

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
OCTOBER 14, 2021**

Mayor Ewald called the Regular Meeting of the Township Committee of the Township of Chatham to order at 6:30 P.M.

Adequate Notice of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both *The Chatham Courier* and the *Morris County Daily Record* on January 8, 2021, June 11, 2021 and August 13, 2021; notice was posted on the front door and the bulletin board in the main hallway of the Municipal Building on January 8, 2021, June 11, 2021 and August 13, 2021; and notice was filed with the Township Clerk on January 8, 2021, June 11, 2021 and August 13, 2021.

Roll Call

Answering present to the roll call were Committeewoman Felice, Committeewoman Fondaco and Mayor Ewald. Deputy Mayor Abbott arrived following the Executive Session.

Executive Session

**RESOLUTION 2021-P-20
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY,
AUTHORIZING CONFERENCE OF THE TOWNSHIP COMMITTEE WITH THE
PUBLIC EXCLUDED**

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

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

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

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Litigation – Township of Chatham v. Kronos Holdings LLC and SL Chatham II, LLC-Condemnation Action Docket No. MRS-L-789-21
 - b. Potential Litigation
 - c. Personnel
 - d. Contract Negotiations
3. It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.
4. The Committee will come back into Regular Session and may take further action.
5. This Resolution shall take effect immediately.

Committeewoman Felice moved to adopt Resolution 2021-P-20 to enter Executive Session at 6:32 PM. Committeewoman Fondaco seconded the motion.

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

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

Mayor Ewald led the Flag Salute.

Approval of Agenda

Mayor Ewald stated that she will open the floor for public comment regarding the Skate Park following the presentation by the Chatham Skate Park Committee.

Committeewoman Fondaco moved to approve the Agenda. Deputy Mayor Abbott seconded the motion, which carried unanimously.

Proclamations

International Stuttering Awareness Day

Mayor Ewald read aloud the attached proclamation for International Stuttering Awareness Day.

Emily Root, Director of Speech Pathology at the Pediatric Speech, Language, & Learning Center, LLC was present to accept the proclamation. Mrs. Root gave comments regarding stuttering and efforts made by people who stutter to address the issue.

Breast Cancer Awareness Month

Mayor Ewald read aloud the attached proclamation for Breast Cancer Awareness Month.

Mayor Ewald noted that she is a breast cancer survivor and had not had any symptoms when she was diagnosed. She encouraged people to get regular cancer screenings.

Administrator Hoffmann stated that older women should also make a point to get mammograms.

The Township Clerk noted that although rare, men can get breast cancer too.

Presentations

Skate Park Committee

Crystal Paone, Rachel Nowikas and Deb Petitjean of the Chatham Skate Park Committee gave a presentation regarding efforts to raise funds and find a location for a new skate park in the Chathams.

Mrs. Paone addressed the benefits of skate boarding. She also dispelled several myths regarding skating and skate boarding.

Rachel Nowikas discussed the history of the Skate Park Committee. She also discussed other locations that were considered. Sample concept plans were also presented.

Mrs. Petitjean discussed fundraising efforts. She also stated that a site needs to be selected before fundraising can begin.

Administrator Hoffmann stated that proposed recreational facilities should be complementary to existing facilities, and he commented on the efforts made by the Skate Park Committee in reviewing potential sites. Administrator Hoffmann stated that if the Township Committee commits to a site, then fundraising will need to occur.

Deputy Mayor Abbott discussed the history of the development of the original Skate Park. She also asked how long a concrete skate park is expected to last. Mrs. Petitjean said that they are expected to last 20-30 years. Administrator Hoffmann noted that the regional Skate Park was built on a site that had been designated for Affordable Housing, and was known at the time to be a temporary site.

Committeewoman Fondaco asked if the new Skate Park would be open to all kinds of skating or just skateboards. Mrs. Nowikas said that it would include skateboards, scooters and roller skates.

BMX biking was also considered, however that would create a greater liability and will not be included.

Committeewoman Felice asked if there is a plan for reaching the fundraising goal of \$300,000. Mrs. Petitjean said that the Committee has \$200,000 of pledged contributions. She also asked what would happen if Chatham Borough is uninterested or unable to make a contribution. Mrs. Petitjean said that additional fundraising would occur and renegotiations would be made with vendors. Mrs. Paone stated that discussions have already occurred with Chatham Borough's Mayor Kobylarz, Council President Dempsey and Administrator Williams, and there is a soft commitment for the funding. Committeewoman Felice asked about insurance costs, and if fundraising would be done for that. Mrs. Paone said that it would be similar to insuring a playground, and fundraising can be done to help offset those costs. Administrator Hoffmann stated that a playground is less expensive to insure than a skate park, and the insurance carriers will perform an analysis. Mrs. Paone commented on fencing that it would be included.

Committeewoman Felice asked about hours of operation. Mrs. Paone said that it would be open during daylight hours, and there would not be any lighting.

Mrs. Nowikas said it is possible to have DPW perform some of the work to save on costs. Administrator Hoffmann stated that a commitment has not been made for that.

Mayor Ewald asked if the Township would be the applicant if County funds are sought. Administrator Hoffmann stated it could be the Township, however there is also a process for non-profit organizations to apply for funds.

Mayor Ewald opened the floor for the public to ask questions.

1. Stewart Carr, Crestwood Drive, asked if there is any concern among the Township Committee members regarding the site selection.

Mayor Ewald commented on the site selection process and stated that there will be a public review period.

Committeewoman Felice said it appears too early in the process to commit to a site, and she would like to see an evaluation of the land by the Township Engineer as well as a valuation of the land. Engineer Ruschke suggested that notice be sent to neighborhood residents to let them know the site is being considered. He also suggested that an interlocal agreement be entered into between the Township and Borough for the funding, and noted that public contract laws would be applicable. Committeewoman Felice said she does not want the Township to give away land. Mrs. Nowikas stated that fundraising cannot legally take place until there is a commitment for the site. Committeewoman Felice further stated that it is too early in the process to commit the land, and she noted that this presentation was the first time she was told that this site was an option.

2. Maureen Kelly, Mountain Avenue, asked when the owners of properties neighboring 58 Meyersville Road will be notified about the potential site selection. She also said that she is glad to hear there will not be lighting installed.

Administrator Hoffmann said that determination will need to be made when a public hearing will be held. He stated that thus is the first time that the Township Committee and professionals have heard this recommendation. The public discussion can now begin.

Reports

Mayor Ewald reported that the Township has filed a declaration of taking for the acquisition of 522 Southern Boulevard, and the condemnation process helped determine a fair market value for the property. She also stated that Attorney Cruz has filed for a Judgement of Compliance for the Township's Third Round Obligation. That judgement is expected to be granted soon. Mayor Ewald further reported that an application was submitted by the developer for 9% Tax Credit financing which will help reduce the Township's contribution for construction. Construction is expected to begin in June or July of 2022 and be finished by the end of 2024.

Committeewoman Fondaco reported that the Chatham Township Historical Society will host a presentation on American Women and Royal Marriages. She further reported that the Red Brick Schoolhouse Museum will be open on November 7th from 2:00 PM to 4:00 PM.

Committeewoman Fondaco also stated that the Town & Country Garden Club has planted mums at the Soldiers Memorial in Green Village. The Chatham Art League will have an opening reception on October 17th from 2:00 PM to 4:00 PM at the Municipal Building, and the art on display will be available for viewing until mid-December. Committeewoman Fondaco further reported that PTR-2 forms for the Senior Tax Freeze are available and need to be filed by November 1st.

Deputy Mayor Abbott reported that she will make sure the Senior Center will promote the Senior Tax Freeze. She also reported that the Senior Center lease agreement will be renewed for \$1 per year.

Mayor Ewald thanked the Township Engineer and Township Administrator for meeting with the Affordable Housing Committee and answering their questions. She further reported that the Finance Committee met with the Township Auditor on the guidelines for using the over \$1,000,000 that was awarded to the Township under the American Rescue Plan Act Funding. Half of the funds were provided to the Township in 2021, and the other half will be received in 2022. The Township CFO and Administrator will outline priorities that meet the guidelines. Mayor Ewald further updated that the Municipal Alliance met, and the School District will be hosting a presentation about identifying the warning signs of stress, anxiety and depression.

The Township Clerk reported that the Annual Flu Clinic will be held on October 29th from 10:30 AM to 12:30 PM at the Municipal Building for residents ages 6 and up. Advance registration is required. The Township Clerk further reported that Annual Rabies Clinic will be held on November 6th from 9:00 AM to 10:00 AM at the DPW Garage. Early voting will be held from October 24th to October 31st from 10:00 AM to 6:00 PM on Sundays and from 10:00 AM to 8:00 PM Monday through Saturday. The closest location to Chatham Township is the Madison Senior Center on Walnut Street. The Township Clerk further reported that the Mail-In Ballot Drop Box has been installed at the Municipal Building. He further stated that voters who received mail-in ballots will not be able to vote on machines at the polls, and can only vote by mail-in or provisional ballot.

Administrator Hoffmann reported that letters were sent out to property owners whose houses were more than 10 years old to let them know that they can pick up their house plans. Administrator Hoffmann further reported that proposals have been received in response to an RFQ for Master Plan Updates, and four applicants are to be interviewed next week. Administrator Hoffmann also reported that traffic lights will be updated to have LED bulbs, and the work is being performed by the Department of Public Works. The Department of Public Works is completing a beautification project at the intersection of Buxton Road, Fairmount Avenue and Southern Boulevard. On October 30th, there will be a Clean Communities event, and any trash collected can be dropped off at a dumpster at the DPW yard between 3:00 PM and 5:00 PM.

Hearing of Citizens

The Township Clerk indicated that there were not any written comments received.

Mayor Ewald opened the Hearing of Citizens.

1. Richard Farnow. Longwood Avenue, addressed parking issues on Longwood Avenue. He stated that he has lived in his home for 30 years, and in 1996 he and other Longwood Avenue residents appeared before the Township Committee regarding parking issues stemming from Chatham High School. Mr. Farnow said that prior to the reopening of Lafayette Avenue School in 1996, juniors were able to park there. After parking regulations were enacted on Maple Street and Longwood Avenue, students began parking at Colony Pool. Mr. Farnow stated that parking issues on Longwood Avenue have become a problem again now that the Chatham High School has an open campus policy. Mr. Farnow further stated that students are parking on Longwood Avenue after lunch, and there are many instances of driveways and

mailboxes being blocked by parked cars. He also noted that the neighbors are livid with the problems caused by student parking. Mr. Farnow submitted a petition signed by Longwood Avenue residents requesting that the Township Committee further limit parking until 1:00 PM in the neighborhood on streets near Chatham High School so that the problem can be addressed without shifting the problem elsewhere. The petition included pictures of cars blocking both driveways and mailboxes.

Committeewoman Fondaco asked what would happen if a resident were hosting a party. Mr. Farnow stated that the current parking restrictions are only until 10:00 AM on school days, and residents could host a party after that.

2. Maureen Kelly, Mountain Avenue, stated that there are vacancies on the Environmental Commission. Mrs. Kelly commented that the Tree Protection Ordinance is not protecting mature trees. She also asked if there are vacancies on the Library Board of Trustees.

Mayor Ewald stated that the vacancy on the Library Board of Trustees might be filled by the Borough. Administrator Hoffmann addressed issues with the implementation of the Tree Protection Ordinance. He also stated that many trees that have been removed recently were due to disease and pests such as the Emerald Ash Borer or have reached the end of their natural life cycle. Administrator Hoffmann also stated that residents can make a donation to a tree trust fund when replacement trees are unable to be planted on their property. Administrator Hoffmann further noted that the Township does not have an enforcement mechanism to make sure that replacement trees have been planted.

3. Marty McHugh, Ormont Road, addressed the Tree Protection Ordinance. He stated that some residents support a review of the ordinance. Mr. McHugh encouraged efforts to motivate residents to plant native species when planting replacement trees.
4. Stewart Carr, Crestwood Drive, asked if Administrator Hoffmann could have the Moody's Reports from the past five years be posted on the Township website. He also suggested that Planning Board meeting recordings be posted on the Township website. Mr. Carr further asked about the stormwater control ordinance that requires a no net increase in stormwater runoff. Mr. Carr further asked for an update on access to the Oak Knoll Field by the Joint Recreation program and/or the School District. Mr. Carr also requested for an overview of the open space and conservation easement at the Dixiedale site and how the common open space element will be managed by the Homeowner's Association.

The Township Clerk addressed posting of Planning Board meetings online, and said that there may be limits on the file size that can be posted to the Township Website. Anyone interested in a copy of the recordings can stop by the Municipal Building with a flash drive. Engineer Ruschke addressed stormwater management and said that there is still a requirement for a no net increase. Regarding Oak Knoll Field, Administrator Hoffmann said that access is available. He said that he does not know if there has been a need for usage of the field. Engineer Ruschke stated that he does not have any information to report on the Dixiedale site beyond his previous email responses to Mr. Carr. He also said that the conservation easement is not required by the Township Code Book and was a requirement of the Planning Board as a condition of approval. He also stated that any further development on the site would require Planning Board approval. Furthermore, the deed restriction has not yet been filed. Administrator Hoffmann stated that a Township Committee meeting is not the appropriate venue for questions regarding the actions of the Planning Board.

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

Public Hearing/Final Adoption of Ordinances

Ordinance 2021-19

ORDINANCE 2021-19

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY AMENDING THE LAND DEVELOPMENT ORDINANCE SECTION 30-78.1 TO PERMIT FIRE HOUSES AND EMERGENCY SQUAD BUILDINGS AS PRINCIPAL PERMITTED USES IN RESIDENTIAL ZONES

- BE IT ORDAINED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey as follows:
- Section 1.** Amend § 30-78.1 Permitted Uses to include a new subsection as follows:
- h. Fire houses and emergency squads, which may include sleeping quarters.
- Section 2.** Add new footnote 11 to Schedule 1 to read as follows:
11. Notwithstanding the requirements of Appendix I, Section 30-75.2 Schedule of Zoning Requirements, fire houses and emergency squad buildings may be erected or expanded on any lot of at least ½ acre, provided lot coverage does not exceed 60% and further provided that no front, side or rear yard is less than 10 feet.
- Section 3.** The Township Clerk is hereby directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Morris County Planning Board and all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerks of adjoining municipalities. The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this Section, and shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.
- Section 4.** After introduction, the Township Clerk is hereby directed to submit a copy of this Ordinance to the Planning Board of the Township of Chatham for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in this proposed Ordinance which are inconsistent with the Township’s Master Plan and recommendations concerning any inconsistencies and any other matters as the Board may deem appropriate.
- Section 5.** Any article, section, paragraph, subsection, clause, or other provision of the Revised General Ordinances of the Township of Chatham inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.
- Section 6.** If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.
- Section 7.** This Ordinance shall take effect immediately upon: (1) adoption; (ii) publication in accordance with the laws of the State of new Jersey; and (iii) filing of the final form of adopted Ordinance by the Township Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Administrator Hoffmann stated that the Planning Board conducted a Master Plan Consistency Review, and Ordinance 2021-19 was deemed to be not inconsistent with the Master Plan. He also explained the purpose of the ordinance.

Mayor Ewald opened the Public Hearing on Ordinance 2021-19.
Seeing no public comment, Mayor Ewald closed the Public Hearing.

Deputy Mayor Abbott moved to adopt Ordinance 2021-19. Committeewoman Fondaco seconded the motion.

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

Introduction of Ordinances

Ordinance 2021-23

**ORDINANCE 2021-23
AN ORDINANCE AUTHORIZING ACCEPTANCE OF A QUITCLAIM DEED FROM HARVCO CONSTRUCTION COMPANY FOR LOT 8.12, BLOCK 35 AS SHOWN ON A CERTAIN MAP**

**ENTITLED “ROLLING HILL COMPANY, FINAL PLAT, ‘ROLLING HILL VISTAS’”
RECORDED WITH THE MORRIS COUNTY CLERK ON DECEMBER 18, 1995 AS MAP NO.
5207 FOR A DETENTION BASIN.**

WHEREAS, the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, wishes to accept the dedication of a detention basin by Quitclaim Deed from Harvco Construction Company for Lot 8.12, Block 35 as shown on a certain map entitled “Rolling Hill Company, Final Plat, ‘Rolling Hill Vistas’” (“Property”) recorded with the Morris Clerk on December 18, 1995 as Map No. 5207; and

WHEREAS, the dedication of the Property and detention basin was required by the Planning Board approval of this subdivision; and

WHEREAS, by Township of Chatham Resolution 2021-153, adopted on May 13, 2021, the Township Committee authorized the Mayor and Clerk to sign a Release and Settlement Agreement through which the Township agreed to take title to the Property, including the detention basin; and

WHEREAS, the Township Attorney for the Township of Chatham reviewed the Quitclaim Deed and finds it acceptable.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the Township is hereby authorizes acceptance of the Property, including the detention basin, by Quitclaim Deed.

BE IT FURTHER ORDAINED that the Township of Chatham Mayor and Clerk are hereby authorized to sign the Quitclaim Deed and any supporting documents as may be necessary.

This Ordinance shall become effective according to law.

Committeewoman Felice was recused from this matter.

Attorney Cruz explained the reason for the acceptance of the drainage basin.

Committeewoman Fondaco moved to introduce Ordinance 2021-23. Deputy Mayor Abbott seconded the motion.

Deputy Mayor Abbott asked about the Township’s responsibility for the maintenance of the detention basin. Administrator Hoffmann said that it had to be done for the protection of the health, welfare and safety of Township residents.

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

Public Hearing on Ordinance 2021-23 will be scheduled for October 28, 2021.

Ordinance 2021-24

**ORDINANCE 2021-24
AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF
NEW JERSEY, AMENDING BUILDING COVERAGE ORDINANCE SECTION 30-78.11 b. TO
INCLUDE PROJECTIONS THAT INCREASE THE FLOOR AREA OF THE PRINCIPAL
STRUCTURE**

BE IT ORDAINED by the Township Committee of the Township of Chatham as follows:

Section 1. Section 30-78.11 b. be amended to read as follows:

As used in this subsection, the maximum coverage of the principal structure shall include only the foundation under the roofed portion of such structure and all area contiguous to the structure below an eave, bay window, oriel, balcony, or overhang which project more than three feet beyond the face of the structure shall be included in the calculation of building coverage. All projections that increase the floor area of the principal structure shall be included in the building coverage calculation.

Section 2. The Township Clerk is hereby directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Morris County Planning Board and all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerks of adjoining municipalities. The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this Section, and shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

Section 3. After introduction, the Township Clerk is hereby directed to submit a copy of this Ordinance to the Planning Board of the Township of Chatham for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in this proposed Ordinance which are inconsistent with the Township’s Master Plan and recommendations concerning any inconsistencies and any other matters as the Board may deem appropriate.

Section 4. Any article, section, paragraph, subsection, clause, or other provision of the Revised General Ordinances of the Township of Chatham inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 5. If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

Section 6. This Ordinance shall take effect immediately upon: (1) adoption; (ii) publication in accordance with the laws of the State of new Jersey; and (iii) filing of the final form of adopted Ordinance by the Township Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Engineer Ruschke stated provided background on Ordinance 2021-24. He stated that the redevelopment pattern is for developers to maximize the building coverage and side yard setbacks on the lot. He also said that developers are now building cantilevers off the primary foundation into the rear of the property that increase the size of the structure and are a loophole in how building coverage is calculated. The ordinance serves to clarify that such cantilevers will be included in the building coverage calculation when they increase the floor area of the structure.

Deputy Mayor Abbott moved to introduce Ordinance 2021-24. Committeewoman Fondaco seconded the motion.

Committeewoman Felice asked if the ordinance applies to current applications. Engineer Ruschke stated that the ordinance would only apply to future applications, and will not be retroactive to current applications. The Township Clerk added that the ordinance would not be effective until notice of final adoption has been published. Attorney Cruz stated that the State of New Jersey has a Time of Application rule that governs. This rule states that only the ordinances in effect when applications are submitted would apply.

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

Public Hearing on Ordinance 2021-24 will be scheduled for November 18, 2021.

Consent Agenda

RESOLUTION 2021-247

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 \$709,923.73 and the prior month’s payroll of \$449,703.49 Current Fund, \$49,712.66 Sewer No. 1, \$11,497.18 Sewer No. 2, and \$15,524.63 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of October 2021, in the amount of \$3,336,093.00 be paid.

RESOLUTION 2021-248

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 September 23, 2021.

RESOLUTION 2021-249

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

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meeting held on September 23, 2021.

**RESOLUTION 2021-250
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY APPOINTING A CONFIDENTIAL
ASSISTANT/PAYROLL CLERK.**

BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, New Jersey that June M. Wolf is hereby appointed to serve as the Confidential Assistant/Payroll Clerk for the Township of Chatham effective October 16, 2021 at a pro-rated annual compensation rate which is within the range outlined in Ordinance 2021-03.

**RESOLUTION 2021-251
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING A REVISED EMPLOYEE
HANDBOOK AND PERSONNEL POLICIES AND PROCEDURES HANDBOOK**

WHEREAS, the Township of Chatham is a member of the Morris County Joint Insurance Fund (JIF); and,

WHEREAS, every two (2) to three (3) years all member municipalities are required to update their Employee Handbook and personnel policies; and,

WHEREAS, the Township's Labor Counsel has reviewed and approved the updated Employee Handbook and personnel policies, and will conduct training for employees so that they will be familiar with the Township's policies; and,

WHEREAS, the Township Committee wishes to approve a revised employee handbook and the personnel policies and procedures handbook, which are on file in the office of the Township Clerk;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that a revised employee handbook and personnel policies and procedures handbook are hereby adopted and shall be available to employees and the public in the office of the Township Clerk.

**RESOLUTION 2021-252
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW
JERSEY AUTHORIZING A LEASE EXTENSION WITH THE SENIOR SERVICES CENTER
OF THE CHATHAMS, INC.**

WHEREAS, the Township of Chatham entered into a Lease with the Senior Services Center of the Chathams, Inc. ("Senior Center") on November 12, 2006 to occupy a portion of the lower level of the municipal building at 58 Meyersville Road for use as a senior citizens center; and

WHEREAS, the provisions of the Lease allow for five (5) year extensions of the Lease; and

WHEREAS, the current lease extension expires on October 31, 2021; and

WHEREAS, both the Township and the Senior Center wish to exercise the extension option by entering into a Lease Extension.

NOW, THEREFORE, BE IT RESOLVED by the Township of Chatham, County of Morris, State of New Jersey, that the Lease between the Township of Chatham and the Senior Services Center of the Chathams, Inc. is hereby extended for a five (5) year term in accordance with the terms of the Lease Extension at a rate of \$1.00 per year and that the Mayor and Clerk are hereby authorized to sign the Lease Extension.

**RESOLUTION 2021-253
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING CREDIT BALANCE ON
COLONY POOL MEMBERSHIP FEE**

WHEREAS, a full membership registration fee was paid for some Colony Pool Memberships; and

WHEREAS, there were some registrations for which the membership fee was overpaid.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following refunds be made:

NAME & ADDRESS

AMOUNT

Zito

66 Weston Avenue

Chatham, NJ 07928

\$85.00

Almgren

36 Garden Avenue

Chatham, NJ 07928

\$250.00

RESOLUTION 2021-254

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

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

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

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

BLOCK	LOT	LIEN HOLDER	AMOUNT
115	12	Lienholder: Christiana T. c/f C&E1/First PO Box 5021 Philadelphia, PA 19111-5021 Certificate #19-00002 Distinguished Homes % D Angelis 35 Gates Ave	\$30,691.80-Certificate <u>\$46,100.00-Premium</u> \$76,791.80-Total

BE IT FURTHER RESOLVED that the Tax Collector is authorized to prepare and sign a Discharge of Certificate 19-00002.

RESOLUTION 2021-255

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO RENEW MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2026

WHEREAS, the Morris County Cooperative Pricing Council ("MCCPC") was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of education, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Township of Chatham desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency, to renew its membership in the MCCPC for the period of October 1, 2021 through September 30, 2026.

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 Township Committee of the Township of Chatham hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2021, pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for renewal of membership in the MCCPC for a five . (5) year period from October 1, 2021, through September 30, 2026.
2. The Township Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.

RESOLUTION 2021-256

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING JEANNE MARIE O’GARA TO THE POSITION OF CONSTRUCTION OFFICE CONTROL PERSON & TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICIAL

BE IT RESOLVED, by the Township Committee of the Township of Chatham that Jeanne Marie O’Gara is hereby appointed to the position of Construction Office Control Person & Technical Assistant To The Construction Official at an annual salary of \$53,000 effective October 1, 2021 after the successful completion of a ninety (90) day probationary period which can be extended, the compensation will increase to \$55,000, other terms and conditions are outlined in Offer Letter dated October 7, 2021.

RESOLUTION 2021-257
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY APPOINTING A ADMINISTRATIVE
ASSISTANT**

BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, New Jersey that Megan E. Gates is hereby appointed to serve as the Administrative Assistant for the Township of Chatham effective October 16, 2021 at a pro-rated annual compensation rate which is within the range outlined in Ordinance 2021-03.

RESOLUTION 2021-258
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, AWARDED TRAFFIC STRIPING
CONTRACT TO DENVILLE LINE PAINTING, INC. FOR 2021 ROAD RESURFACING**

WHEREAS, Denville Line Painting, Inc. of 2 Green Pond Road, Rockaway, New Jersey has been awarded the 2021 Contract #36: Traffic Striping of Roadways under the Morris County Cooperative Pricing Council; and

WHEREAS, Chatham Township is a member of the Morris County Cooperative Pricing Council; and

WHEREAS, Chatham Township has resurfaced Rose Terrace, Johnson Drive, Longwood Avenue, Lisa Drive (partial), Susan Drive (Partial), Hillcrest Avenue, and Woodland Avenue (Partial, Islands only), collectively referred to as “2021 Road Resurfacing”.

BE IT RESOLVED that the Township of Chatham hereby awards a contract to Denville Line Painting, Inc. in the amount of \$6,685.56 subject to applicable contract provisions under the Morris County Cooperative Pricing Council.

RESOLUTION 2021-259
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPOINTING MEMBERS TO THE AFFORDABLE HOUSING COMMITTEE**

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following appointments be made effective immediately:

<u>Affordable Housing Committee</u>	<u>Term Expires</u>
District 1 John von Knorring	December 31, 2021

Deputy Mayor Abbott moved to approve the Consent Agenda. Committeewoman Felice seconded the motion.

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

Discussion

Longwood Avenue Parking

Chief Miller stated that he agrees there is a parking issue on Longwood Avenue. He also expressed a concern that the problem would potentially shift to other streets if only Longwood Avenue is addressed. Chief Miller suggested that all streets in that neighborhood that have prohibitions on parking from 7:00 AM to 10:00 AM be adjusted to have parking prohibited from 7:00 AM to 1:00 PM. Administrator Hoffmann said that the goal is to avoid shifting the problem to other streets. He and Chief Miller said that the parking regulations should be updated on Longwood Avenue, Dellwood Avenue, Maple Street, Floral Street, Pine Street and School Avenue.

The Township Clerk noted that a few years ago, parking regulations were updated on Maple Street and Floral Street, and the problem has now shifted to Longwood Avenue. He also

recommended that the global approach be taken so that the matter would be less likely to have to be revisited in a few years.

Administrator Hoffmann suggested that there be a uniform policy so that would only be applicable on school days. He also described the challenges that Longwood Avenue residents have been facing recently due to student parking.

The consensus of the Township Committee was for an ordinance to be considered for introduction.

Joint Court Agreement

RESOLUTION 2021-260

AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT FOR THE PARTICIPATION IN THE JOINT MUNICIPAL COURT OF MADISON BOROUGH, CHATHAM BOROUGH, CHATHAM TOWNSHIP, AND MORRIS TOWNSHIP, PURSUANT TO THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT FOR A FOUR (4) YEAR PERIOD BEGINNING JANUARY 1, 2022 AND EXPIRING DECEMBER 31, 2025

WHEREAS, the Borough of Madison, the Borough of Chatham, and the Township of Chatham, operate a Joint Municipal Court utilizing the court facilities at the Hartley Dodge Memorial at Kings Road in Madison; and

WHEREAS, The Township of Chatham has been a member of the Joint Municipal Court since January 1, 2014 and the current agreement expires December 31, 2021.

WHEREAS, the Township Committee of the Township of Chatham believes that a Joint Municipal Court will result in a financial savings to the members and will provide for the efficient administration of justice.

WHEREAS, the participation of the Township of Morris in the Joint Municipal Court and the Joint Municipal Court Agreement is subject to concurrence by Honorable Stuart A. Minkowitz, Assignment Judge of the Superior Court of New Jersey, Morris County.

WHEREAS, the Township Committee deems it appropriate to authorize entry into an agreement for a Joint Municipal Court with the Borough of Madison, Borough of Chatham, and the Township of Chatham, for a four (4) year period beginning January 1, 2022 and expiring on December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham in the County of Morris, State of New Jersey, that the Mayor and Township Clerk are authorized and directed to execute and deliver the “Agreement” for the operation of a Joint Municipal Court pursuant to the “Uniform Shared Services and Consolidation Act” to the Borough of Madison with copies provided to the Borough of Chatham, and the Township of Morris.

Administrator Hoffmann noted that two municipalities have requested a change to the language of the agreement. Attorney Cruz stated that the agreement will not take effect until January 1, 2022.

Committeewoman Felice moved to adopt Resolution 2021-260. Committeewoman Fondaco seconded the motion.

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

Inflow & Infiltration Study

RESOLUTION 2021-261

RESOLUTION OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE PHASE 2 STUDY OF THE SANITARY SEWER COLLECTION SYSTEM TO IDENTIFY AREAS THAT MAY REQUIRE REPAIR AND REHABILITATION

WHEREAS, the Township of Chatham sanitary sewer system dates back to the 1960 and some sections require repair and renovation; and

WHEREAS, the Township of Chatham wishes to determine the amount of penetration from tree roots and other environmental factors such as frost heaves that have caused damage to the collection system; and

WHEREAS, there has been a noticeable increase in the volume of gallons in the system after heavy rains; and

WHEREAS, this is an indicator that the system is also treating storm water which is clean and does not require treatment; and

WHEREAS, the treatment of storm water is an unnecessary cost and in the future the treatment of storm water could have an adverse impact on the Township's Treatment Permit; and

WHEREAS, Resolution 2020-261 authorized the Phase 1 Flow Metering Study which identified six (6) drainage basins that appear to require correction for Rainfall induced Infiltration and Inflow into the Township's Sanitary Sewer System; and

WHEREAS, the cost for this study as outlined in the Township Engineer's proposal dated October 7, 2021 is \$37,900 and funds for this study are available through the Sewer Utility budget

NOW THEREFORE BE IT RESOLVED, that the Township of Chatham authorizes the Township Engineer to take the steps necessary to trace the flow volume in the Township's Sanitary Sewer Collection System including the use of video inspections of the Township sewer mains for a cost not to exceed \$37,900; and,

BE IT FURTHER RESOLVED that the results of this study will be used to prepare a strategic plan for preventative maintenance, repairs and the planned replacement of deteriorating infrastructure such as pipe.

Administrator Hoffmann stated that a study was performed regarding infiltration of stormwater into the Sanitary Sewer System, and six areas were identified where water is getting into the system at a significant rate. The next phase is to investigate those six areas so that solutions can be developed to fix the system.

Engineer Ruschke said that a systematic approach was taken to install flow meters to determine where substantial infiltration was occurring. He also stated that there will always be some level of infiltration, and the substantial areas of infiltration will be addressed. Manholes will be accessed to determine what pipes have leaks during the next phase. Once the leaks are found, techniques will be developed to take corrective action.

Deputy Mayor Abbott asked when the study was performed. Engineer Ruschke stated that it was conducted earlier this year, and the process is incremental to control the costs of the program.

Deputy Mayor Abbott moved to adopt Resolution 2021-261. Committeewoman Felice seconded the motion.

Roll call: Committeewoman Felice, Aye; Committeewoman Fondaco, Aye; Committeeman Hamilton, Absent; Deputy Mayor Abbott, 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 Felice moved to adjourn at 10:24 PM. Committeewoman Fondaco seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk