

**MINUTES
TOWNSHIP COMMITTEE
WORKSHOP MEETING
OCTOBER 24, 2023**

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 4, 2023; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 4, 2023; and notice was filed with the Township Clerk on January 4, 2023.

Roll Call

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

Executive Session

**RESOLUTION 2023-P-17
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. Potential Acquisition of Property
 - b. Collective Bargaining - PBA
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 2023-P-17 to enter Executive Session at 6:31 PM. Committeeman Lois seconded the motion.

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

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

Mayor Felice led the Flag Salute.

Approval of Agenda

Committeewoman Ewald moved to approve the Agenda. Deputy Mayor seconded the motion which carried unanimously.

Special Recognition

Sgt. Muta Blanford was honored upon his retirement. Mayor Felice read into the record an overview of Sgt. Blanford's career and accolades.

Sgt. Blanford was presented with a Certificate of Recognition by Mayor Felice. Chief Miller presented Sgt. Blanford with a plaque, and Lt. Slayton presented him with a shadowbox on behalf of the PBA.

Reports

Committeeman Choi reported that the Joint Recreation Committee has announced the reintroduction of the Chatham Ski & Snowboarding Program. The Chatham Girl Scouts are partnering with Moms Helping Moms for Diaper Needs Awareness Month, and donations are being accepted. The Girl Scouts will also be planting milkweed at the Green Village Pond Trail. Committeeman Choi noted that milkweed is the only food source for monarch butterflies.

Committeewoman Ewald reported that the Chatham Township Historical Society has begun planning events for the 250th Anniversary of the Independence of the United States. The Environmental Commission participated in the Sustainable Fair on the 21st of October. A Fall Cleanup is scheduled for October 28th. The Environmental Commission is also updating the Natural Resources Inventory.

Committeeman Lois reported on two recent power outages. The more recent outage was due to animal contact. Committeeman Lois reported that a Colony Pool Committee meeting will be held soon. The new Colony Tennis Courts have been unveiled, in addition to pickleball courts.

Deputy Mayor Hamilton congratulated Sgt. Blanford on his retirement. He also provided an update on Phase I of the Library's construction project.

Mayor Felice reported that the Town & Country Garden Club conducted a Township Sign Beautification Project. With the help of DPW, the Welcome to Chatham signs at the intersection of Fairmount and River as well as by Fairmount and Longwood were prepared by DPW to receive plantings by the Town & Country Garden Club. Mayor Felice provided background on the Town & Country Garden Club.

Hearing of Citizens

Mayor Felice opened the Hearing of Citizens.

1. Maureen Kelly, Mountain Avenue, said that she is outraged by a campaign flyer sent out by the Felice/Hamilton Campaign in which a photo including several Township police officers was included. Mrs. Kelly read into the record a Letter to the Editor by John Merwin addressing the flyer.

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

Mayor Felice responded to Mrs. Kelly's comments. She said that she will not apologize for supporting the Police Department, and she commented on public safety issues.

Committeewoman Ewald objected to the Mayor's response to Mrs. Kelly, noting that campaigning while presiding as Mayor was inappropriate.

Public Hearing/Final Adoption of Ordinances

Ordinance 2023-10

**ORDINANCE 2023-10
AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF
NEW JERSEY, AMENDING FEES FOR LIMO/LIVERY LICENSES**

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

Section 1. Section 4-5.2 of Chapter IV of the Revised General Ordinances of the Township of Chatham entitled AUTOCAB, LIMOUSINE AND LIVERY SERVICES shall be amended to read as follows:

§ 4-5.2 Fees

A license fee of \$25 shall be charged for each vehicle of any limousine or livery service for each year of registration or renewal thereof with the Township.

All required license fees shall be due and payable on the first business day of January of each year. Effective October 1, 2023 and February 1 every year thereafter, an additional late fee of \$25.00 will be charged to those licensees who have not obtained a license.

Section 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. All Ordinances or parts of Ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect according to law.

Mayor Felice opened the Public Hearing on Ordinance 2023-10.
Seeing no public comment, Mayor Felice closed the Public Hearing.

Deputy Mayor Hamilton moved to adopt Ordinance 2023-10. Committeeman Lois seconded the motion.

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

Ordinance 2023-11

**ORDINANCE 2023-11
ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW
JERSEY, TO ADD CHAPTER II SECTION 25 REGARDING LOCAL EMERGENCY
MANAGEMENT COUNCIL**

WHEREAS, pursuant to N.J.S.A. App, A:9-41, "Every municipality of this State, other than counties, shall create a local emergency management council. Each local emergency management council shall be composed of not more than 15 members who shall be appointed by the mayor or chief executive officer of the municipality and shall hold office at the will and pleasure of the appointing authority"; and

WHEREAS, pursuant to State law, the Chatham Township Council wishes to establish a Local Emergency Management Council ("LEMC"); and

WHEREAS, the Chatham Township Emergency Coordinator has reviewed the ordinance and procedures that will be put in place and agrees with same as it relates to the establishment of the LEMC; and

WHEREAS, the Chatham Township Council wishes to amend Chapter 2 of the Township Code in order to conform to the aforementioned statute pertaining to the creation of a LEMC.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Chatham, County of Morris, State of New Jersey, is hereby amended by the addition of § 2-25, Local Emergency Management Council, as follows:

**Chapter II Administration Article V Boards, Committees and Commissions § 2-25 Local
Emergency Management Council**

"§ 2-25 Local Emergency Management Council.

§ 2-25.1. Establishment of Local Emergency Management Council.

There is hereby established, within the Township of Chatham, a Local Emergency Management Council ("LEMC") as required by N.J.S.A. App. A:9-41.

§ 2-25.2. Membership; officers.

A. The LEMC shall be comprised of the up to 15 members who, in accord with N.J.S.A. App. A:9-41 and as suggested by *FEMA Comprehensive Preparedness Guide 101*, shall be appointed by the Mayor, and who shall serve at the will and pleasure of the Mayor. The composition of the LEMC is recommended as set forth below:

- (1) Mayor.
- (2) Township Administrator.
- (3) Township Engineer.
- (3) Chief of Police.
- (4) DPW Superintendent.
- (5) Health Officer.
- (6) OEM Coordinator.
- (7) Chatham Township Fire Department Chief or Chiefs designee.
- (8) Green Village Fire Department Chief or Chiefs designee.
- (9) Ambulance Corps Captain or Captain designee.
- (10) Red Cross Administrator.
- (11) Religious institution representative number 1.
- (12) Religious institution representative number 2.
- (13) School District of the Chatham's Superintendent or designee.
- (14) Private sector representative number 1 (hospital or health care facilities)
- (15) Private sector representative number 2 (utility operators or Childcare facilities)

B. The Mayor, in accordance with N.J.S.A. App. A:9-40.1a, shall appoint a Municipal Emergency Management Coordinator, preferably from among the residents of the Township. If a qualified Township resident cannot be identified, then any qualified individual appointed as a Municipal Emergency Management Coordinator who is not a resident of the municipality shall reside within a reasonable proximity of the municipality to ensure a prompt response and coordination of municipal resources for any local incident. The Municipal Emergency Management Coordinator shall serve as the Chairperson of the LEMC.

C. The Municipal Emergency Management Coordinator, subject to fulfilling the requirements of law, shall serve for a term of three (3) years, unless removed pursuant to N.J.S.A. App. A:9-40.2. As a condition of appointment and right to continue for the full term of appointment, each Municipal Emergency Management Coordinator shall have successfully completed at the time of appointment or within one (1) year immediately following appointment or the effective date of this ordinance, whichever is later, the current approved home study course and the basic emergency management workshop. The failure of any Municipal Emergency Management Coordinator to fulfill such requirement within the period prescribed shall disqualify the coordinator from continuing in the office of Coordinator and thereupon a vacancy in said office shall be deemed to have been created.

D. The Emergency Management Coordinator, subject to the Mayor's approval, in accordance with N.J.S.A. App. A:9-40.3, shall appoint a Deputy Emergency Management Coordinator from amongst the employees of the Township.

§ 2-25.3. Duties.

The Emergency Management Coordinator shall be responsible for the planning, activating, coordinating, and the conduct of emergency management operations within the Township. [N.J.S.A. App. A:9-40.4]

- A. The LEMC is directed, within the limits of appropriations, to establish an adequate organization to assist in supervising and coordinating the emergency management activities of the Township.
- B. The LEMC shall assist the Township in establishing the various local volunteer agencies needed to meet the requirements of all local emergency management activities in accordance with rules and regulations established by the governor in pursuance of the provisions of this chapter. [N.J.S.A. App. A:9-41].
- C. The LEMC shall meet a minimum of two (2) times per year.
- D. The LEMC shall prepare written emergency operations plans focused on all hazards, including homeland security, flooding, fire, loss of utilities and sanitary services, and shall confidentially share such plans as necessary with the various Township departments and personnel impacted by such plans.

- E. The LEMC shall, at least once per year, review previously prepared emergency response plans and update same as necessary in conformity with State statutes, N.J.S.A. App. A:9-42.1 through 43.4, Executive Orders issued by the Governor, any current or future NJOEM directives, or any applicable Federal statutes or regulations.
- F. The LEMC members shall participate in training and exercises as required by the Chairperson or NJOEM Director.
- G. In compliance with N.J.A.C. 6A:16-5, School Safety and Security Plans, the LEMC will meet with the Chief School Administrator of the School District of the Chathams in the development of the school districts' plans, procedures and mechanisms for school safety and security.
 - (1) The plans, procedures and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education.
 - (2) The plans, procedures and mechanisms shall be reviewed annually and updated, as appropriate.
- H. The LEMC shall collaborate with state, county, municipal, other Emergency Management Council personnel and agencies that serve disability and access/functional needs.
- I. All members of the LEMC shall maintain confidentiality and adhere to all laws, regulations and executive orders governing the confidentiality of any and all emergency operations plans to the extent permitted by law, including but not limited to the common law, the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., and Executive Order 21 (McGreevey 2002) and as amended by Order 26 (McGreevey 2002)."

“§ 2-25 Local Emergency Management Council.

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- A. The LEMC shall be comprised of the up to 15 members who, in accord with N.J.S.A. App. A:9-41 and as suggested by *FEMA Comprehensive Preparedness Guide 101*, shall be appointed by the Mayor, and who shall serve at the will and pleasure of the Mayor. The composition of the LEMC is recommended as set forth below:
 - (1) Mayor.
 - (2) Township Administrator.
 - (3) Township Engineer.
 - (3) Chief of Police.
 - (4) DPW Superintendent.
 - (5) Health Officer.
 - (6) OEM Coordinator.
 - (7) Chatham Township Fire Department Chief or Chiefs designee.
 - (8) Green Village Fire Department Chief or Chiefs designee.
 - (9) Ambulance Corps Captain or Captain designee.
 - (10) Red Cross Administrator.
 - (11) Religious institution representative number 1.
 - (12) Religious institution representative number 2.
 - (13) School District of the Chatham's Superintendent or designee.
 - (14) Private sector representative number 1 (hospital or health care facilities)
 - (15) Private sector representative number 2 (utility operators or Childcare facilities)
- B. The Mayor, in accordance with N.J.S.A. App. A:9-40.1a, shall appoint a Municipal Emergency Management Coordinator, preferably from among the residents of the Township. If a qualified Township resident cannot be identified, then any qualified individual appointed as a Municipal Emergency Management Coordinator who is not a resident of the municipality shall reside within a reasonable proximity of the municipality to ensure a prompt response and coordination of

municipal resources for any local incident. The Municipal Emergency Management Coordinator shall serve as the Chairperson of the LEMC.

- C. The Municipal Emergency Management Coordinator, subject to fulfilling the requirements of law, shall serve for a term of three (3) years, unless removed pursuant to N.J.S.A. App. A:9-40.2. As a condition of appointment and right to continue for the full term of appointment, each Municipal Emergency Management Coordinator shall have successfully completed at the time of appointment or within one (1) year immediately following appointment or the effective date of this ordinance, whichever is later, the current approved home study course and the basic emergency management workshop. The failure of any Municipal Emergency Management Coordinator to fulfill such requirement within the period prescribed shall disqualify the coordinator from continuing in the office of Coordinator and thereupon a vacancy in said office shall be deemed to have been created.
- D. The Emergency Management Coordinator, subject to the Mayor's approval, in accordance with N.J.S.A. App. A:9-40.3, shall appoint a Deputy Emergency Management Coordinator from amongst the employees of the Township.

§ 2-25.3. Duties.

The Emergency Management Coordinator shall be responsible for the planning, activating, coordinating, and the conduct of emergency management operations within the Township. [N.J.S.A. App. A:9-40.4]

- A. The LEMC is directed, within the limits of appropriations, to establish an adequate organization to assist in supervising and coordinating the emergency management activities of the Township.
- B. The LEMC shall assist the Township in establishing the various local volunteer agencies needed to meet the requirements of all local emergency management activities in accordance with rules and regulations established by the governor in pursuance of the provisions of this chapter. [N.J.S.A. App. A:9-41].
- C. The LEMC shall meet a minimum of two (2) times per year.
- D. The LEMC shall prepare written emergency operations plans focused on all hazards, including homeland security, flooding, fire, loss of utilities and sanitary services, and shall confidentially share such plans as necessary with the various Township departments and personnel impacted by such plans.
- E. The LEMC shall, at least once per year, review previously prepared emergency response plans and update same as necessary in conformity with State statutes, N.J.S.A. App. A:9-42.1 through 43.4, Executive Orders issued by the Governor, any current or future NJOEM directives, or any applicable Federal statutes or regulations.
- F. The LEMC members shall participate in training and exercises as required by the Chairperson or NJOEM Director.
- G. In compliance with N.J.A.C. 6A:16-5, School Safety and Security Plans, the LEMC will meet with the Chief School Administrator of the School District of the Chathams in the development of the school districts' plans, procedures and mechanisms for school safety and security.
 - (1) The plans, procedures and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education.
 - (2) The plans, procedures and mechanisms shall be reviewed annually and updated, as appropriate.
- H. The LEMC shall collaborate with state, county, municipal, other Emergency Management Council personnel and agencies that serve disability and access/functional needs.
- I. All members of the LEMC shall maintain confidentiality and adhere to all laws, regulations and executive orders governing the confidentiality of any and all emergency operations plans to the extent permitted by law, including but not limited to the common law, the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., and Executive Order 21 (McGreevey 2002) and as amended by Order 26 (McGreevey 2002)."

SECTION 2. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portions of this ordinance.

SECTION 3. All ordinances of the Township of Chatham which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect immediately upon passage and publication.

Mayor Felice opened the Public Hearing on Ordinance 2023-11.
Seeing no public comment, Mayor Felice closed the Public Hearing.

Deputy Mayor Hamilton moved to adopt Ordinance 2023-11. Committeewoman Ewald seconded the motion.

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

Ordinance 2023-12

ORDINANCE 2023-12
ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO ADD CHAPTER III SECTION 19 REGARDING PRIVATE STORAGE OF DE-ICING MATERIALS

BE IT ORDAINED, by the Township Committee of the Township of Chatham, in the County of Morris, to add the following sections to Chapter III of the Revised General Ordinances of the Township of Chatham:

Chapter III Section 19 – Storage of De-Icing Materials

SECTION I. Purpose

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Township of Chatham to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. §3-19.1 Definitions

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
- 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;

3. The structure shall be erected on an impermeable slab;
 4. The structure cannot be open sided; and
 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- F. "Resident" means a person who resides on a residential property where de-icing material is stored.

SECTION III. §3-19.2 Deicing Material Storage Requirements

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 5. Containers must be sealed when not in use; and
 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
- C. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION IV. §3-19.3 Exemptions

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from

leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION V. §3-19.4 Enforcement

This ordinance shall be enforced by the Chatham Township Zoning Officer during the course of ordinary enforcement duties.

SECTION VI. §3-19.5 Violations and Penalties

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Any person(s) who is found to be in repeat violation and/or failure to complete corrective action of the provisions of this section shall be subject, upon conviction, to the penalties provided in § 1-5, General Penalty.

SECTION VII. Severability

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Mayor Felice opened the Public Hearing on Ordinance 2023-12.
Seeing no public comment, Mayor Felice closed the Public Hearing.

Deputy Mayor Hamilton moved to adopt Ordinance 2023-12. Committeewoman Ewald seconded the motion.

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

Consent Agenda

RESOLUTION 2023-191

**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 \$1,044,482.32 and the prior month's payroll of \$497,922.33 Current Fund, \$67,008.11 Sewer Utility, \$27,514.04 Open Space and \$21,505.31 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of October 2023, in the amount of \$3,419,113.00 be paid.

RESOLUTION 2023-192

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

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meetings held on September 26, 2023 and October 10, 2023.

RESOLUTION 2023-193

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

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meetings held on September 26, 2023 and October 10, 2023.

**RESOLUTION 2023-194
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ACCEPTING THE RESIGNATION OF ZINNIA CHEETHAM**

WHEREAS, the Township of Chatham has accepted the resignation of Zinnia Cheetham (hereinafter “Employee”); and

WHEREAS, the Employee resigned effective September 24, 2023.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Chatham Committee, in the County of Morris, that the Committee accepts the resignation of Zinnia Cheetham.

**RESOLUTION 2023-195
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, RELEASING DEVELOPER ESCROW ACCOUNT AND/OR PERFORMANCE BOND BALANCES**

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

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

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

NAME	<u>Project</u>	<u>A/C NUMBER</u>	<u>AMOUNT</u>
Walter Prah 53 Dellwood Avenue Chatham, NJ 07928	BOA 23-0003	E7766323122	\$112.50
Golden River Homes LLC 2 Cramer Lane Mendham, NJ 07945	BOA-17-61-16 Re: 11 Sunset Drive	E7764128657	\$59.50
Shannon Decker 44 Woodlawn Drive Chatham, NJ 07928	BOA-17-52-2	E7764128665	\$120.00
Ferraro & Stamos LLP 22 Paris Avenue, Suite 105 Rockleigh, NJ 07647	BOA-19-95-18.01 Re: 300 Shunpike Road	E7765172512	\$234.75
Vesta Projects LLC Attn: Maitreyee Mopalwar 2444 Morris Avenue, Suite 202 Union, NJ 07083	PBA-22-004 Re: 552 River Road	E7765834 732	\$22.75
Ivan Levitskiy 5 Laurel Court Hackettstown, NJ 07840	ZBA-20-11 Re: 32 Mountainview Rd	E7765172900	\$0
Oak Knoll School of Holly Child Attn: Ms. Cindy Kubala 44 Blackburn Road Summit, NJ 07901	PBA-20-002 Re: 300 Green Village Rd	E7765172744	\$142.00

Wenchen Li 1 Woodland Road Chatham, NJ 07928	BOH 2023-1	E7766323073	\$593.75
Premier Design Custom Homes, LLC 405 Quantuck Lane Westfield, NJ 07090	RO-21-025 Re: 56 May Drive	E7765173073	\$1,060.00
Ivan Levytsky 3 Laurel Ct. Hackettstown, NJ 07840	BOA 19-31-1 Re: 20 Mountainside Dr	E7765172330	\$462.50
Eric Dorflinger 12 Lori Lane Chatham, NJ 07928	BOA 22-015	E7766178519	\$20.05
King Jang 8 Warwick Road Chatham, NJ 07928	BOA 22-022	E7766323015	\$256.20
Emre Utkan 14 Chestnut Road Chatham, NJ 07928	BOA 22-020	E7766178600	\$539.40
Patrick Canfield 312 Lafayette Avenue Chatham, NJ 07928	BOA-17 -1 06-14	E7764128467	\$222.00

RESOLUTION 2023-196

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING THE AWARD OF A CONTRACT TO LAUMAR ROOFING CO. INC., A
VENDOR APPROVED BY THE NJ COOPERATIVE PURCHASING ALLIANCE**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements with other contracting units as defined under N.J.S.A. 40A:11-2(1) for its procurement of goods and services; and

WHEREAS, the Township of Chatham, as a local government contracting unit, has previously entered into Cooperative Pricing Agreements with the NJ Cooperative Purchasing Alliance; and

WHEREAS, the Township may, without advertising for bids, purchase any materials, supplies, services, or equipment under an approved cooperative contract for the purchase of such items, whereby the contracting unit, NJ Cooperative Purchasing Alliance, serving as the lead agent, has complied with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) and all other provisions of the revised statutes of the State of New Jersey; and

WHEREAS, the Township of Chatham is in need of a new shingle roof for Building A on the Department of Public Works' (DPW) property as listed on a quote dated August 21, 2023 from Laumar Roofing Co. Inc. attached hereto and made a part of this resolution in the amount of \$169,000.00; and

WHEREAS, the NJ Cooperative Purchasing Alliance has awarded a contract to Laumar Roofing Co. Inc., of 426 Gregory Avenue, Passaic, NJ 07055, for the removal of the old roof and installation of a new shingle roof located at Building A on DPW property under Bid #22-40, as indicated on the attached August 21, 2023 service quotation in the amount of \$169,000.00; and

WHEREAS, the Chief Financial Officer of the Township of Chatham has certified that adequate funds for such a contract are available, and are designated to Capital Budget line-item appropriations of the following accounts:

C-04-55-948-905
C-04-55-951-905
C-04-55-953-904
C-04-55-955-903

BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the Township of Chatham enter into an agreement/contract with Laumar Roofing Co. Inc., of 426 Gregory Avenue, Passaic, NJ 07055, for the removal of the old roof and installation of a new shingle roof located at Building A on DPW property under Bid #22-40, as indicated on the attached August 21, 2023 service quotation in the amount of \$169,000.00.

RESOLUTION 2023-197

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2023 BUDGET

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Chatham will receive \$25,619.17 NJDOT Safe Routes to School Program for Shunpike Road Sidewalk Replacement Project Falmouth to Pine and wishes to amend its 2023 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$25,619.17 which will be available as a revenue from:

Miscellaneous Revenues – Section F: Special Items of General revenue – Public and Private Revenues Offset with Appropriations:

NJDOT SRTS for Shunpike Road Sidewalk Replacement Project Falmouth to Pine, and

BE IT FURTHER RESOLVED, that a like sum of \$25,619.17 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

NJDOT SRTS for Shunpike Road Sidewalk Replacement Project Falmouth to Pine.

BE IT FURTHER RESOLVED, that the Township Clerk forward a copy of this resolution to the Director of Local Government Services.

RESOLUTION 2023-198

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2023 BUDGET

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Chatham has received \$809,000.00 from the Department of Justice Office of Community Oriented Policing Services Technology and Equipment Program and wishes to amend its 2023 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$809,000.00 which is now available as a revenue from:

Miscellaneous Revenues – Section F: Special Items of General revenue – Public and Private Revenues Offset with Appropriations:

Department of Justice COPS Technology and Equipment Program, and

BE IT FURTHER RESOLVED, that a like sum of \$809,000.00 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Department of Justice COPS Technology and Equipment Program.

BE IT FURTHER RESOLVED, that the Township Clerk forward a copy of this resolution to the Director of Local Government Services.

RESOLUTION 2023-199

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE SOLICITATION OF BIDS FOR THE DESIGN, CONSTRUCTION, AND IMPLEMENTATION OF PUBLIC SAFETY INFORMATION SHARING TECHNOLOGY COMMUNITY PROJECT IN ACCORDANCE WITH THE LOCAL PUBLIC CONTRACTS LAW PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ.

WHEREAS, the Mayor and Township Committee of the Township of Chatham have determined that its residents and members of the public would benefit from a fiber optic loop system in and around the Township of Chatham as part of its infrastructure and municipal facilities; and

WHEREAS, the Township of Chatham has received \$809,000.00 from a Community Oriented Policing Services (“COPS”) grant and needs to acquire an outside contractor to design and construct such a system which will exceed the bid threshold requiring the Township to utilize and follow the various provisions of the Local Public Contracts Law and Regulations pursuant to the provisions of N.J.S.A. 40A:11-1, et seq. and N.J.A.C. 5:34, et seq.; and

WHEREAS, the Township intends to solicit bids for and have the Qualified Purchasing Agent, with the help of the Township Engineer and under the direction of the Business Administrator, prepare and issue bid packets utilizing the Local Public Contracts Law with the intent to identify and recommend a bidder who can successfully provide the services required and who is the lowest responsible bidder after public advertising for bids has been completed and all bids reviewed and eventually recommend to the governing body based upon the most advantageous price and other factors; and

WHEREAS, pursuant to N.J.S.A. 40A:11-1, et seq., the contract shall be awarded by separate resolution of the Chatham Township Committee based upon a determination of the most advantageous price and other factors to be set forth in the RFP and bid specifications in the bid packets and after the Chief Financial Officer has determined that funds will be available for this contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of a contract and the contract itself must be available for public inspection.

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

1. The Township Committee hereby authorizes the Qualified Purchasing Agent, with the help of the Township Engineer under the direction of the Township Administrator, to prepare specifications and bid packets for the design and construction of the fiber optic loop utilizing the Local Public Contracts Law.
2. The Township Committee hereby further authorizes the Municipal Clerk, once the bid documents have been prepared, to request bids for the implementation of the fiber optic loop pursuant to N.J.S.A. 40A:11-1, et seq. and N.J.A.C. 5:34, et seq.

RESOLUTION 2023-200

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING MEMBERS TO THE BOARD OF HEALTH

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

Board of Health

Term Expires

1. Shankar Srinivasan

December 31, 2023

RESOLUTION 2023-201

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE PREPARATION OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR VARIOUS PROFESSIONAL SERVICES

WHEREAS, the Township seeks to obtain quotes or proposals from licensed professionals to provide the following services:

1. Township Attorney
2. Labor Attorney
3. Bond Counsel
4. Tax Appeal Attorney
5. Conflict Litigation Attorney
6. Affordable Housing Attorney
7. Municipal Prosecutor
8. Township Engineer
9. Township Planner
10. Auditor
11. Financial Advisor
12. Real Estate Appraiser
13. Risk Management Consultant
14. Planning Board Attorney
15. Planning Board Planner
16. Planning Board Engineer

17. Zoning Board of Adjustment Attorney
18. Zoning Board of Adjustment Planner
19. Zoning Board of Adjustment Engineer
20. Zoning Board of Adjustment Acoustics Engineer
21. Zoning Board of Adjustment RF Engineer
22. Board of Health Attorney
23. Board of Health Engineer

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham authorizes the Qualified Purchasing Agent (QPA) and Alternate Purchasing Agent to prepare and advertise an RFQ for the aforementioned services.

RESOLUTION 2023-202
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE OF ONE
AND TRADE IN OF ONE POLICE ISSUED FIREARM WITH ATLANTIC TACTICAL

WHEREAS, the Township of Chatham’s Chief of Police has determined that there is a need to purchase a new police-issued duty firearm for one of the department’s new officers, a Sig Sauer W320CA-9BXR3-PRO P320 9mm, for \$513.75; and

WHEREAS, there is also the ability to trade in an old police-issued duty firearm from a retiring police officer, a Sig Sauer P320 Professional 9mm 3.9 inch with 1.5 night sights, for \$326.00; and

WHEREAS, the Township was satisfied with the October 11, 2023, Proposal No. SQ-80783296 submitted by Atlantic Tactical, of 14 World’s Fair Drive, Somerset, NJ 08873, which is attached hereto and made a part of this Resolution, for a total cost for the police issued firearm of \$185.75; and

WHEREAS, Atlantic Tactical has been the vendor used to purchase and maintain various Chatham Township Police firearms and is licensed as a Federal Firearms Licensed dealer subject to state and local firearms laws and regulations and will properly transfer said firearms in accordance with the law.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, and State of New Jersey, that it hereby awards and authorizes the execution of an Agreement with Atlantic Tactical, of 14 World’s Fair Drive, Somerset, NJ 08873, as follows:

1. The Agreement is for one Sig Sauer W320CA-9BXR3-PRO P320 9mm for \$513.75 and the trade in of one Sig Sauer P320 Professional 9mm 3.9 inch with 1.5-night sights for \$326.00, for a total of \$185.75 for the new police-issued duty firearm.
2. The Agreement will be performed in an effective and efficient manner in accordance with the proposal submitted to the Township of Chatham Administrator and made a part of this Resolution.
3. A copy of the Agreement shall be available for public inspection in the Office of the Township Clerk.
4. This Resolution shall take effect immediately.

RESOLUTION 2023-203
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, APPOINTING AN ACTING FIRE SUB-
CODE OFFICIAL/INSPECTOR (HHS)

WHEREAS, due to the resignation of Dennis Bettler effective May 31, 2023, there will be fill a vacancy in the position of Fire Sub-Code Official; and

WHEREAS, the absence of a Fire Sub-Code Official would impede the orderly administration of the Uniform Construction Code by the Township; and

WHEREAS, Construction Official John K. Daniels is licensed and qualified to fill the position and is willing to serve as the Township’s Acting Fire Subcode Official for a period not exceeding thirty days while a suitable replacement is found; and

WHEREAS, on May 23, 2023 the Township Committee adopted Resolution 2023-125 to appoint Jack K. Daniels as Acting Fire Subcode Official effective June 1, 2023 for a period not to exceed 30 days; and

WHEREAS, there is a need to extend that appointment.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, New Jersey that pursuant to N.J.A.C. 5:23-4.4(a)6, the appointment of John K. Daniels as Acting Fire Sub-Code Official effective June 1, 2023 at a prorated annual salary of \$20,000 is extended for a period through November 30, 2023.

RESOLUTION 2023-204
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS, NEW JERSEY, MODIFYING THE CURRENT SHARED
SERVICES AGREEMENT FOR SPECIAL LAW ENFORCEMENT OFFICERS WITH THE
SCHOOL DISTRICT OF THE CHATHAMS OF OCTOBER 2018

WHEREAS, the Uniform Shared Services and Consolidations Act, N.J.S.A. 40A:65-1 authorizes local governmental entities to enter into an agreement, among other things, for the sharing of services; and

WHEREAS, on December 13, 2018 the Township Committee adopted Resolution 2018-211 to enter into a shared service agreement with the School District of the Chathams regarding the provision of Special Law Enforcement Officer III ("SLEO III") services for the purpose of school security, as set forth in N.J.S.A. 40A:14-146.10 et seq.; and

WHEREAS, on May 23, 2023 the Township Committee adopted Resolution 2023-121 to modify the agreement to reclassify one of the SLEO III officers as a SLEO II officer; and

WHEREAS, the School District of the Chathams agrees to reimburse the Township on a quarterly basis for all costs related to the Township's hiring, training, outfitting, and employment of the SLEO III and SLEO II Officers; and

WHEREAS, a further modification is necessary to reflect the updated pay scale for the SLEO III Officers.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham hereby authorizes the Mayor and Township Clerk to execute an updated agreement with the School District of the Chathams for a Special Law Enforcement Officer III according to the terms and conditions of the attached agreement.

RESOLUTION 2023-205
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPOINTING BRIAN SZYMANSKI TO THE POSITION OF SPECIAL LAW ENFORCEMENT
OFFICER III

BE IT RESOLVED, by the Township Committee of the Township of Chatham that a conditional offer of employment is hereby extended to Brian Szymanski with an appointment date of November 1, 2023 at a rate of \$40.00 per hour pending the successful completion of his pre-employment physical and qualifications; and,

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

BE IT FURTHER RESOLVED, that the terms and conditions of the Shared Services Agreement with the School District of the Chathams Board of Education as authorized by Resolution 2023-204 shall be considered part of the terms of employment.

RESOLUTION 2023-206
RESOLUTION OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE PURCHASE OF
ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Township of Chatham has determined to move forward with the EMEX Reverse Auction in order procure electricity for the Township of Chatham; and

WHEREAS, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the "Act") authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, the Township of Chatham will utilize the online auction services of EMEX, LLC, a division of Mantis Innovation, an approved vendor pursuant to the Act; and

WHEREAS, EMEX, LLC, a division of Mantis Innovation, is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction was conducted on October 24, 2023 pursuant to the Act; and

WHEREAS, the auction solicited bids for 12-month, 18-month, and 24-month terms in which six energy companies participated; and

WHEREAS, the lowest bids received were \$0.09170 per kWh for a 12-month contract, \$0.09570 per kWh for a 18-month contract, and \$0.09410 per kWh for a 24-month contract; and

WHEREAS, the current total price-to-compare through Jersey Central Power & Light is \$0.095149 per kWh; and

WHEREAS, it is in the best interest of the Township of Chatham to award a 12-month contract to Shell Energy Solutions at a rate of \$0.09170 per kWh which results in an approximate savings of \$6,882 over the term of the contract.

NOW THEREFORE BE IT RESOLVED, that the Township Administrator of the Township of Chatham is hereby authorized to execute on behalf of the Township of Chatham a contract for the winning bid in the EMEX Reverse Auction proffered by Shell Energy Solutions at a rate of \$0.09170.

Committeewoman Ewald moved to approve the Consent Agenda. Deputy Mayor Hamilton seconded the motion.

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

Hearing of Citizens

Mayor Felice opened the Hearing of Citizens.

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

Committeeman Lois commented that it is a disservice for national issues to be addressed during a Hearing of Citizens. He said he supports public participation, however addressing national issues rather than local issues is divisive.

Committeeman Choi said it is people's right to address any subject they wish, and Township Committee members should remain professional and dispassionate. He also said that donations to community organizations is a private matter, and representations should not be made whether or not someone else has made donations.

Deputy Mayor Hamilton moved to adjourn at 8:00 PM. Committeeman Lois seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk