

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
MAY 21, 2024**

Mayor Ewald called the Regular Meeting of the Township Committee of the Township of Chatham to order at 6:34 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 Lois, Committeeman McHugh, Committeewoman Rowland, Deputy Mayor Choi and Mayor Ewald.

Executive Session

**RESOLUTION 2024-P-09
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING CONFERENCE OF
THE TOWNSHIP COMMITTEE WITH THE PUBLIC EXCLUDED**

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

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

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

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Contract Negotiations
 - b. Litigation
 - c. Attorney-Client Privilege
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 Rowland moved to adopt Resolution 2024-P-09 to enter Executive Session at 6:35 PM. Committeeman McHugh 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 7:34 PM.

Mayor Ewald led the Flag Salute.

Township Committee Reports

Committeeman Lois reported that Colony Pool is ready to open. He noted that there is a resolution to have Vespucci's remain as the food vendor for this year. Committeeman Lois further noted that registrations are open for swim lessons, tennis lessons and the Colony Swim Team. Committeeman Lois further reported that JCP&L is still willing to make a presentation about the Energize NJ Program.

Committeeman McHugh reported that the Environmental Commission will have a booth at Fishawack. The Native Plant Ordinance was discussed by the Environmental Commission, and they would like to see follow-up on landscaper noise. All submissions for Sustainable Jersey have been made, and bronze-level certification is anticipated. Committeeman McHugh reported that the Library of the Chathams had a terrific celebration of the Library Centennial. The Open Space Committee will be meeting on May 28th.

Committeewoman Rowland reported that the Historical Society is celebrating the 60th anniversary of the dedication of the first 1,000 acres of the Great Swamp National Wildlife Refuge, which prevented the building of an airport. Committeewoman Rowland reported that the Library will be hosting a program on Slavery in Morris County. They will also host a presentation by the author of The Chatham Patriot. Committeewoman Rowland reported that the Passaic Street Bridge will be under construction starting in July, and the project will last about 6 month.

Deputy Mayor Choi reported the 8th Grade Girls Lacrosse Team who went undefeated this season. He reported that improvements will be made to the Shunpike Field parking lot. Fishawack Lacrosse Festival will be held on June 11th. The Girl Scouts Gold & Silver Award Ceremony will also be held on June 11th. Deputy Mayor Choi further reported that the Joint Recreation advisory Committee is functioning well.

Mayor Ewald reported that the Senior Center has an upcoming pickle ball tournament. The paper shred fundraiser was successful.

Hearing of Citizens

Mayor Ewald opened the Hearing of Citizens.

1. Mike Martin, Geoffrey Court, submitted written comments. Mr. Martin advocated for installation of a bocci court at the Municipal Building. His comments included elaboration on the need for a bocce court, and he set out a plan for a court to be built as part of an Eagle Scout project. The cost estimate is \$14,000, which Mr. Martin said does not factor in the work to be done by Boy Scouts.

As Mr. Martin was present at the meeting, Mayor Ewald allowed him to answer any questions from the Committee about the recommendation for a bocci court. Mr. Martin said that those who want to play currently have to go to other towns.

2. Ben Bernich, Johnson Drive, addressed the Eagle Scout project aspects of the proposal for a bocci court.

Committeeman Lois said that a bocci court is similar on construction to a batting cage, and he asked if there could be any synergy between the Township's existing batting cages which were recently renovated. Mr. Martin said that contractors would need to be familiar with constructing bocci courts. He also said they would be willing to look at the batting cages. Mayor Ewald asked about maintenance courts. Mr. Martin said that there would need to be drainage below it, however he does not think it would be more significant than the maintenance for the batting cages. Mayor Ewald said that the topic can be discussed at a workshop meeting. Committeeman Lois recommended having DPW do some of the work to help defray the costs.

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

Introduction of Ordinances

Ordinance 2024-09

ORDINANCE 2024-09

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

WHEREAS, the Township Committee of the Township of Chatham (the “**Township**”) desires to amend the Revised General Ordinances of the Township (the “**Township Code**”), Chapter 4, General Licensing, Section 4-1, Licensing of Peddlers, Solicitors and Canvassers, subsection 4-1.3(b), Term of License; Fee, to increase the license fee from Twenty-Five Dollars (\$25.00) to One Hundred Dollars (\$100.00); and

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

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

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

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

Section 2. The Township Code Chapter 4, General Licensing, Section 4-1, Licensing of Peddlers, Solicitors and Canvassers, subsection 4-1.3(b), Term of License; Fee, is hereby amended to read as follows:

§ 4-1.3 Term of License; Fee

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

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

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

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

Section 4. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance and the remainder of the Ordinance shall be deemed valid and effective, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

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

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

Committeewoman Rowland moved to introduce Ordinance 2024-09. Committeeman Lois seconded the motion.

Mr. LaConte provided an overview of the ordinance. He said that the solicitor permit has not been raised since the 1960’s and the peddler license dates back to the 1970’s.

Deputy Mayor Choi asked how many licenses are issued. Mr. LaConte said that data for solicitor permits was provided in the packet for the workshop meeting, and there are three annual peddler licenses. Deputy Mayor Chois asked what recourse residents have if they think a solicitor is unauthorized. Mr. LaConte said they can ask to see their permit, and they can call the police. Mr. LaConte further noted that the code book lists some types of canvassers and solicitors who are exempt.

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

Public Hearing on Ordinance 2024-09 will be scheduled for June 25, 2024.

Ordinance 2024-10

**ORDINANCE 2024-10
ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER 4, GENERAL
LICENSING, SECTION 4-4, SWIMMING POOLS, SUBSECTION 4-4.5, LICENSE FEE, OF
THE TOWNSHIP CODE**

WHEREAS, the Township Committee of the Township of Chatham (the “**Township**”) desires to amend the Revised General Ordinances of the Township (the “**Township Code**”) Chapter 4, General Licensing, Section 4-4, Swimming Pools, subsection 4-4.5, License Fee, to increase the license fee from One Hundred Fifty Dollars (\$150.00) to Two Hundred Dollars (\$200.00).

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

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

Section 2. The Township Code Chapter 4, General Licensing, Section 4-4, Swimming Pools, subsection 4-4.5, License Fee, is hereby amended to read as follows:

§ 4-4.5 License Fee

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

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

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

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

Committeeman McHugh moved to introduce Ordinance 2024-10. Committeeman Lois seconded the motion.

Mr. LaConte said the current fee goes back to the 1970’s. He further noted that the fee helps defray the costs of health department inspections.

Mr. Lois asked that the licensees receive plenty of notice. Mr. LaConte said that he will make sure that notice is sent.

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

Public Hearing on Ordinance 2024-10 will be scheduled for June 25, 2024.

Ordinance 2024-11

**ORDINANCE 2024-11
ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF
NEW JERSEY, ELIMINATING SECTION 68, SLUDGE DISPOSAL AGREEMENT**

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

Township (the “Township Code”), Chapter 2, Administration, Section 68, Sludge Disposal Agreement; and

WHEREAS, the Agreement is no longer in effect; and

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

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

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

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

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

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

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

Committeeman Lois moved to introduce Ordinance 2024-11. Committeeman McHugh seconded the motion.

Mr. Shehady said that Ordinances 2024-11 and 2024-12 both repeal outdated and unnecessary sections of the Township Code.

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

Public Hearing on Ordinance 2024-11 will be scheduled for June 25, 2024.

Ordinance 2024-12

ORDINANCE 2024-12

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

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

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

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

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

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

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

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

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

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

Committeeman Lois moved to introduce Ordinance 2024-12. Committeeman McHugh seconded the motion.

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

Public Hearing on Ordinance 2024-12 will be scheduled for June 25, 2024.

Ordinance 2024-13

ORDINANCE 2024-13

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 15-2.1 Purpose.

The Governing Body desires to increase the amount of native, environmentally beneficial plant species on municipal property in the Township by establishing standards for the purchase and installation of new and replacement plants. The Township strongly recommends that developers, private property owners and landscapers avoid species on the New Jersey Invasive Species Strike Team’s Do Not Plant list. Seeds

from invasive plants on private property are spread by birds and damage the ecosystems of the Township woodlands and parks, as well as the Great Swamp National Wildlife Refuge.

§ 15-2.2 Definitions.

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

CULTIVAR

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

HYBRID PLANT

The offspring of two different species or varieties.

INVASIVE PLANT

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

KEYSTONE SPECIES

Native plants that are essential to the ecosystem because they support 90% of the caterpillar species that are the food source for terrestrial birds feeding their young. These are the plants that also serve as food source to both generalist and native bee species who only eat pollen from certain plants. A list of Keystone Native Plants for Chatham Township's ecoregion (Ecoregion 8, Eastern Temperate Forests) can be found on the at https://www.nwf.org/-/media/Documents/PDFs/Garden-for-Wildlife/Keystone-Plants/NWF-GFW-keystone-plant-list-ecoregion-8-eastern-temperate-forests.pdf?sc_lang=en&hash=C475FADDFCC2622C7539F25935F5DAA1

LAWN

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

MUNICIPAL PROPERTY

Land owned by the Township of Chatham.

NATIVE PLANT

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

POLLINATORS

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

STRAIGHT SPECIES

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

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

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

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

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

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

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

§ 15-2.4 Applicability.

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

§ 15-2.5 Invasive species prohibited.

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

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

§ 15-2.6 Prioritizing straight species.

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

§ 15-2.7 Prioritizing keystone species.

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

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

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

§ 15-2.9 Exceptions.

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

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

§ 15-2.10 Repealer.

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

§ 15-2.11 Severability.

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

§ 15-2.12 Effective Date.

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

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

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

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

Committeewoman Rowland moved to introduce Ordinance 2024-13. Deputy Mayor Choi seconded the motion.

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

Public Hearing on Ordinance 2024-13 will be scheduled for June 25, 2024.

Ordinance 2024-15

ORDINANCE 2024-15

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

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

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

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

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

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

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

Committeewoman Rowland moved to introduce Ordinance 2024-15. Deputy Mayor Choi seconded the motion.

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

Public Hearing on Ordinance 2024-15 will be scheduled for June 25, 2024.

Consent Agenda

RESOLUTION 2024-119

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING PAYMENT OF BILLS, PAYROLLS, SCHOOL TAXES AND COUNTY TAXES

BE IT RESOLVED that bills in the total amount of \$938,629.92 and the prior month’s payroll of \$507,299.59 Current Fund, \$68,545.51 Sewer Utility, \$2,206.50 Open Space and \$51,273.64 Police Private Employment be paid.

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

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

RESOLUTION 2024-120

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

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meetings held on April 23, 2024 and May 7, 2024.

RESOLUTION 2024-121

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

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meetings held on April 23, 2024 and May 7, 2024.

RESOLUTION 2024-122

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, RELEASING DEVELOPER ESCROW ACCOUNT AND/OR PERFORMANCE BOND BALANCES

WHEREAS, developers are required to deposit monies with the Township for the purposes of offsetting Township professional costs to review plans or to inspect approved development and for the purpose of ensuring the satisfactory completion of public or private improvements; and

WHEREAS, these deposited monies, following all necessary withdrawals to cover Township expenses or costs, may be released upon satisfactory completion of work, receipt of review board decisions, or completion of guaranteed work, upon passage of a Township resolution authorizing such release.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following guarantee amount or account balances, with interest adjustments as prescribed by state and local laws, may be released to the depositor of record:

<u>1BNAME</u>	<u>Project</u>	<u>A/C NUMBER</u>	<u>0BAMOUNT</u>
Scott Lechner 6 Crestwood Drive Chatham, NJ 07928	BND 21-0496	E7766323239	\$25,000 Plus Applicable Accrued Interest

RESOLUTION 2024-123
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING A REVISION TO THE SECOND AMENDMENT TO THE AFFORDABLE HOUSING AGREEMENT WITH NOUVELLE HOUSING SOLUTIONS, INC. TO ADD A CONTINGENCY

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

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

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

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

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

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

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

WHEREAS, subsequent to the adoption of Resolution 2024-078 authorizing the execution of the Second Amendment, Nouvelle requested the Second Amendment be further amended to incorporate a contingency further obligating the Township to be responsible for any further, unexpected increase in costs incurred in connection with the Project, in an amount not to exceed One Hundred Eighteen Thousand Six Hundred Twenty-Eight Dollars (\$118,628.00) (the “Contingency”); and

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

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

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

RESOLUTION 2024-124
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING THE TOWNSHIP OF CHATHAM PURCHASING MANUAL

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

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

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

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

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

RESOLUTION 2024-125

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

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

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

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

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

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

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

RESOLUTION 2024-126

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

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

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

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

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

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

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

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

WHEREAS, the concession will be operated by Corporate Café d/b/a Vespucci's Market at no cost to the Township and the Contractor shall pay the Township Two Hundred Fifty Dollars (\$250.00) as compensation for the Concession Agreement and therefore a certification of funding pursuant to N.J.S.A. 40A:4-57 is not required for this Resolution; and

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

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

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

RESOLUTION 2024-128

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT TO MOTT MACDONALD, LLC IN CONNECTION WITH UPDATING THE EXISTING TAX MAPS AND THE CREATION OF NEW DIGITAL TAX MAPS

WHEREAS, the Township of Chatham (the "Township"), pursuant to the Local Public Contracts Law, specifically N.J.S.A. 40A:11-5(1)(a)(i) (the "**LPCL**"), is authorized to enter into contracts for professional services without public advertising for bids and bidding therefor; and

WHEREAS, in accordance with the LPCL, the Township desires to obtain professional engineering services to update the existing tax maps and create new digital tax maps in accordance with the specifications and standards provided by the New Jersey Division of Taxation (the "**Services**"); and

WHEREAS, the Township received a proposal dated March 21, 2024 from Mott MacDonald, LLC ("Mott MacDonald") to provide the Services to the Township for an estimated total amount of Seventy-Five Thousand Dollars (\$75,000.00) (the "**Proposal**"); and

WHEREAS, the Township desires to award a contract to Mott MacDonald to provide the Services to the Township in accordance with the Proposal.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Committee hereby authorizes a contract with Mott MacDonald to provide the Services to the Township in accordance with the terms set forth in the Proposal, for an amount not to exceed Seventy-Five Thousand Dollars (\$75,000.00).
3. Within ten days of the adoption of this Resolution, notice of the nature, duration and amount of the contract shall be published once in the newspaper of general circulation and a copy of this Resolution and the agreements shall be on file and available in the offices of the Township.
4. This Resolution shall take effect immediately.

RESOLUTION 2024-130

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

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

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

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

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

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

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

1. The recitals set forth above are incorporated by reference as if set forth at length herein.
2. The acquisition of the Vehicles from the County as set forth herein is hereby approved.
3. The Mayor is hereby authorized and directed to execute an agreement with the County for the acquisition of the Vehicles as set forth herein, with such changes, omissions, or amendments as the Mayor deems appropriate in consultation with the Township Administrator and Township Attorney. The Township Clerk is hereby authorized and directed to attest to the signature of the Mayor and to affix the seal of the Township.
4. The Mayor, Chief Financial Officer and Township Clerk are hereby authorized and directed to take any and all action and execute and deliver any and all documents, certificates, agreements or instruments necessary to effectuate the transactions contemplated by this Resolution.
5. This Resolution shall take effect immediately.

RESOLUTION 2024-131

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

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

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

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

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

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

Committeeman Lois moved to approve the Consent Agenda. Committeewoman Rowland seconded the motion.

Roll call: Committeeman Lois, Aye; Committeeman McHugh, Aye; Committeewoman Rowland, Aye; Deputy Mayor Choi, Aye (Abstain on Resolutions 2024-120 and 2024-121); Mayor Ewald, Aye.

Non-Consent Agenda

RESOLUTION 2024-127

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A

**SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF UNION FOR LOCAL
PUBLIC HEALTH SERVICES**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes and encourages local units of the State of New Jersey, including municipalities, to enter into agreements with any other local unit or units for the joint provisions within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Township of Chatham (“Chatham”) and the Township of Union (“Union”) seek to work cooperatively to provide public health services to the residents of Chatham in the most cost effective way; and

WHEREAS, Chatham and Union have determined that it will be cost-effective and in the best interest of Chatham and Union for Union to provide local public health services to residents of Chatham; and

WHEREAS, Chatham desires to authorize a shared services agreement with Union which sets forth the terms and conditions for the provision of local public health services to residents of Chatham by Union (the “Shared Services Agreement”) subject to approval of the same by Union.

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

1. The recitals set forth above are incorporated by reference as if set forth at length herein.
2. Subject first to approval via resolution by Union, the Mayor is hereby authorized and directed to execute the Shared Services Agreement, in substantially the form on file with the Clerk, together with such additions, deletions and modifications as deemed necessary by the Mayor upon consultation with the Township Administrator and Township Attorney. The Clerk is hereby authorized and directed to attest to the signature of the Mayor on the Shared Services Agreement and to deliver same to Union.
3. The Mayor, Chief Financial Officer and Clerk are hereby authorized and directed to take any and all action and execute and deliver any and all documents, certificates, agreements or instruments necessary to effectuate the transactions contemplated by this Resolution and the Shared Services Agreement.
4. This Resolution shall take effect immediately.

Committeewoman Rowland moved to adopt Resolution 2024-127. Committeeman McHugh seconded the motion.

Deputy Mayor Choi asked about the terms of the agreement. Mrs. Cofoni said that the terms do not need to be spelled out in the resolution, as they were in the agreement itself. Deputy Mayor Choi said that he does not have a copy of the agreement. Mr. LaConte said that the agreement was distributed to the Township Committee for the workshop meeting. Mr. Shehady provided an overview of the terms of the agreement.

Mayor Ewald asked about public health nursing services. Mr. LaConte

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

RESOLUTION 2024-129

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, AMENDING EMPLOYEE SALARIES FOR THE YEAR 2024**

WHEREAS, the salaries of certain officers and the pay or compensation of certain positions and employees within the Township of Chatham that are not covered by a collective bargaining agreement are required to be set by resolution.

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

1. For the following enumerated officers, employees, or positions, employed prior to January 1, 2024, the Township shall pay the following respective salaries or compensation set forth below retroactive to January 1, 2024 until this resolution shall be amended or repealed, as to the respective officers, appointees to said offices, position or employment:

Full-Time & Part-Time Salaried Officials/Employees		
Governing Body		
Township Committee		\$1,200
Administration		
Township Administrator	Ziad Andrew Shehady	\$206,875
Human Resources Specialist	June Wolf	\$54,999
Governmental Access TV Video Producer	Alexandra Gonzalez-Castillo	\$6,790
Clerk		
Municipal Clerk & Registrar	Gregory LaConte	\$78,885
Treasury & Finance		
Chief Financial Officer & QPA	Debra King	\$164,440
Tax Assessor	Glen Sherman	\$35,000
Tax Collector	Ann Marie Silvia	\$79,310
Assistant Tax & Utility Collector	Brett Trout	\$43,660
Assistant Tax Assessor	Brett Trout	\$43,660
Assistant Treasurer	Edward Davenport	\$95,000
Construction & Building		
Construction Official	John Daniels	\$99,910
Sub-Code Official/Inspector (Building)	John Daniels	\$18,540
Sub-Code Official/Inspector (Electrical)	Eric Delizio	\$28,500
Sub-Code Inspector (Plumbing)	Angelo Curiazza	\$22,345
Sub-Code Official/Inspector (Plumbing)	Ben Scotti	\$18,435
Technical Assistant & Administrative Assistant	Christine Morgan	\$63,860
Technical Assistant & Administrative Assistant	Caleigh Snyder	\$55,500
Land Use		
Zoning Officer	John Daniels	\$4,120
Board Manager	Kali Tsimboukis	\$47,000
Fire Prevention Official	James Rothenberger	\$14,935
Police		
Chief of Police	Tom Miller	\$194,155
Administrative Assistant	Susan Marotta	\$53,315
Administrative Assistant	Scott Baumann	\$58,615
Public Works		
Public Works Manager	Richard Young	\$143,225
Assistant Public Works Manager	Donald Kidd	\$135,265
Wastewater Treatment Facility Manager	Michael Hajjar	\$127,310
Administrative Assistant	Christie Tragno	\$59,970
Stipend & Part-Time, Non-Salaried Positions		
Emergency Management Coordinator	Tom Miller	\$6,000
Deputy Emergency Management Coordinator	Richard Young	\$4,000
Board of Health Secretary	Gregory LaConte	\$10,760
Planning Board Secretary	Gregory LaConte	\$250 per meeting
Zoning Board Secretary	Gregory LaConte	\$250 per meeting

2. The Township retains the right to pay compensation at amounts of less than those listed herein for officials and employees duly hired to replace vacant offices and positions during the term of this resolution.
3. All resolutions, or provisions thereof inconsistent with this resolution are hereby repealed and the compensation herein established supersedes all previous compensation established by said ordinance/resolutions.

4. If any part of this resolution shall be invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this resolution.

Committeewoman Rowland moved to adopt Resolution 2024-129. Committeeman McHugh seconded the motion.

Committeeman Lois said that the resolution was listed as a cost-of-living increase, and there are some employees who are receiving additional adjustments.

Mayor Ewald said that the majority of the increases are 3%, and there are some that are receiving additional increases to keep with competitive levels. Mr. Shehady said that there were limited circumstances where there were additional adjustments.

Deputy Mayor Choi asked about the rates at which new employees are paid, and said that he believes that DCA should help municipalities know what a competitive rate would be. Mr. Shehady said that there are not any new hires requested at this time, and in recent years there have only been replacements hired to fill existing vacancies.

Committeeman Lois expressed that there has not been enough deliberation on this resolution. Mr. Shehady noted that there has been more deliberation on this resolution than on the PBA or Teamsters contracts, and those contracts involve higher budgets for salaries and wages than the cost-of-living increases for administrative employees. He also noted that the administrative staff gets lower raises than the union employees.

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

RESOLUTION 2024-133

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

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

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

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

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

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

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

Mr. Shehady said Ordinance 2024-07 was adopted to fund the acquisition of the Fenske Property. Determinations have since been made to fund the purchase of this open space through the Open Space Trust Fund rather than by adding additional debt, as borrowing the money will result in doubling the cost of acquisition.

Committeewoman Rowland moved to adopt Resolution 2024-133. Committeeman McHugh seconded the motion.

Committeeman Lois spoke in favor of adding debt for the purchase of land, and said that land will appreciate in value. He also said that other things can be accomplished with the cash on hand.

Mayor Ewald said that the Finance Committee reviewed this resolution, and they recommend canceling the bond ordinance.

Roll call: Committeeman Lois, Nay; 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.

Committeewoman Rowland moved to adjourn at 8:42 PM. Committeeman McHugh seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk