

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
JANUARY 20, 2022**

Mayor Felice 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 7, 2022; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 7, 2022; and notice was filed with the Township Clerk on January 7, 2022.

Roll Call

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

Committeeman Hamilton arrived via Zoom at the beginning of the Public Session.

Executive Session

**RESOLUTION 2022-P-01
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. Pending or anticipated litigation:
 - b. Contract negotiations:
 - 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 Fondaco moved to adopt Resolution 2022-P-01 to enter Executive Session at 6:32 PM. Committeewoman Ewald seconded the motion.

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

The Township Committee returned to Public Session at 7:30 PM.

Mayor Felice led the Flag Salute.

Moment of Silence

A moment of silence was held in honor of the recent passing of Otto Vopelius and Mario Bronzino.

Mayor Felice commented on Mr. Vopelius's career as a former Fire Chief in the Chatham Township Fire Department and as a former Director of the Chatham Township Public Works Department. She also cited his service on the Planning Board, as a Special Police Officer and as member of the Board of Directors for the Fairmount Cemetery.

Mayor Felice also commented on Mr. Bronzino's service to the Chatham Township Public Works Department.

Mayor's Statement

Mayor Felice expressed excitement about planned improvements in the Township for 2022. She stated that there will be a renewed commitment to improve and maintain open space and recreational facilities in the Township. Mayor Felice also stated that the Township website and the official Facebook page will be the electronic means through which the Township will send out notices.

Mayor Felice announced that Matt Palmer will serve as a regular member of the Environmental Commission, and Jim Connelly will serve as an alternate member. Rez Estevez will serve as chairperson of the Environmental Commission. Mayor Felice further announced that Brian Duemling will be promoted from Alternate 2 to a Class IV position on the Planning Board to fill a vacancy.

Mayor Felice noted that there will be oaths of office for two new Police Officers at tonight's meeting. She thanked the two new officers for their decision to enter Law Enforcement as a career, and welcomed them to Chatham Township.

Approval of Agenda

Committeewoman Ewald asked that Resolutions 2022-051, 2022-052, 2022-053 and 2022-057 be separated out from the Consent Agenda.

The Township Clerk noted that Resolutions 2022-049 and 2022-057 will be deferred to the next Township Committee meeting. He also said that the resolutions pertaining to legal services can be moved up on the Agenda.

Committeewoman Felice moved to approve the Agenda as amended. Committeeman Lois seconded the motion, which carried unanimously.

Mayor Felice said that Resolution 2022-052 would be handled first.

Appointment of Township Attorney

RESOLUTION 2022-052 RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL LEGAL SERVICES WITH PETER KING OF KING, MOENCH, HIRNIAK, MEHTA & COLLINS, LLP FOR 2022

WHEREAS, the Township of Chatham has a need to acquire professional legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500, not to exceed \$150,000; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, King, Moench, Hirniak, Mehta & Collins LLP has completed and submitted a Business Entity Disclosure Certification which certifies that King, Moench, Hirniak, Mehta & Collins LLP has not made any reportable contributions to a political or candidate committee in the Township of Chatham in the previous one year, and that the contract will prohibit the King, Moench, Hirniak, Mehta & Collins LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are or will be available upon adoption of the budget for year 2022; and

NOW THEREFORE, BE IT RESOLVED that the Township of Chatham authorizes the Mayor and Clerk to enter into a contract with Peter King of King, Moench, Hirniak, Mehta & Collins LLP as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that this contract is awarded without formal competitive bidding as a “Professional Service” in accordance with N.J. S.A. 40A: 11-5 (1) (a) of the Local Public Contracts Law because the services required are those of a recognized profession for which bid specifications are not required or may not be appropriate; and

BE IT FURTHER RESOLVED that a copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township of Chatham; and

BE IT FURTHER RESOLVED that a notice of this resolution shall be printed as provided by law in the Chatham Courier.

Committeewoman Ewald stated that she has heard positive things about Mr. King and thanked him for his service in the US Military. She also stated that she wants the opportunity to ask questions of Mr. King before he is appointed.

Committeewoman Ewald asked what other attorneys were interviewed. Mayor Felice said it would not be appropriate to disclose what other attorneys were interviewed. Mr. King stated that the RFQ process required by the Township Committee’s bylaws was not used.

Mr. King provided information on his legal background, education and military service.

Committeeman Lois objected to having an interview of Mr. King during public session.

Committeeman Lois moved to adopt Resolution 2022-052. Deputy Mayor Hamilton seconded the motion.

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

Following the vote on the resolution, Deputy Mayor Hamilton noted that he needed to sign off from the meeting due to the time difference in London.

Oaths of Office

Mayor Felice provided some background information on Carolina Kopacz, who was recently appointed to the Chatham Township Police Department. Officer Kopacz was sworn in by Mayor Felice.

Mayor Felice provided some background information on Jessica Cortez, who was also recently appointed to the Chatham Township Police Department. Officer Cortez was sworn in by Mayor Felice.

Following the oaths of office, the Township Committee took a recess at 8:05 PM.
Public Session resumed at 8:19 PM.

Presentation – Open Space Advisory Committee

Open Space Advisory Committee Chairman Joe Basralian gave a presentation. Mr. Basralian acknowledged the work of the volunteers serving on the Open Space Committee. He also reported on the Open Space Committee’s activities in 2021. Mr. Basralian commented on grants that were received by the Township and the creation of a walking trail on Hillside Avenue. Mr. Basralian also commented on an Eagle Scout Project by Azniv Basralian and BSA Troop 280 to create an 0.4 mile trail loop from one of the Shunpike Field parking lots. Plans for 2022 will be discussed by the Open Space Committee when they have an opportunity to meet. Committeewoman Ewald commented on the work performed by the Open Space Committee regarding trail development. She also asked about the Open Space Element of the Master Plan. Mr. Basralian commented on the Township’s recreational facility inventory. He also commented on the Open Space Reserve and said it can be used toward maintenance and upgrades of recreation facilities.

Committeeman Lois said the 2010 update to the Open Space Element of the Master Plan, gave a comparison between the Township and Borough open space inventory and asked why it was not included in the 2020 update. Mr. Basralian said that the update was made to make the element more mathematically correct. Committeeman Lois asked if the Open Space Committee would be capable of assisting with updates to the Open Space Element. Mr. Basralian stated that the Open Space Committee has the capacity to assist with updates.

Mayor Felice thanked Mr. Basralian for his presentation and said he is the best person to offer suggestions on the best use for Open Space funds.

Reports

Committeewoman Ewald reported that the Senior Center has a full schedule of programs. She also reported on upcoming Madison-Chatham Coalition and Municipal Alliance programs. Committeewoman Ewald also reported that the Finance Committee will meet soon to discuss use of Recovery Act Funding.

Committeewoman Fondaco reported that the Environmental Commission had their first meeting, and an ordinance pertaining to water preservation is being discussed. The Environmental Commission is also pursuing a grant for control of invasive species. Committeewoman Fondaco stated she has received correspondence from residents who are disheartened that Maureen Kelly was not reappointed to the Environmental Commission.

Committeeman Lois reported that the Communications Committee will be meeting soon. He further noted that there is an ordinance on this meeting's agenda regarding Colony Pool fees, which will help the Colony Pool Advisory Committee to begin making plans for 2022. He also noted that new members are slated for appointment to the Colony Pool Committee and Joint Recreation Advisory Committee.

Administrator Hoffmann reported that the Municipal Building will be closed on January 24th for a water main repair.

The Township Clerk reported that the deadline for dog license renewals is January 31st, after which there is a \$5 late fee.

Hearing of Citizens

Mayor Felice opened the Hearing of Citizens.

1. Karen Swartz, Heritage Drive, congratulated the leadership of the Township and the Police Department for the hiring of two new officers. Mrs. Swartz commented on the importance of having female officers, and noted the importance of them also being qualified for the role.
2. Phil Ankel, Jay Road, congratulated the Township on the appointment of two new women on the Chatham Township Police Department. Mr. Ankel encouraged the Township Committee to revive the Business Advisory Committee, Diversity Committee and Affordable Housing Committee. He also extolled the usefulness of advisory committees. Mr. Ankel stated that Attorney King is the vice-chairman of the Morris County Republican Committee. He also commented on the RFQ process that should be followed for professional service contracts.

Mayor Felice stated that the three advisory committees were created by resolution in 2021, and discussions are being held to determine how best to formalize them.

3. Genevieve Castelino, Ormont Road, said that she was disconnected from speaking at the last meeting. Mrs. Castelino commented on the value of volunteers to the community. She also criticized the Township Committee for how volunteers have been treated.

Mayor Felice stated that public input is appreciated, and stated that the input should be respectful.

4. Kathy Abbott, Wynwood Road, commented on freedom of speech and First Amendment rights. Mrs. Abbott also commented on the selection process for the Township Attorney.

Mr. King said that the RFQ process should have been done in October.

Committeeman Lois stated that the professional service contract for the Township Attorney is a one-year contract and new contracts are needed every year.

Committeewoman Ewald stated that nobody on the Township Committee requested a change in legal representation last year because the Township was finalizing long term affordable housing litigation and the Township was in the process of acquiring the Charlie Brown site through condemnation. Had either failed or been delayed, the Township risked the Noe Pond developer using a builder's remedy lawsuit to force dense development. Committeewoman Ewald also said it would have been inappropriate during a contentious election cycle to issue an RFQ for the Township's municipal attorney.

5. Mike Kelly, Mountain Avenue, asked about the Developers Agreement with Sterling Properties. He also asked about the proposed authorization for a settlement agreement. Mr. Kelly further asked about the change in legal strategy and how it will reduce legal costs. He also asked about the appointment of the Township Attorney 14 days after a 30-day contract was awarded. Mr. Kelly further asked how the new Township Attorney's hourly rate and retainer compare to that of his predecessor. He asked why the Township Attorney's rate would not be lower if there is less responsibility for the role.

Mr. King said his fees are the same as his predecessor's. He also said that his fees should remain within the retainer rate since the extra work would be performed by other attorneys and his oversight of those attorneys would fall within the retainer amount.

Mr. Lois commented on the Township's ability to make improvements to recreation facilities from Open Space Funds, and stated that the resolution on this meeting's Agenda is to make it clear that the Township will be doing so without diminishing the Township's open space inventory.

6. Evan Skinner, Hilltop Terrace, asked if the Township Committee has considered having announced office hours to compensate for the reduction in public comment time during meetings.

Mayor Felice said that she could have office hours, and she is available by appointment as well. She also stated that the Township Committee unanimously adopted the revised bylaws because meetings were going on too long, and it is not the Committee's intention to prevent residents from communicating with them.

Committeeman Lois reiterated that it was a unanimous decision regarding the best use of the Committee's time, and applauded the lack of division on the issue.

Committeewoman Ewald stated that her vote was to adopt the bylaws in their entirety, and she would welcome bringing back the second Hearing of Citizens. Committeewoman Fondaco noted that Committeeman Lois took advantage of the second Hearing of Citizens prior to joining the Township Committee. Committeeman Lois stated that he spoke a second time to point out that Robert's Rules of Order should be followed per the bylaws.

7. Jen McNally, Noe Avenue, asked if the new Township Attorney's fees will be higher or lower than the previous Township Attorney. Mr. King said they will be the same. Mrs. McNally asked about increases to legal fees in 2022 will be, noting that the current Township Committee members ran on a platform of decreasing fees. Mrs. McNally also commented on the three advisory committees that were created in 2021, and discussed the value of the Business Advisory Committee. She also asked Mayor Felice to elaborate on an earlier comment regarding time and money spent serving the community.

Mayor Felice stated that the new legal structure is expected to save money rather than result in increased legal costs. Mayor Felice said that a lot of time is spent in Township Committee meetings, and she has had to pay babysitters to watch her children while she has attended meetings.

Committeeman Lois stated that the legal specialists will not be on retainer, and there will be an efficiency because they will be supervised by Mr. King. He also stated that the prior Township Attorney was performing legal services beyond what was covered by the retainer agreement.

- 8. Stefanie Stuart, Mitchell Avenue, commented on the selection of the Township Attorney and stated that the Township has issued RFQs and RFPs for a variety of other services and cited several specific examples. Mrs. Stuart also commented on the lack of transparency pertaining to the appointment of the Township Attorney and asked what precluded the Township Committee from making the appointment correctly. She also asked why the Township will be paying an attorney to oversee another attorney.

Mayor Felice said that the change in legal structure has already been discussed.

Committeewoman Ewald commented that Administrator Hoffmann and CFO Debbie King also review the Township’s bills.

- 9. Neil Shah, Woodmont Drive, said that there does not appear to have been any type of open process for the appointment of the Township Attorney. Mr. Shah stated that he is also an attorney, and his clients are not charged for bill preparation. He stated that it sounds like tax dollars will be spent for Mr. King to review the bills submitted by other attorneys, which will create two layers of fees.

Mr. King stated that the review of bills will be covered under the retainer agreement, and his review of the bills will free up the Township Administrator to perform other duties.

- 10. Laura Ali, Fairmount Avenue, asked why some callers think it is a good idea to use one attorney as a generalist rather than to have specialists in different areas. Mrs. Ali said that she thinks it is smart of the Township Committee to use the new legal strategy. She also said that Chatham Township’s brightest days are still ahead.

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

Introduction of Ordinances

Ordinance 2022-01

**ORDINANCE 2022-01
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, 2022**

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	\$196,000
Chief of Police (as well as additional compensation as outlined in the employment agreement)	\$150,000	\$186,000
Public Works Manager	\$110,000	\$128,000
Assistant Public Works Manager	\$100,000	\$124,000
Wastewater Treatment Facility Manager	\$100,000	\$124,000
Chief Financial Officer	\$100,000	\$130,000
Qualified Purchasing Agent	\$3,000	\$8,000
Township Clerk/Registrar	\$60,000	\$80,000
Secretary Board of Health/Dog Licensing Clerk	\$5,000	\$14,000
Deputy Clerk	\$35,000	\$50,000
Tax Collector/Utility Collector	\$60,000	\$85,000
Tax Assessor (PT)	\$20,000	\$38,000
Assistant Tax & Utility Collector	\$20,000	\$47,000

Assistant Tax Assessor	\$20,000	\$47,000	
Confidential Administrative Assistant/Payroll Clerk	\$35,000	\$57,000	
Human Resources Manager/Payroll Clerk	\$35,000	\$57,000	
Accounts Payable/Assistant Treasurer	\$35,000	\$63,000	
Administrative Assistant/Deputy Registrar	\$35,000	\$50,000	
DPW Administrative Assistant/Recycling Coordinator	\$35,000	\$58,000	
Police Administrative Assistant	\$35,000	\$48,000	
Police Administrative Assistant/Records Manager	\$35,000	\$58,000	
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	\$5,000	
Construction Official/Building Sub-code Official /Inspector	\$75,000	\$126,000	
Construction Office Control Person/TACO	\$35,000	\$62,000	
Construction Office Administrative Assistant	\$35,000	\$50,000	
Board Manager PT	\$35,000	\$51,000	
Deputy Zoning Officer	\$3,000	\$6,000	
Fire Sub-code Official/Inspector PT	\$13,000	\$24,000	
Electrical Sub-code Official/Inspector PT	\$13,000	\$31,000	
Plumbing Sub-code Official PT	\$13,000	\$21,000	
Plumbing Inspector/Alternate Sub-code Official PT	\$13,000	\$25,000	
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	\$22,000	
Second Assistant Pool Manager	\$5,000	\$12,000	
Swim Team Coach	\$1,000	\$5,000	
Assistant Swim Team Coach	\$1,000	\$3,000	
Lifeguard		\$11.90 - \$20.00	Hr.
Substitute Lifeguard		\$11.90 - \$20.00	Hr.
Water Safety Instructor (added to lifeguard wages)		\$0.50	Hr.
Gate Attendants		\$11.90 - \$20.00	Hr.
Laborer (PT or seasonal)		\$11.90 - \$20.00	Hr.
Crossing Guards		\$13.00 - \$22.00	Hr.
Clerk/Typist (PT)		\$13.00 - \$22.00	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, 2022, 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.

Committeewoman Ewald moved to introduce Ordinance 2022-01. Committeeman Lois seconded the motion.

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

Public Hearing on Ordinance 2022-01 will be scheduled for February 8, 2022.

ORDINANCE 2022-02
AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF
NEW JERSEY, ESTABLISHING A RANGE OF POOL MEMBERSHIP FEES FOR THE
COLONY RECREATION CENTER

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Section 20-1 of the Township Code is hereby amended to read as follows:

1. **20-1 POOL MEMBERSHIP FEES AT THE COLONY RECREATION CENTER.**

- a. The following schedule of Colony Recreation Center Fees for Pool Membership is hereby established:

<u>Chatham Township Resident Memberships</u>	<u>Minimum</u>	<u>Maximum</u>
Family Membership	\$550	\$715
Couple Membership	\$400	\$530
Individual Membership (14 years or older)	\$250	\$325
Babysitter / Parent Helper	\$120	\$190
Senior Couple Membership	\$115	\$280
Senior Individual Membership	\$60	\$145

<u>Non-Resident Memberships</u>	<u>Minimum</u>	<u>Maximum</u>
Non-Resident Family Membership	\$650	\$845
Non-Resident Couple Membership	\$550	\$715
Non-Resident Individual Membership (14 years or older)	\$295	\$410
Non-Resident Babysitter / Parent Helper	\$160	\$210
Non-Resident Senior Couple Membership	\$125	\$300
Non-Resident Senior Individual Membership	\$65	\$165

<u>All</u>	<u>Minimum</u>	<u>Maximum</u>
Patrons of The Pool Membership	\$775	\$995
Single Daily Guest – Any Age - Accompanied by Member	\$9	\$16
20 Daily Guest Passes – Any Age - Accompanied by Member	\$175	\$320

No refunds will be made after opening day.

b. *Reduced Fees for Emergency Response Organization Volunteers.* Active members of the Chatham Emergency Squad, Green Village Volunteer Fire Department, and Chatham Township Volunteer Fire Department, who are eligible for the Length of Service Award Program (LOSAP), or any active duty Chatham Township Police Officer shall be entitled to the Resident Senior Membership rate for individuals and the Resident Senior Couple Membership rate for a couple or family membership.

2. The Township Administrator, in consultation with the Colony Recreation Center Liaison, will set the annual fees.

3. The Township Administrator, in consultation with the Colony Recreation Center liaison, may authorize special promotions and offer special discounts to promote Colony Recreation Center membership, programs and events.

4. This ordinance shall take effect as provided by law.

Committeewoman Ewald moved to introduce Ordinance 2022-02. Committeeman Lois seconded the motion.

Committeewoman Ewald said she would be more comfortable with a narrower range. She also said she would like to see the Finance Committee play a role in setting the fees.

Committeeman Lois objected to having the Finance Committee offer input on the Colony Pool Fees, and said that the Colony Pool Advisory Committee would be delayed in setting up programs. He also elaborated on the proposed fee structure, and noted that guest pass fees in 2021 were the second highest revenue generator.

Mayor Felice expressed hope that Colony Pool revenues in 2022 match the 2021 revenue.

Mr. King stated that the Township Committee will adopt an annual resolution to set fees within the range set by ordinance.

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

Public Hearing on Ordinance 2022-02 will be scheduled for February 8, 2022.

Consent Agenda

**RESOLUTION 2022-045
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 \$547,420.48 and the prior month’s payroll of \$462,150.03 Current Fund, \$53,035.80 Sewer No. 1, \$12,351.02 Sewer No. 2, and \$24,722.46 Police Private Employment be paid.
BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of January 2022, in the amount of \$3,336,091.00 be paid.

**RESOLUTION 2022-046
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 – December
Animal Control – December; 2021 Annual
CFO – December

**RESOLUTION 2022-047
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING MINUTES OF MEETINGS**

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meeting held on January 6, 2022.

**RESOLUTION 2022-048
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:

NAME	Project	A/C NUMBER	AMOUNT
Patrick Cairns 46 Dellwood Avenue Chatham, NJ 07928	BOA 21-009	7765834485	\$1,800.00

**RESOLUTION 2022-050
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING SETTLEMENT OF
MATTERS INVOLVING FORMER POLICE OFFICER KELLY D’AMBOLA**

WHEREAS, the Township of Chatham has previously been party to a labor arbitration related to a grievance filed by former Police Officer Kelly D'Ambola against the Township with the New Jersey Public Employment Relations Commission (PERC Docket No. 2020-0461) in which Ms. D'Ambola contested her obligation to pay a portion of the cost of her retirement health care premiums; and

WHEREAS, as a result of the arbitration the arbitrator issued a decision and award ordering the Township to pay for the full cost of Ms. D'Ambola's retirement health care premiums; and

WHEREAS, in lieu of complying with the award or filing an appeal to overturn the award the parties have engaged in settlement discussions, and the parties have reached an agreement with respect to settlement of the matters in dispute; and

WHEREAS, the parties have agreed to settle any and all claims made or that could be made by way of this settlement.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the settlement of the claims made are hereby approved and that the Mayor and Township Clerk be and the same are hereby authorized to execute a settlement agreement in a form approved the Township Attorney.

RESOLUTION 2022-054

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING PURCHASE OF AUDIO AND VIDEO EQUIPMENT FOR IMPROVING BROADCAST QUALITY AND CAPABILITY

WHEREAS, the Township of Chatham video booth has audio equipment that dates back to the 1980's and parts are no longer available; and

WHEREAS, the Township has purchased used and reconditioned recording equipment from eBay to replace non-working equipment; and

WHEREAS, the video equipment was purchased in 2008 and parts are no longer available; and

WHEREAS, equipment has been borrowed to ensure that Township Committee Meetings can be broadcast; and

WHEREAS, as part of the Township's Cable Franchise Renewal, once the Board of Public Utilities (BPU) approves the new Franchise Agreement, Comcast will provide the Township with a reimbursement of up to \$35,000 for the purchase of new equipment and the upgrade of the broadcast capability; and

WHEREAS, for an amount not to exceed \$10,000 the Township can purchase cameras, a keyboard controller, an HD Video Switcher and other related equipment that will make the merging of cable broadcast and Zoom seamless; and

WHEREAS, funds are available in Capital Budget Account C-04-55-946-904; and,

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham up to \$10,000 is authorized for the acquisition of equipment to improve the audio and video quality of the Township's broadcasts.

RESOLUTION 2022-055

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE 2022 DOLLAR AMOUNT A CONTRACT FOR SNOW PLOWING SERVICES

WHEREAS, the Township of Chatham has a need to acquire snow plowing services; and,

WHEREAS, the Township Committee of the Township of Chatham solicited for bids for Snow Plowing Services;

WHEREAS, one total bid was received and opened on Thursday May 20, 2021 at 11:00 A.M.;

WHEREAS, the term of this contract is from December 1, 2021 to April 1, 2023; and

WHEREAS, Frank Galbraith Excavating and Demolition, having offices at 2365 Waldheim Ave Scotch Plains, NJ 07076 has submitted a proposal on May 20, 2021 indicating they will provide the snow plowing services for the hourly rate of \$175/hour for a 10-foot minimum plow and \$140/hour for an 8-foot minimum plow; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds available in the 2021 adopted budget and funds are or will be available upon adoption of the budgets for years 2022 and 2023; and

WHEREAS, Resolution 2021-160 was awarded with an amount not to exceed \$17,500 for calendar year 2021 winter season; and,

WHEREAS, the total value of this contract for calendar year 2022 is not anticipated to exceed \$30,000.00 per winter season.

NOW THEREFORE, BE IT RESOLVED based on the weather conditions in 2021 and potential personnel availability that the amount not to exceed for calendar year 2022 shall be \$30,000.

RESOLUTION 2022-056

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTMENTS FILLING VARIOUS BOARD AND COMMITTEE VACANCIES FOR SPECIFIC TERMS

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following board and committee appointments be made:

Recreation Committee

1. Dan Flynn (Alternate) (2023)

Colony Pool Advisory Committee

1. Rachel Welz (2022)

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

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

RESOLUTION 2022-051

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING A CHANGE IN THE
TOWNSHIP'S LEGAL STRATEGY**

WHEREAS, the Township Committee recognizes that the complexity of legal challenges facing our Township may require specialized legal representation by an expert practitioner concentrating on particular legal issues; and

WHEREAS, many municipalities have already completed a shift away from the legal counsel of a single generalist and to an efficient approach of focused, distinct legal professionals; and

WHEREAS, the Township Committee intends to maintain the important role and counsel of a Township Attorney, using specialists as appropriate and in conjunction with the Township Attorney's guidance; and

WHEREAS, it is widely recognized and anticipated that appropriate reliance on legal experts concentrating on challenging and complicated matters lead to better outcomes; and

WHEREAS, the value of advice, the quality of work product and an improvement in efficiency from focused professionals is expected to drive down overall costs; and

WHEREAS, the Township Committee adopted Resolution 2022-044 on January 6, 2022 to authorize RFQs for various professional service contracts.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham authorizes a change in the Township's legal strategy to have legal representation by specialists including, but not limited to, the following areas:

1. Labor
2. Municipal Prosecution
3. Conflict Litigation
4. Affordable Housing
5. Public Entity Disputes & PILOT Negotiations
6. Tax Appeals
7. Bond Counsel

This resolution shall take effect immediately.

Committeeman Lois moved to adopt Resolution 2022-051. Committeewoman Ewald seconded the motion.

Committeewoman Ewald noted that legal fees in 2022 will likely be reduced because the affordable housing matters are settled. She asked what a Public Entity Disputes & PILOT Negotiations attorney would handle. Mr. King said that disputes with other governmental agencies would be addressed by the Public Entities Disputes attorney. He also explained that there are financial aspects of PILOT agreements that would be addressed by the PILOT Negotiations attorney. Committeewoman Ewald suggested removing the language from the resolution pertaining to driving down costs because specialists typically cost more, and we can't make a commitment of cost savings without knowing the cost. Mr. King said that a maximum hourly rate of \$165 was specified in the RFQ. He also said that the Township can use the RFQs to develop a pool of prequalified attorneys to address matters as they arise.

Mayor Felice stated that a list of professionals will be sought through the RFQs. Successful candidates will have a "not to exceed" contract. Mr. King stated that an attorney can be appointed for a particular matter.

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

RESOLUTION 2022-053

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM OUTLINING USES OF FUNDS GENERATED FROM THE TOWNSHIP'S
OPEN SPACE TAX**

WHEREAS, in 1996 the residents of the Township of Chatham voted to approve a one (1) cent per one hundred dollars of assessed value Open Space Tax for fund the acquisition of open space for current and future generations to enjoy; and,

WHEREAS, in 1999 the residents of the Township of Chatham voted to increase the Open Space Tax to two (2) cents per one hundred dollars of assessed value for the acquisition of Open Space as well as the improvement of parks, playgrounds, historic properties as well as both active sports and passive recreation areas; and,

WHEREAS, the Township of Chatham has approximately 400 acres of Open Space and Recreation areas; and,

WHEREAS, funds generated by the Open Space Tax can also be used to fund improvements to Parks, Playgrounds, Active Sport Recreation areas as well as passive recreation areas; and,

WHEREAS, it is the intention of the Township Committee to improve the Township's recreation and open space assets, so that all residents from babies to seniors will have options for recreation and the enjoyment of nature at all stages of life.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that future funds will be used to make improvements at parks, fields, playgrounds, walking paths and all other manner of recreation and open space assets.

Committeewoman Fondaco moved to adopt Resolution 2022-053. Committeeman Lois seconded the motion.

Committeewoman Ewald said she was unsure of the point of Resolution 2022-053. She also said that a survey had previously been suggested to assess community priorities and asked if that would be done.

Mayor Felice said she would be happy to have a survey conducted.

Committeeman Lois suggested also asking the Open Space Committee and the Recreation Committee for input. He also commented on the lack of participation in local elections, and contended that input should only be sought from representative boards rather than from the public. Mayor Felice noted that the Township Committee will have the final word on where Open Space funding will be used, and said that input from the public should be welcomed.

Committeewoman Ewald asked if there is a purpose in adopting a resolution to authorize what is already allowed. Mayor Felice said it is to make it clear that the Township will be taking this direction with Open Space Funds.

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

Committeeman Lois moved to adjourn at 10:11 PM. Committeewoman Ewald seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk