

**MINUTES
TOWNSHIP COMMITTEE
WORKSHOP MEETING
OCTOBER 11, 2022**

Mayor Felice called the Workshop 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 October 6, 2022; notice was posted on the bulletin board in the main hallway of the Municipal Building on October 6, 2022; and notice was filed with the Township Clerk on October 6, 2022.

Roll Call

Answering present to the roll call were Committeewoman Ewald, Committeewoman Fondaco, Committeeman Lois, Deputy Mayor Hamilton and Mayor Felice.

Executive Session

RESOLUTION 2022-P-16

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING CONFERENCE OF THE TOWNSHIP COMMITTEE WITH THE PUBLIC EXCLUDED

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

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

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

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Personnel
 - b. Contract Negotiations – Joint Recreation Shared Services Agreement
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 Ewald moved to adopt Resolution 2022-P-16 to enter Executive Session at 6:31 PM. Committeewoman Fondaco seconded the motion.

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

The Township Committee returned to Public Session at 7:01 PM.

Mayor Felice led the Flag Salute.

Mayor's Statement

Mayor Felice noted that this is a workshop meeting, and will be conducted differently from regular meetings. She further noted that she had requested the 7:00 PM start time because meetings can often run late.

Mayor Felice reported the recent passing of former Mayor Baily Brower, Jr. She noted his longtime service to Chatham Township, having served on the Township Committee, Planning

Board and Board of Adjustment. Mayor Felice also noted the recent passing of Senior Center Board member Vince Volpicelli. A moment of silence was held in their honor.

Hearing of Citizens

Mayor Felice asked if any written comments had been received. The Township Clerk reported that none had been received.

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

Reports

Administrator Shehady gave an overview of the structure of the Reports section of a workshop meeting.

Clerk

The Township Clerk provided important dates for the upcoming General Election. He further noted that the Flu Shot & Covid Booster Clinic will be held on October 24th from 2:00 PM to 5:30 PM at the gym at the Municipal Building. The Rabies Clinic will be on November 5th from 9:00 AM to 10:00 AM at the DPW Garage.

The Township Clerk presented a model ordinance for filming permits. Mayor Felice said she likes the idea of having such an ordinance. Committeewoman Ewald suggested exempting Chatham Township-based non-profits from the permit fee. She also asked about setting a rental fee for municipal properties. Administrator Shehady said a separate ordinance could facilities use, and the subject of the ordinance under discussion is film permit fees. The Clerk noted that most filming is on private property, and the Township's interest is in regards to traffic control and impact on neighbors.

Committeeman Lois said he wants the ordinance to be written in such a way to invite filming in the Township. Administrator Shehady said that Red Bank had an ordinance that permits were required for films having a budget of \$500,000 or greater.

The Township Committee had a consensus to consider an ordinance for commercial film production. Administrator Shehady said that he, Attorney King and the Township Clerk will work on a draft for consideration.

Construction Official

Deputy Mayor Hamilton asked about a line item on the Construction Official's report about construction costs. Mr. Impink stated that the number comes from the estimated value of each permit. Permit volume has been at a steady rate, however there has been a reduction in knock downs.

Mr. Impink addressed permit fees and recommended that the Township Committee consider an increase.

Committeeman Lois commented on added assessments, and asked if a recent increase was because of the townhouse project. Mr. Impink said that the townhouses are likely the cause of the increase in added assessments, and construction will likely take another year for the project to be fully complete. Committeeman Lois asked about added assessments for the affordable housing units. Mr. Impink said that question would be better addressed to the Tax Assessor.

Committeeman Lois asked about the impetus for requesting an increase in UCC fees. Mr. Impink said that it has been a long time since fees were reviewed. Administrator Shehady said it makes sense to periodically review and potentially increase fees rather than having substantial jumps.

Committeeman Lois asked about the tree permit application. Mr. Impink said that the Technical Assistant handles tree permits, and she often has to assist applicants in completing the

application. Mr. Impink confirmed that there is a follow-up to make sure that the correct trees are removed.

Engineering

Engineer Ruschke addressed a proposed second amendment to the developer's agreement with Fenix I and Fenix II. He said that there have been issues with snow plowing, and the developer has been repeatedly delinquent with the plowing. An invoice has been sent to the developer for services provided by the Township. Engineer Ruschke said that the Township does not have an obligation to provide snow plowing for the road until it is officially dedicated to the Township, however there is an inclination for the Township to serve residents. He also suggested that an escrow account be required.

Engineer Ruschke said that a request has been received for the installation of a stop sign at the intersection of Cedar Lane and Maple Road. An ordinance would be required if a stop sign is to be installed. Neighbors will be polled to see if there are any objections.

Engineer Ruschke reported that a pre-construction meeting was held with the contractor who was awarded the bid for the Municipal Building Roof Replacement Project. The contractor is eager to start the project, and shop drawings are still needed.

Committeewoman Ewald asked about site plan non-compliance issues at the Arbor Green Development. Engineer Ruschke described the issues that need to be brought into compliance, and the developer needs to go before the Planning Board to address the issues.

Engineer Ruschke gave an update on the bidding process for the WPC Roof Replacement Project. The bid came in too high, and the Township is looking into replacing the roof in kind through a State Contract vendor.

Committeeman Lois asked about the intersection of Fairmount and Mountainview. Engineer Ruschke said that he had not been directed to perform a study on the intersection.

Finance

CFO Debbie King said that a resolution will be placed on the next agenda to authorize joining the Sussex County Co-op. Budget transfers are anticipated to be on the November agenda. Most revenues have already met their anticipated levels for 2022.

Committeewoman Ewald asked about the \$2 million needed for the construction of Affordable Housing at 522 Southern Boulevard. Mrs. King said that she and Administrator Shehady have discussed when that money will be needed.

Police Department

Administrator Shehady noted that a resolution for a SLEO III was discussed in Executive Session. A proposed resolution to support Car Theft Legislation is in regards to a proposed state law.

Chief Miller addressed car thefts in the Township.

Public Works

DPW Director Rich Young reported that painting the wall at Colony Pool in the fall will save time in the Spring. Mr. Young addressed the recent power outage at the Water Pollution Control Plant, and measures are being discussed on how to prevent issues in the future.

Mr. Young recommended that the fees charged to landscapers dumping vegetative waste in the Tanglewood Compost Area be raised. He noted that the fees charged by the closest commercial facility charges double what the Township charges. Committeewoman Ewald said that the waste being dumped likely comes from Township residences, and the fees charged would be passed on to residents who would not be charged if they brought the material themselves. The Committee

discussed whether or not to charge fees. The consensus of the Township Committee was not to change the current fees.

Mr. Young addressed fees for sewer inspections and sewer cap inspections. The current fee is \$25, and has been at that rate since 1997. Mr. Young said that last year there were 143 inspections, and they take about half an hour each.

Committeeman Lois asked if it would be possible to have the Fire Official perform sewer inspections. Administrator Shehady said he would have to look into that option. Attorney King noted that the Fire Official has a different set of licenses. The Township Clerk noted that the Fire Official is only in one day a week.

The consensus of the Township Committee was to raise the fee to \$50.

Committeeman Lois asked about a resolution that had been adopted regarding netting along the foul lines at Nash Field. Mr. Young reported that repairs were made, and he and the Recreation Director met with Baseball Club President Jude Tarasca about future repairs. Committeeman Lois asked about the PA system at Colony Pool. Administrator Shehady reported that the Recreation Director will handle that.

Committeewoman Ewald asked about repairs to the Colony Tennis Courts. Mr. Young reported that repairs are being made, and there has been difficulty in procuring materials.

Recreation

Recreation Director Larry McCann reported that although the Colony Pool season has ended, some post-season work remains. The PA system and availability of Wi-Fi were discussed. Administrator Shehady said that an analysis of the 2022 season will help plan for the 2023 Colony budget.

Mayor Felice asked about public events and celebrations. Administrator Shehady said he asked Mr. McCann to come up with potential events, possibly related to holidays, for each month. Mr. McCann said he will compile a list of existing annual events to see where there is a need. Mayor Felice said that the Recreation Director can help promote events run by partner organizations.

Committeeman Lois asked about the PA system. Administrator Shehady said there was an issue with the vendor. Committeeman Lois asked about repairs to water fountains. Mr. McCann said he will check to see what condition they are in. Committeeman Lois said that various resolutions were adopted to set priority for various projects. Administrator Shehady stated that as those resolutions did not certify availability of funds, they do not provide a legal mechanism for the projects to move forward.

Committeewoman Ewald asked about the Skate Park site. Administrator Shehady said that DPW cleared the fencing from the site and will be sealcoating the pad. He also said that pickleball is a potential use for the site. Potential long term uses for the site need to be considered, and Administrator Shehady noted that removing the pad will affect the Township's ability to continue to use that spot due to wetlands protections. Mayor Felice noted a concern about using that space due to the proximity to housing. The possibility of removing the pad was discussed.

Tax Collector

Tax Collector Antonia Russo reported that as of today, the Township's tax collection rate is 98.8% which is in line with the 2021 collection rate at this time of year. Ms. Russo stated she anticipates that there will be a very high collection rate at the end of the year. In September the final 2022 tax bills were sent out. The Annual Tax Sale will be held on December 8th. Ms. Russo stated that many of the properties currently on the list will be paid off prior to the Tax Sale. Ms. Russo further noted that the September Report mentions a special assessment that is coming to a close on September 15th of this year, and that is for a sewer assessment that was assessed in 2008.

Committeewoman Fondaco asked how many tax accounts are signed up for autopay. Ms. Russo stated that there are 335 on autopay, which is much higher than when the option was first introduced. She also stated that she is promoting that option.

Committeeman Lois asked if the current year's tax collection rate is normal, and Ms. Russo said it is. Committeeman Lois asked about the Reserve for Uncollected Taxes (RUT) in the Municipal Budget. Mrs. King said that the Financial Statement shows the calculation that can be used and the Township's RUT falls within the guidelines. Committeeman Lois acknowledged that the RUT is based on a three year average and alleged that there are substantial funds available for use. Mrs. King explained the purpose of the RUT is to capture funds not collected from those who fail to pay their taxes, and indicated that it is a non-spending appropriation.

Township Administrator

Administrator Shehady said that a model pay-to-play ordinance was distributed for consideration. Committeewoman Ewald noted that a draft based on Madison's ordinance was also previously distributed. There was discussion on the purpose of having a local pay-to-play ordinance. Committeewoman Ewald asked that the Madison version be redistributed. Mayor Felice said that because the Township is using the Fair and Open Process, she is unsure if the Township Committee should limit their options for which professionals can submit RFQ responses for consideration.

Administrator Shehady commented on the number of recent request for street closures for block parties, and recommended that an ordinance be adopted to formalize a permitting process. He also noted that some street closures will require certain insurance and indemnification to the Township prior to approval by the Township Committee.

Committeewoman Ewald asked why the Township Committee would be involved in approving block parties. Administrator Shehady said that the ordinance can allow block parties to be approved administratively. Committeewoman Ewald asked about the reference to food vendors in the application. The Township Clerk stated that was included to ensure that food vendors get the necessary temporary retail food license from the Board of Health. Committeeman Lois recommended that the form be available online.

Administrator Shehady stated that an updated salary range ordinance will be on the next agenda for introduction. He also noted that there will be a resolution to authorize RFQs for professional services.

Committeeman Lois asked about Resolution 2022-063 which authorized the Township Administrator is authorized to meet with and solicit input from Commercial Real Estate professionals regarding use options for the rear hallway of the Municipal Building. Administrator Shehady said he does not have any progress to report.

Hearing of Citizens

Mayor Felice opened the Hearing of Citizens.

1. Sharon Tether, Huron Drive, asked about the Nouvelle plans for the group home on River Road. Th Township Clerk said he will check to see if they are available for posting. Mrs. Tether asked if the final vote on the application will be at the upcoming Planning Board meeting. The Township Clerk said that should be discussed at the Planning Board meeting.

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

Committeewoman Fondaco moved to adjourn at 9:19 PM. Deputy Mayor Hamilton seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk