permission be requested of the Director of the Division of Local Government Services to permit the Township to anticipate a current Colony Pool Dues Revenue of \$140,000 for the year ended December 31, 2021.

Administrator Hoffmann explained that the State has allowed municipalities to use a three-year average for anticipation of revenues for he 2021 Budget. He stated that this is due to the impacts of the COVID-19 pandemic.

Committeewoman Felice moved to adopt Resolution 2021-078. Committeewoman Fondaco seconded the motion.

Roll call: Committeewoman Felice, Aye; Committeeman Hamilton, Aye; Committeewoman Fondaco, Aye; Deputy Mayor Ewald, Aye; Mayor Ness, Aye.

RESOLUTION 2021-079
(See Attached)

Committeewoman Felice moved to adopt Resolution 2021-079. Committeewoman Fondaco seconded the motion.

Roll call: Committeewoman Felice, Aye; Committeeman Hamilton, Aye; Committeewoman Fondaco, Aye; Deputy Mayor Ewald, Aye; Mayor Ness, Aye.

RESOLUTION 2021-080

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY REGARDING SELF-EXAMINATION OF
2021 MUNICIPAL BUDGET**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Chatham has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2021 budget year.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Chatham that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Deputy Mayor Ewald moved to adopt Resolution 2021-080. Committeewoman Fondaco seconded the motion.

Roll call: Committeewoman Felice, Aye; Committeeman Hamilton, Aye; Committeewoman Fondaco, Aye; Deputy Mayor Ewald, Aye; Mayor Ness, Aye.

Introduction of Ordinances

**ORDINANCE 2021-05
ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW
JERSEY, NAMING STREETS LOCATED IN THE TOWNSHIP OF CHATHAM IN THE
DIXIEDALE DEVELOPMENT**

WHEREAS, on October 21, 2021 the Planning Board granted approval for a major subdivision application for the property located at Block 66, Lot 1, also known as the Dixiedale Property; and

WHEREAS, a condition of approval was that the streets in the development be named in honor of the Averett Family; and

WHEREAS, the Developer has requested to have the entry boulevard be named Enclave Boulevard and the main road be named Samuel Way.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Chatham, in the County of Morris, and State of New Jersey, that the entry boulevard be named Enclave Boulevard and the main road be named Samuel Way; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication according to law; and

BE IT FURTHER ORDAINED that upon adoption of this Ordinance, the Township Clerk is hereby authorized and directed to forward a certified copy of same to the Township Engineering Department, the Township Tax Assessor, the Township Office of Emergency Management, the Township Police Department, the Township Fire Departments, the Post Master of the local post office, the County of Morris and the New Jersey Department of Transportation.

Committeewoman Felice moved to introduce Ordinance 2021-05. Committeewoman Fondaco seconded the motion.

Committeeman Hamilton asked if the development only has the two roads. The Township Clerk confirmed that the approved plans only have the two roads.

Roll call: Committeewoman Felice, Aye; Committeeman Hamilton, Aye; Committeewoman Fondaco, Aye; Deputy Mayor Ewald, Aye; Mayor Ness, Aye.

The Public Hearing on Ordinance 2021-05 will be scheduled for March 11, 2021.

Consent Agenda

RESOLUTION 2021-081

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, ACKNOWLEDGING RECEIPT OF REPORTS

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following monthly reports of departments be acknowledged as received:

Police Department – January
CFO – January

RESOLUTION 2021-082

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 February 11, 2021.

RESOLUTION 2021-083

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

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 February 11, 2021.

RESOLUTION 2021-084

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING RYAN MOTE TO THE POSITION OF SPECIAL LAW ENFORCEMENT OFFICER III

BE IT RESOLVED, by the Township Committee of the Township of Chatham that a conditional offer of employment is hereby extended to Ryan Mote with an appointment date of March 16, 2021 at a rate of \$35 per hour pending the successful completion of his pre-employment physical and qualifications; and,

BE IT FURTHER RESOLVED, that the Special Law Enforcement Officer III will work 35 hours a week, and no more than 40 hours a week; and

BE IT FURTHER RESOLVED, that the terms and conditions of the Shared Services Agreement with the School District of the Chathams Board of Education as authorized by Resolution 2018-12 shall be considered part of the terms of employment.

RESOLUTION 2021-085

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A SETTLEMENT OF THE
TAX APPEALS OF EAST PARK BUILDERS. LLC**

WHEREAS, East Park Builders LLC (“Taxpayer”), the owner of Block 60, Lot 7.01 on the Township of Chatham’s Tax Assessment Maps, commonly known as 11 Woodlawn Drive (“Property”), filed appeals of their 2020 tax assessment in the Tax Court of New Jersey, Docket No.: 007147-2020; and

WHEREAS, the Township Committee of the Township of Chatham, County of Morris, State of New Jersey met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor Special Tax Appeal Attorneys; and.

WHEREAS, the Property was assessed at \$1,422,600 for the year under appeal; and

WHEREAS, the Property sold in September 2020 for \$1,350,000;

WHEREAS, the Director’s ratio for the 2020 tax year was 88.52%;

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated which reduces the total tax assessment levied upon the Property for 2020; and

WHEREAS, the 2020 total tax assessment, based upon said reduction, will be \$1,272,600 instead of \$1,422,600 for the Property; and

WHEREAS, Taxpayer has agreed that any refunds due shall be without interest provided the tax refund is paid within 60 days of the date of entry of the Tax Court Judgment; and

WHEREAS, the Township Committee leaves the allocation between land and improvements of the aforesaid tax assessment reduction to the Township of Chatham’s Tax Assessor’s discretion with the direction that the same be set so as to be most beneficial to the Township; and

WHEREAS, the aforesaid reduction has no general application to other properties within the Township of Chatham as a result of the aforesaid specific fact situation; and

WHEREAS, the Township Committee makes this settlement with Taxpayer without prejudice to its dealing with any other Chatham Township’s taxpayers’ request for tax assessment reduction; and

WHEREAS, the Mayor and Township Committee have reviewed a copy of the proposed Stipulation of Settlement, which is annexed hereto and incorporated herein by this reference.

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

1. The Township of Chatham’s Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$1,272,600 total tax assessment for the 2020 Tax Year for Block 60, Lot 7.01, which is most beneficial to the Township of Chatham and advise the Township Attorney of that allocation.
2. The Special Tax Appeal Attorney is authorized to execute a Stipulation of Settlement relative to the tax appeal of East Park Builders LLC (“Taxpayer”) Docket No.: 007147-2020, which reduces the total tax assessment on Block 60, Lot 7.01 from \$1,422,600 to a total tax assessment of \$1,272,600 for the 2020 Tax Year; and which further provides that any refunds due shall be without interest provided the tax refund is paid within 60 days of the date of entry of the Tax Court Judgment.
3. The settlement outlined above shall be without prejudice to the Township of Chatham’s dealings with any other Township taxpayers’ request for tax assessment reductions.

RESOLUTION 2021-086

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AWARDING A CONTRACT FOR ABOVE-GROUND ALUM STORAGE TANK PROJECT TO
T.R. WENIGER**

WHEREAS, the Township Committee of the Township of Chatham solicited bids for an Above-Ground Alum Storage Tank Project; and

WHEREAS, six total bids were received and opened on Thursday, February 11, 2021 at 11:00 A.M.;

WHEREAS, T.R. Weniger, Inc. of Piscataway, New Jersey were the lowest responsible bidder in the amount of \$216,750.00; and

WHEREAS, the Township Engineer has recommended the award of the Above-Ground Alum Storage Tank Project to T.R. Weniger, Inc. in the amount of \$216,750.00.

BE IT RESOLVED that the Township of Chatham hereby awards a contract to T.R. Weniger, Inc. in the amount of \$216,750.00.

RESOLUTION 2021-087

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE ADJUSTMENT AND
FORGIVENESS OF INTEREST CHARGES ON FIRST QUARTER 2021 TAX PAYMENTS DUE
TO UNITED STATES POSTAL SERVICE DELIVERY DELAYS**

WHEREAS, the Tax Collector has received ninety (90) tax payments through the United States Mail with postmarks ranging from January 29, 2021 through February 3, 2021 after February 12, 2021, with one (1) received on February 22, 2021; and

WHEREAS, these 90 residents mailed their 2021 First Quarter Tax payments in what under normal conditions would be plenty of time for the Township to receive payment prior to the February 10, 2021 deadline: and

WHEREAS, tax payments and other mail with a postmark of February 4, 2021 and after were received in a timely manner; and

WHEREAS, the “*2014 New Jersey Revised Statutes Title 54 – Taxation, Section 54:4-99 Adjustment of past due taxes and interest charges; lien unaffected*”, allows a municipality to revise or adjust interest and penalties on taxes for specific reasons; and

WHEREAS, the United States Postal Service delivery delay will cost these 90 property owners a total of \$2,074.53, with a low penalty of .15 cents to a high of \$487.34 through no fault of their own; and

WHEREAS, the Tax Collector has recommended that any 2021 First Quarter Tax payments received after February 11, 2021 but having a United States Postal Service post mark of February 3, 2021 or prior be considered to have been received on time and therefore not subject to any interest penalty due to this unusual circumstance.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham authorizes the adjustment and forgiveness of interest charges on 2021 First Quarter Taxes with a postmark of February 3, 2021 or prior

BE IT FURTHER RESOLVED, that the Township of Chatham requests that its Congressional Representative, the Honorable Mikie Sherrill contact senior management representatives of the United States Postal Service to determine why this has occurred and what steps can be taken by this agency of the Federal Government to prevent the delay of mail in the future; and,

BE IT ALSO RESOLVED, that this resolution only pertains to the 2021 First Quarter Tax payment

Deputy Mayor Ewald moved to adopt the Consent Agenda. Committeewoman Felice seconded the motion.

Mayor Ness noted that the Township will be saving \$20,000 with the new phone system.

Roll call: Committeewoman Felice, Aye; Committeeman Hamilton, Aye; Committeewoman Fondaco, Aye; Deputy Mayor Ewald, Aye; Mayor Ness, Aye.

Hearing of Citizens

Mayor Ness opened the Hearing of Citizens.

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

Committeewoman Felice moved to adjourn at 9:46 PM. Committeeman Hamilton seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk