

**MINUTES
TOWNSHIP COMMITTEE
SPECIAL MEETING
NOVEMBER 5, 2020**

Mayor Kelly called the Special Meeting of the Township Committee of the Township of Chatham to order at 3:30 P.M.

Adequate Notice of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both *The Chatham Courier* and the *Morris County Daily Record* on October 15, 2020; notice was posted on the bulletin board in the main hallway of the Municipal Building on October 15, 2020; and notice was filed with the Township Clerk on October 15, 2020.

Pursuant to Executive Orders Nos. 102, 103, 104 and 107 and to ensure the safety of all, during a State of Emergency declared by New Jersey Governor, Phil Murphy, on March 9, 2020 to “contain the spread of COVID-19”, the Township of Chatham limited the public from physically attending the Township Committee meeting to be held on Tuesday, October 20, 2020.

Roll Call

Answering present to the roll call were Committeewoman Ewald, Committeewoman Fondaco, Committeewoman Swartz, Deputy Mayor Ness and Mayor Kelly. .

All Township Committee members and professionals participated in the meeting via Zoom.

Approval of Agenda

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

Hearing of Citizens

Mayor Kelly reviewed the procedures for participation in the Hearing of Citizens.

Mayor Kelly opened the Hearing of Citizens.
Seeing no public comment at this time, Mayor Kelly closed the Hearing of Citizens.

The Township Clerk confirmed that there were not any written comments submitted.

Resolutions

**RESOLUTION 2020-235
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM TO
APPLY FOR A LOCAL GOVERNMENT EMERGENCY FUND (CRF) GRANT**

WHEREAS, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and fee revenues, and extraordinary increases in public safety and health and human services expenditures; and

WHEREAS, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

WHEREAS, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

WHEREAS, the Department of Community Affairs (“DCA”), through the Division of Local Government Services (“DLGS” or “Division”), has been deemed the lead agency for the distribution of the Local Government Emergency Fund (the “LGEF” or “Program”), provided through an allocation of the State of New Jersey’s CARES Act Coronavirus Relief Fund (CRF Funds); and

WHEREAS, counties and municipalities excluded from the federal government’s direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

WHEREAS, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

WHEREAS, LGEF Grants exist to support costs incurred as part of a local unit’s response to COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, that the (Township of Chatham will apply for a LGEF Grant in the amount of \$107,457.

Mayor Kelly said that Resolution 2020-235 relates to COVID reimbursement funding.

Administrator Hoffmann said that there is a grant application due on November 10th for a State program for municipalities in 9 counties having a population under 500,000 people. Chatham Township is eligible to apply for \$107,457 from this program. Administrator Hoffmann also said that the Township has already spent approximately \$45,000 on reimbursable items, and the MERV Filters to be installed are also eligible for reimbursement. The HVAC units and UV lights are also eligible.

Committeewoman Ewald moved to adopt Resolution 2020-235. Deputy Mayor Ness seconded the motion.

Roll call: Committeewoman Ewald, Aye; Committeewoman Fondaco, Aye; Committeewoman Swartz, Aye; Deputy Mayor Ness, Aye; Mayor Kelly, Aye.

RESOLUTION 2020-236

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE ADOPTION OF THE 2020 MORRIS COUNTY, NEW JERSEY HAZARD MITIGATION PLAN UPDATE

WHEREAS, all jurisdictions within Morris County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Morris County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Morris County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

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

- 1) Adopts in its entirety, the 2020 Morris County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

Administrator Hoffmann explained that Morris County asks municipalities to adopt this resolution every five years so that the County can obtain reimbursement from the Federal Government. It also allows the Township to apply for FEMA grants.

Committeewoman Swartz thanked Chief Miller and OEM Coordinator Kevin Sullivan for putting together a comprehensive plan.

Committeewoman Ewald asked if this intended as a work in progress. Engineer Ruschke said that the plan is a guideline, and identifies a means of communication.

Committeewoman Swartz moved to adopt Resolution 2020-236. Deputy Mayor Ness seconded the motion.

Roll call: Committeewoman Ewald, Aye; Committeewoman Fondaco, Aye; Committeewoman Swartz, Aye; Deputy Mayor Ness, Aye; Mayor Kelly, Aye.

Executive Session

**RESOLUTION 2020-P-31
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 - In the Matter of the Township of Chatham for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan Docket No. MRS-L-1659-15
 - b. Litigation-Kronos Holdings, LLC v. Township of Chatham et als. Docket No. MRS-L-2024-20
 - c. Police Contract Matter – Arbitration Hearing
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 will not take further action.
5. This Resolution shall take effect immediately.

Committeewoman Ewald moved to adopt Resolution 2020-P-31 to enter Executive Session at 3:34 P.M. Deputy Mayor Ness seconded the motion.

Roll call: Committeewoman Ewald, Aye; Committeewoman Fondaco, Aye; Committeewoman Swartz, Aye; Deputy Mayor Ness, Aye; Mayor Kelly, Aye.

The Township Committee returned to Public Session, and Committeewoman Ewald moved to adjourn at 5:52 PM. Deputy Mayor Ness seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk