

**MINUTES
TOWNSHIP COMMITTEE
WORKSHOP MEETING
NOVEMBER 29, 2022**

Mayor Felice called the Regular Meeting of the Township Committee of the Township of Chatham to order at 7:30 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 November 18, 2022; notice was posted on the bulletin board in the main hallway of the Municipal Building on November 18, 2022; and notice was filed with the Township Clerk on November 18, 2022.

Roll Call

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

Mayor Felice led the Flag Salute.

Mayor's Statement

Mayor Felice congratulated the 6th Grade Football Team who recently won the NJ Suburban Youth Football Super Bowl. She also announced that the Chatham Township Fire Department's Annual Christmas Tree Sale has begun at the Rive Road Firehouse. The Green Village Fire Department will host the annual Christmas Tree Lighting on December 4th at 6:00 PM. Mayor Felice noted that today is Giving Tuesday, and she encouraged donations to the Chatham Township Fire Department, Green Village Fire Department and the Chatham Emergency Squad.

Mayor Felice announced the recent passing of Senior Center Founding Member Gordon Granger.

Approval of Consent Agenda

Committeeman Lois asked that Resolution 2022-292 and Resolution 2022-301 be removed from the Consent Agenda for separate discussion.

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

Township Committee Reports

Committeewoman Ewald offered her condolences to the Granger Family, and said she had met Mr. Granger before he stepped down from service on the Board. Committeewoman Ewald reported on upcoming Senior Center activities. She noted that the Senior Center has increased the availability of pickle ball, and planning has begun for the June Garden Tour.

Committeewoman Fondaco reported that at 4:30 PM on December 4th the Green Village Methodist Church will host a hotdog supper as a lead up to the Fire Department's Christmas Tree Lighting. Committeewoman Fondaco further reported that 63 households in Chatham Township participated in the Tri-Town Yard Sale to raise funds for the Great Swamp Watershed Association. The Environmental Commission planted a native plant garden and removed invasive species by Shunpike Field. Committeewoman Fondaco reminded residents that they may bring clean polystyrene to the Madison Recycling Center on Tuesdays and Fridays from 8:00 AM to 12:00 PM and Saturdays from 8:00 AM to 2:30 PM. The Environmental Commission is hoping to arrange for Township residents to participate in discounted energy audits. The Historical Society recently held a program about the Mayflower Crossing. The Art League will be setting up their December Art Show, and a reception will be held on December 11th.

Committeeman Lois reported that JCP&L is working on a line upgrade from the Gillette and Green Village substations, and they are upgrading a circuit. The Finance Committee did not meet, however Committeeman Lois made requests for information for which he has not received a full response. Committeeman Lois said that he has asked JCP&L to grant a waiver of pole fees

for an upcoming fiber optic project. He further reported that he does not have access to membership information in the Colony Pool portal. Committeewoman Ewald asked about recent power outages. Committeeman Lois said they were due to animal contact.

Deputy Mayor Hamilton reported that the Library Board of Trustees approved a Strategic Plan for some renovations at the Library of the Chathams. Regarding Public Safety, Deputy Mayor Hamilton reported that there were two burglaries in the Township during the past two weeks. He said that lawlessness begets lawlessness, and there need to be stricter penalties for car thieves and burglars. Deputy Mayor noted a resolution on the agenda supporting a grant program to combat auto thefts and a prior resolution supporting State legislation for stricter penalties for car thefts.

Mayor Felice announced that the Mayors of Chatham Township and Chatham Borough jointly present an annual Mayors' Volunteer of the Year Award to a volunteer who has consistently demonstrated commitment and dedication to the Library of the Chathams. This year's honoree is Joseph Venazzo, and Mayor Felice provided background on the Generation Y Networking Group that he works with.

Hearing of Citizens

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

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

Introduction of Ordinances

Ordinance 2022-13

ORDINANCE 2022-13

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF CHATHAM TO ADD A NEW SECTION REGULATING COMMERCIAL FILMING IN CHATHAM TOWNSHIP

WHEREAS, Chatham Township has been cited in various magazines and media outlets as one of the best places to live in the United States; and

WHEREAS, Chatham Township offers ample parks, beautiful tree lined streets, historic homes, and unique natural beauty for its residents and visitors to enjoy; and

WHEREAS, due to these benefits, many members in the TV and movie industry enjoy filming and want to film in Chatham Township; and

WHEREAS, it is in the residents' best interest to enact appropriate legislation to allow for filming to occur within the township while preserving the quality of life; and

WHEREAS, this ordinance will regulate the issuance of permits for commercial and educational filming within Chatham Township; and

WHEREAS, this ordinance will enable fire, police, and other departments to support and ensure a safe and orderly process for members in the media industry; and

WHEREAS, this ordinance will allow the governing body to mitigate negative impacts filming could have on the residents.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Chatham, County of Morris, and State of New Jersey, that the Chatham Township Code be amended to include a chapter entitled "Filming" as follows:

SECTION 1. "Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

FILMING - The taking of still or motion pictures, either on film, videotape, digital or similar recording medium, for commercial or educational purposes intended for viewing on video receivers, television, in theaters, the Internet or for institutional use.

DISPLAY-To promote, issue, sell, transmit, distribute, exhibit, or advertise.

PUBLIC LANDS - Any and every public street, highway, sidewalk, square, public right of way, public park or playground, public building and property or other public place within the Township of Chatham which is within the jurisdiction and control of Chatham Township.

PRIVATE LANDS - Any other land not defined as public lands which is within the municipal borders of Chatham Township.

FILM CREW MEMBERS- Directors, producers, actors, set members, camera crew members, security, contractors, interns, and agents.

SECTION 2. Permits.

- A. No person shall film or permit filming within Chatham Township without first obtaining a permit therefor, which permit shall set forth the location of such filming, time and the date or dates when the filming shall take place. A permit application shall be filed at thirty (30) days prior to the first date that filming is to take place.
- B. Permits shall be obtained in the office of the Chatham Township Clerk during normal business hours and applications for such permits shall be in a form approved by the Township Clerk.
- C. If a permit is issued and, due to inclement weather or other good cause beyond the applicant's control, filming does not in fact take place on the dates specified, the Township Clerk may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all other provisions of this ordinance. No additional fee shall be required for said permit.
- D. The permit is not transferable.

SECTION 3. Rules and Regulations.

- A. No permit shall be issued for filming upon public or private lands within Chatham Township unless the applicant for such permit:
 - (1) Provides proof of insurance coverage for bodily injury for any one person in the amount of \$1,000,000.00 and for any aggregate occurrence in the amount of \$3,000,000.00. Chatham Township shall be named as an additional insured on the policy and a Certificate of Insurance shall be delivered to the Township at the time that the application is filed.
 - (2) Agrees in writing to indemnify and save harmless Chatham Township from any and all liability or damages resulting from the use of such public lands.
 - (3) Provides proof of service of written notification of proposed dates and locations to be used for production activities to all property owners who will be directly affected by the filming and site location(s).
- B. The holder of a permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with lawful directives issued by the Chatham Township Police Department with respect thereto. When, in the judgment of the Chief of Police, or his/her designee, the presence of additional security in the form of police, fire, or code enforcement personnel are required in connection with the filming, the applicant shall reimburse the Township for the cost of such personnel.
- C. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets.
- D. The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for removing all equipment, debris and other rubbish from the filming location upon the completion of filming.
- E. The Township Clerk may refuse to issue a permit whenever they determine, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and other Township agencies, that filming at the location and/or time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.
- F. In addition to any other fees or costs associated with this ordinance, the applicant shall reimburse the Township for any lost revenue or repairs to public property.
- G. In addition to any other fees or costs associated with this ordinance, the applicant shall compensate the township for the use of any on-street or off-street parking spaces used for purposes of the production. The applicant is responsible for arranging and coordinating said parking agreement with the Township Administrator.

SECTION 4. Fees.

The schedule of fees for the issuance of permits authorized by this chapter are as follows:

- 1. Application fee - \$200.00
- 2. Filming fee - \$100 per day
- 3. Expedited processing fee (applies to any application filed less than 30 days prior to production or requires processing in 14 days or less) - \$500 application fee, plus \$200/day filming fee
- 4. Application amendment fee (applies to each amendment to an approved application) - \$250.00

SECTION 5. Exemptions.

- A. The provisions of this ordinance shall not apply to the filming of news stories within Chatham Township.
- B. Filming performed by one individual using a hand-held camera without assistance from others shall be exempt from this ordinance.
- C. Fees may be waived for students enrolled in a bona fide educational institution and nonprofit corporations located in Chatham Township upon receipt by the Township Clerk of written certification from a teacher or administrator of that institution and proof of nonprofit corporate status stating that the filming is for educational purposes only and not intended for commercial use.
- D. Fees may be waived for feature films with a total budget of up to or less than \$100,000 and episodic shows with a total budget of up to or less than \$ 25,000 for the episode.

SECTION 6. 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 7. 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 8. This ordinance shall take effect immediately upon passage and publication as required by law.

Committeeman Lois asked about adding a sunset provision. Attorney King said that the ordinance could be repealed if a future Township Committee so desires. Committeeman Lois stated that there are sections of the Township Codebook has some sections that are outdated and sunset provisions can be useful.

Committeewoman Ewald asked about the time required for submission of a permit application. She said that one section requires only 14 days whereas another appears to require 30 days. Committeewoman Ewald recommended that it remain 30 days. Committeewoman Ewald also asked for clarification about the budget threshold for permits being required.

Committeewoman Ewald moved to introduce Ordinance 2022-13. Committeewoman Fondaco seconded the motion.

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

Public Hearing on Ordinance 2022-13 will be scheduled for December 13, 2022.

Ordinance 2022-16

ORDINANCE 2022-16

BOND ORDINANCE TO AUTHORIZE THE MAKING OF A LOAN FOR THE DEVELOPMENT AND CONSTRUCTION OF AFFORDABLE HOUSING IN, BY AND FOR THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Township of Chatham, in the County of Morris, State of New Jersey (the "Township") is hereby authorized, pursuant to N.J.S.A. 52:27D-311, to make a loan to Chatham Family Apartments LLC for the development and construction of affordable housing units at 522 Southern Boulevard (Block 128, Lot 2 on the Tax Assessment Map of the Township) in, by and for the Township. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$2,000,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$2,000,000, and (4) \$100,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said

purpose is \$1,900,000, and (6) the cost of such purpose, as hereinbefore stated, does not include any amount to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that the sum of \$100,000 in the Township's Affordable Housing Trust Fund is now available to serve as the down payment on said purpose. The sum of \$100,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$1,900,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$1,900,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,900,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 12. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Committeeman Lois expressed concern about amount of the down payment. He also expressed concern about the increasing debt to the Township, and he suggested that remaining balances from prior bond ordinances should have been used toward the down payment in this ordinance. Committeeman Lois further lamented that the Finance Committee did not meet to discuss the bond ordinance.

Committeewoman Ewald asked if there is an ongoing review of capital accounts to have a higher down payment. Administrator Shehady said that is being done, and requests from department heads are also being reviewed. A bond ordinance would still be needed to cancel the original debt balances, and about \$310,000 was found that can be canceled and reappropriated toward the

purposes of Ordinance 2022-16. Administrator Shehady explained how capital ordinances are financed, and said that Ordinance 2022-16 is designed to get the ball rolling so that certain Township obligations can be met so that the Township is not in breach of a developers agreement. He also said that tax credits could be lost if the money is not appropriated.

Committeeman Lois asked why the down payment percentage was not higher in the ordinance if the intention is to reappropriate other moneys for the purposes of the ordinance. Administrator Shehady said that there had not been any dissent at the workshop meeting to how the bond ordinance is being funded. He also said that the Spending Plan will need to be updated.

Deputy Mayor Hamilton noted a perceived commitment of appropriating at least an additional \$310,000 toward this purpose once the money is available. Committeeman Lois asked why the money is not included in Ordinance 2022-16. Administrator Shehady explained again that it is not presently available until further action is taken by the Township Committee.

Committeewoman Ewald moved to introduce Ordinance 2022-16. Committeewoman Fondaco seconded the motion.

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

Public Hearing on Ordinance 2022-16 will be scheduled for December 13, 2022.

Public Hearing/Final Adoption of Ordinances

Ordinance 2022-14

ORDINANCE 2022-14 AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY REGARDING CERTIFICATES OF SANITARY SEWER CONNECTION INSPECTIONS

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

1. There is hereby adopted a new section to the "Revised General Ordinances of the Township of Chatham, 1995" as follows:

- a. 17-1.8(d) Certificate of Sanitary Sewer Connection

No owner of a structure within the Township, used or intended for use for residential purposes by not more than two (2) households, which structure is connected to the Township Sanitary Sewer System, shall sell, lease or otherwise permit a new occupancy for residential purposes without first obtaining a certificate of continued occupancy from the Township Department of Public Works evidencing that the structure is not discharging or dumping any non-sanitary sewage, rainwater, stormwater, drain water, or water from sump pumps into the Township Sanitary Sewer System. A fee of fifty (\$50.00) dollars shall be paid to the Township of Chatham prior to the issuance of the Certificate by the Department of Public Works. Inspections pursuant to this section may be made by the Director of Public Works or his/her designee.

- 2. This Ordinance shall take effect as provided by law.

Mayor Felice opened the Public Hearing on Ordinance 2022-14.
Seeing no public comment, Mayor Felice closed the Public Hearing.

Committeewoman Ewald moved to adopt Ordinance 2022-14. Committeeman Lois seconded the motion.

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

Ordinance 2022-15

ORDINANCE 2022-15 AN ORDINANCE TO AMENDING MINIMUM AND MAXIMUM RANGES FOR COMPENSATION FOR CERTAIN POSITIONS OF EMPLOYMENT IN THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY

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

Section 1. The following offices and positions of employment in the Township of Chatham in the County of Morris are hereby established and the persons occupying such offices and positions shall be compensated at the rates, or within the ranges, set forth below. Actual compensation, consistent with the salary ranges established herein, is established by Township Resolution.

A. Governing Body		
	Minimum	Maximum
Township Committee Member	\$ -	\$ 2,400
B. Office		
	Minimum	Maximum
Township Administrator	\$ 160,000	\$ 215,000
Township Clerk/Registrar	\$ 60,000	\$ 93,000
Chief of Police	\$ 150,000	\$ 205,000
Chief Financial Officer	\$ 99,000	\$ 171,000
Assistant Treasurer	\$ 50,000	\$ 99,000
Finance Clerk/Payroll Clerk/Accounts Payable Clerk	\$ 40,000	\$ 89,000
Human Resources Manager	\$ 40,000	\$ 69,000
Human Resources Specialist	\$ 40,000	\$ 58,000
Tax Collector/Utility Collector	\$ 60,000	\$ 99,000
Assistant Tax & Utility Collector	\$ 20,000	\$ 90,000
Assistant Tax Assessor	\$ 20,000	\$ 90,000
Public Works Manager	\$ 110,000	\$ 149,000
Assistant Public Works Manager	\$ 100,000	\$ 141,000
Wastewater Treatment Facility Manager	\$ 100,000	\$ 132,000
Construction Official	\$ 75,000	\$ 133,000
Recreation Director	\$ 74,000	\$ 109,000
Administrative Assistant/Confidential Administrative Assistant	\$ 40,000	\$ 58,000
Technical Assistant to the Construction Official	\$ 40,000	\$ 66,000
C. Part-Time Salaried Position		
	Minimum	Maximum
Tax Assessor	\$ 20,000	\$ 38,000
Fire Prevention Official	\$ 8,000	\$ 17,000
Sub-Code Official/Inspector	\$ 13,000	\$ 31,000
Emergency Management Coordinator	\$ 3,000	\$ 10,000
Board Manager	\$ 40,000	\$ 55,000
Governmental Access TV Manager/Video Producer	\$ 3,000	\$ 9,000
D. Seasonal Salaried Position		
	Minimum	Maximum
Pool Manager	\$ 15,000	\$ 23,000
Assistant Pool Manager	\$ 10,000	\$ 22,000
Second Assistant Pool Manager	\$ 5,000	\$ 20,000
Swim Team Coach	\$ 1,000	\$ 5,000
Assistant Swim Team Coach	\$ 1,000	\$ 3,000
Part-Time Non-Salaried Position		
	Minimum	Maximum
Clerk/Typist (per hour)	\$ 13.00	\$ 22.00
Laborer (per hour)	\$ 11.90	\$ 20.00
Special Law Enforcement Officer III (per hour)	\$ 25.00	\$ 40.00
Lifeguard/Senior Lifeguard/Head Lifeguard (per hour)	\$ 11.90	\$ 30.00
Gate Attendants (per hour)	\$ 11.90	\$ 20.00
Crossing Guards (per hour)	\$ 13.00	\$ 30.00

E. Stipends and dual positions: Full-time employees who have been permanently appointed to hold more than one title, shall be compensated at the rates of the titles held with the highest salary range. The following stipends shall be paid to employees who have assumed additional positions within the Township in addition to their primary employment position.

	Minimum	Maximum
Deputy Clerk	\$ -	\$ 8,000
Deputy Registrar	\$ -	\$ 8,000
Deputy Emergency Management Coordinator	\$ -	\$ 5,000
Deputy Zoning Officer	\$ -	\$ 8,000
Qualified Purchasing Agent	\$ -	\$ 8,000
Board of Health Secretary	\$ 5,000	\$ 14,000
Planning Board Secretary (per meeting)		\$ 250
Zoning Board Secretary (per meeting)		\$ 250

Section 2. Overtime for eligible employees shall be at the rate of straight time for hours exceeding 35 per week and one and one-half times employee’s regular rate of pay for hours exceeding 40 per week.

Section 3. Employees covered by a collective bargaining agreement shall be entitled to compensation as provided in their respective agreements.

Section 4. Salaries provided herein shall be effective January 1, 2022, for those employed with the Township.

Section 5. When required by law, the Township shall pay at least the minimum wage established for the State of New Jersey.

Section 6. This ordinance shall take effect upon publication as provided by the law.

Mayor Felice opened the Public Hearing on Ordinance 2022-15.
Seeing no public comment, Mayor Felice closed the Public Hearing.

Committeewoman Ewald moved to adopt Ordinance 2022-15. Committeewoman Fondaco seconded the motion.

Committeeman Lois expressed concern that Ordinance 202215 does not conform to an organizational chart for Colony Pool. He also expressed fear that it will lead to runaway pay increases. Administrator Shehady said that the concerns were already addressed at both the workshop meeting and at the meeting when the ordinance was introduced. Mayor Felice noted that the specific salaries would be set by resolution, and she does not see any problem with setting a range. Committeewoman Ewald agreed that there is not any problem with a range. She also said that she does not know what the Colony Pool organizational chart includes.

Committeeman Lois raised concerns about how Colony Pool salaries and wages are addressed. He also said that the organization chart is a document used by the Colony Pool Committee and he does not know why the Township Committee is not following it. Administrator Shehady said that the organizational chart was developed prior to the hiring of the current pool manager, and organizational charts are a function of management. He further noted that the ordinance is designed to give some flexibility.

Deputy Mayor Hamilton asked how this ordinance is different from what has been done in the past. Committeeman Lois said it has been reformatted, and now includes a minimum salary. Mayor Felice said that the salary ordinance has always included a minimum. Committeeman Lois said that there was confusion created when the Assistant Pool Manager was set at an hourly range rather than a salary.

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

Consent Agenda

**RESOLUTION 2022-293
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 October 25, 2022 and November 15, 2022.

**RESOLUTION 2022-294
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 October 25, 2022 and November 15, 2022.

RESOLUTION 2022-295

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>
Lara Kanjo 43 Sunset Drive Chatham, NJ 07928	BOA 19-61-12	7765172314	\$466.30
Kevin Marchetti 22 Dale Drive Chatham, NJ 07928	ZBA 20-016	7765173023	\$835.50
Image One Industries, LLC 677 Dunksfern Road Bensalem, PA 19020	ZBA 20-016 641 Shunpike Road	7765834328	\$59.09
Majestic Signs 951 Teaneck Road Teaneck, NJ 07666	BOA 21-002 500 Southern Blvd Juniper Assisted Living	7765834310	\$0.00
Visentini Sebastiano 7 Glenmere Drive Chatham, NJ 07928	BOA 21-018	7765834609	\$521.00
Taylor Properties, LLC 144 Lake Road Basking Ridge, NJ 07920	BOA 22-002 75 Ormont Road	7765834659	\$1,041.25

RESOLUTION 2022-296

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING FINALIZED CONTRACT BETWEEN THE TOWNSHIP OF CHATHAM AND INTERNATIONAL BROTHERHOOD OF TEAMSTERS, LOCAL 469

WHEREAS, the Township of Chatham and International Brotherhood of Teamsters, Local No. 469 (“IBT Local No. 469”) are parties to a collective negotiations agreement that expired on December 31, 2021;

WHEREAS, the parties entered into a Memorandum of Understanding (“MOU”) that was agreed upon by representatives for both parties on November 9, 2022, pending approval and ratification by the membership of IBT Local No. 469 and the Township Committee of the Township of Chatham;

WHEREAS, subsequent to the completion of the MOU, the parties have successfully worked together to incorporate the MOU into a finalized successor collective negotiations agreement effective January 1, 2022 through December 31, 2025 that has been approved by IBT Local No. 469 and recommended for approval by the Township Administrator.

BE IT RESOLVED that the Township Committee hereby formally approves the November 9, 2022 MOU as incorporated into the finalized collective negotiations agreement between the Township of Chatham and IBT Local No. 469, effective January 1, 2022 through December 31, 2025.

RESOLUTION 2022-297

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH TILCON NY, INC. FOR
THE NOE AVENUE RESURFACING PROJECT (2021 MUNICIPAL AID)**

WHEREAS, the Township Committee of the Township of Chatham awarded a contract to Tilcon NY, Inc. through the 2022 Morris County Cooperative Pricing Council for the Noe Avnue Resurfacing Project (2021 Municipal Aid) in the amount of \$140,793.50;

WHEREAS, the contracted work was performed and completed by Tilcon NY, Inc. in August, 2022;

WHEREAS, the as-built amount completed and billed by Tilcon NY, Inc. is \$180,112.59, an increase of \$39,319.09 from the awarded contract;

WHEREAS, the increase is largely due to the asphalt and fuel price adjustments which entitle the contractor to compensation based on the cost of fuel and asphalt as specified by the New Jersey Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it hereby approves the Change Order amending the final Contract amount to \$180,112.59.

RESOLUTION 2022-298

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH DENVILLE LINE
PAINTING, INC. FOR THE NOE AVENUE RESURFACING PROJECT (2021 MUNICIPAL
AID)**

WHEREAS, the Township Committee of the Township of Chatham awarded a contract to Denville Line Painting, Inc. through the 2022 Morris County Cooperative Pricing Council for the Noe Avnue Resurfacing Project (2021 Municipal Aid) in the amount of \$10,272.32;

WHEREAS, the contracted work was performed and completed by Denville Line Painting, Inc. in August 2022; and

WHEREAS, the as-built amount completed and billed by Denville Line Painting, Inc. is \$6,132.16, a decrease of \$4,140.16 from the awarded contract.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it hereby approves the Change Order amending the final Contract amount to \$6,132.16.

RESOLUTION 2022-299

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH TILCON NY, INC. FOR
THE FAIRMOUNT AVENUE NEIGHBORHOOD RESURFACING PROJECT (2022
MUNICIPAL AID)**

WHEREAS, the Township Committee of the Township of Chatham awarded a contract to Tilcon NY, Inc. through the 2022 Morris County Cooperative Pricing Council for the Fairmount Avenue Neighborhood Road Resurfacing Project (2022 Municipal Aid) in the amount of \$325,050.00;

WHEREAS, the contracted work was performed and completed by Tilcon NY, Inc. in August, 2022;

WHEREAS, the as-built amount completed and billed by Tilcon NY, Inc. is \$330,055.02, an increase of \$5,005.02 from the awarded contract;

WHEREAS, the increase is largely due to the asphalt and fuel price adjustments which entitle the contractor to compensation based on the cost of fuel and asphalt as specified by the New Jersey Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it hereby approves the Change Order amending the final Contract amount to \$330,055.02.

RESOLUTION 2022-300

**RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY MORRIS, STATE OF NEW
JERSEY AUTHORIZING SECOND AMENDMENT TO DEVELOPER'S AGREEMENT WITH
FENIX-CHATHAM I, LLC, AND FENIX-CHATHAM II, LLC**

WHEREAS, Owner/Developer and Minor Subdivision Owner/Developer obtained preliminary and final major subdivision approval for the 9-lot High Gate at Chatham Subdivision. The Developer's Agreement for the 7-lot Fenix Subdivision was entered into between the Developer and the Township on May 30, 2013 and recorded with the Morris County Clerk on August 7, 2013; and

WHEREAS, Owner/Developer, Fenix and Minor Subdivision Owner/Developer, Longview at Chatham entered into that certain First Amendment to Developer's Agreement with the Township dated September 22, 2016 which was recorded with the Morris County Clerk on October 4, 2016; and

WHEREAS, time conditions to complete final paving of Mountainside Road and Longview Avenue were contained in the Resolutions granting minor and major subdivision approval with variance and design waiver relief for the High Gate at Chatham Subdivision dated June 4, 2012 and September 12, 2016, respectively, giving the Developers until November 30, 2021 to complete such final paving; and

WHEREAS, at the request of the Developer, a public hearing was held on April 18, 2022 by the Chatham Township Planning Board consider the grant of an extension to complete the required final paving of the roadways; and

WHEREAS, it is appropriate that Owner/Developer and the Minor Subdivision Owner/Developer, Fenix and Long View at Chatham, respectively and Chatham Township enter into this Second Amendment to Developer's Agreement with respect to the obligations of the parties in connection with the final paving of the High Gate at Chatham Subdivision roadways.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that said Developer's Agreement copy on file with the Township Clerk, with Fenix-Chatham I, LLC, and Fenix-Chatham II, LLC, be hereby amended, and that the Mayor and Clerk are hereby authorized to execute the same.

RESOLUTION 2022-302

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AWARDING WPC ROOF REPLACEMENT CONTRACT TO LAUMAR ROOFING CO. INC.

WHEREAS, Laumar Roofing Co. Inc. of 426 Gregory Ave Passaic, New Jersey has been awarded a 2022 Contract for Roof Repair, Replacement & Maintenance under the New Jersey Cooperative Purchasing Alliance; and

WHEREAS, Chatham Township is a member of the New Jersey Cooperative Purchasing Alliance; and

WHEREAS, Chatham Township wishes to replace the roof at the WPC Plant.

BE IT RESOLVED that the Township of Chatham hereby awards a contract to Laumar Roofing Co. Inc. in the amount of \$176,865.00 subject to applicable unit prices and contract provisions under the New Jersey Cooperative Purchasing Alliance.

RESOLUTION 2022-303

RESOLUTION OF THE CHATHAM TOWNSHIP COMMITTEE AUTHORIZING A LEASE EXTENSION FOR 60 DAYS OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS

WHEREAS, the Local Lands and Building Laws, *N.J.S.A. 40A:12-24, et seq.*, authorizes the lease by municipalities of any real property, capital improvements or personal property, or interests therein, not needed for public use by lease in the manner provided by law; and

WHEREAS, the Township of Chatham is the owner of certain real property being Block 128, Lot 2 on the Tax Map of the Township of Chatham, commonly known as 522 Southern Boulevard, Chatham, New Jersey, hereinafter ("522 Southern Boulevard"), not needed for public use at this time, and the Mayor and Township Committee had determined that it was in the best interest of the Township to lease the same to generate revenue, reduce taxes and liabilities and help the school district.

WHEREAS, there currently exists a lease for the parking lot with First Student, Inc. and pursuant to paragraphs 14 and 22 thereof the parties wish to extend the lease term for an additional 60 days at the rate of \$5,000 per month.

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

Section 1. The parking lot associated with 522 Southern Boulevard was offered for lease and awarded to First Student, Inc for \$5,000.00 a month pursuant to *N.J.S.A. 40A:12-24*.

Section 2. The property lease shall be extended pursuant to sections 14 and 22 for an additional 60 days at a rate of \$10,000.00 with an end date of December 15, 2022.

Section 3. All terms and conditions contained in the original lease agreement are still in full force and affect except for the above-mentioned lease period and payment.

Section 4. The lease amendment is made subject to all applicable laws and ordinances of the State of New Jersey and the Township of Chatham. The parking of the buses will not interfere with any remediation being conducted at the site.

Section 5. If any section or provision of this Resolution shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provision of this Resolution, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 6. The Mayor and the Township Clerk are hereby authorized to execute all documents necessary for the amendment of the current lease of the property listed herein, including but not limited to executing all amendments to the current lease and other required documents if any.

Section 7. This Resolution shall take effect immediately.

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

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

Non-Consent Agenda

RESOLUTION 2022-292

**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 \$1,786,425.23 and the prior month’s payroll of \$458,834.57 Current Fund, \$73,142.83 Sewer Utility, \$1,616.02 Open Space and \$43,861.18 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of November 2022, in the amount of \$3,414,532.00 be paid.

BE IT FURTHER RESOLVED that taxes due to the County of Morris, for the Fourth Quarter of 2022, in the amount of \$2,481,340.57 be paid.

Committeewoman Ewald moved to adopt Resolution 2022-292. Committeewoman Fondaco seconded the motion.

Committeeman Lois said that he only had one business day to review the bill list. He said he does not understand how it is possible to be expected to thoroughly review the bill list in that time frame. Committeeman Lois also said it is unfair to both the Committee and to residents for that timing, and the process needs to be cleaned up.

Administrator Shehady said that efforts are made to make the bill list available as soon as possible, and he noted that the Township is short staffed. Mayor Felice said that the Township Committee’s approval of the bill list is a formality. Administrator Shehady said that the Committee’s oversight makes sure that there are not any conflicts of interest and that procurement is being done legally. He also said that steps are taken to be sure that departments are coordinating with spending on various projects.

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

RESOLUTION 2022-301

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING BUDGET TRANSFERS**

WHEREAS, the Township Committee of the Township of Chatham, County of Morris has determined that certain appropriations, in the 2022 municipal budget, are not sufficient to meet anticipated expenses; and

WHEREAS, N.J.S. 40A: 4-58 authorizes the transfer from appropriations where excess exists to other appropriations that are anticipated to be insufficient.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris that the following transfers are hereby affected:

Current Fund

<u>Appropriation</u>	<u>To</u>	<u>From</u>
Buildings & Grounds Salary & Wages	126,000.00	
Water	20,000.00	
Road Repair/Maint Other Expenses	10,000.00	
Tax Assessor Other Expenses	5,000.00	
REC Other Expenses	5,000.00	
DCRP	4,500.00	
Social Security System	4,000.00	
Solid Waste Collect Salary & Wages		60,000.00
REC Salary & Wages		48,500.00
Employee Group Ins		26,000.00
Computerized Data Process Salary & Wages		10,300.00
Engineering Services Other Expenses		10,000.00

Planning Bd Other Expenses		10,000.00
Mayor/Township Committee Salary & Wages		7,200.00
Public Employee Retirement Sys		2,500.00
Current Fund Total	\$174,500.00	\$174,500.00

Committeewoman Ewald moved to adopt Resolution 2022-301. Committeewoman Fondaco seconded the motion.

Committeeman Lois said he wants to know why money is being transferred to cover a shortfall in Buildings & Grounds Salary & Wages. Administrator Shehady said that the line item in the operating budget had a shortfall because when the Finance Committee prepared the 2022 Budget, it was decided to allocate a larger portion of that expense to Colony Pool and Open Space. He explained that there needs to be documentation of hours worked to justify charging salary and wages to Colony Pool and Open Space, and the actual hours worked there were less than what had been anticipated. Committeeman Lois asked why money is not being transferred from Open Space. Administrator Shehady said that Open Space Funds can only be used for justified purposes, and documentation is required.

Deputy Mayor Hamilton asked if money was put into the Open Space Trust anticipating that it would be used for B&G Salary and Wages or if the plan was to pay the salary and wages from money that was already there. Administrator Shehady said that it was anticipated using money from the Open Space Tax.

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

RESOLUTION 2022-304
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
SUPPORTING FEDERAL LEGISLATION TO ESTABLISH A GRANT PROGRAM TO FUND
STATE AND LOCAL LAW ENFORCEMENT EFFORTS TO COMBAT AUTO THEFTS

WHEREAS, nearly 500,000 vehicles worth an estimated \$4.5 billion were stolen nationwide in the first half of 2022, representing a 25% increase in thefts compared to the first half of 2019; and

WHEREAS, the numbers here in New Jersey have increased faster than the national average, with auto thefts in the state on pace to rise by over 30% from 2020 to 2022; and

WHEREAS, car thieves and their organizations have become more emboldened and dangerous, including burglarizing homes, carrying firearms and using stolen vehicles in the commission of violent crimes; and

WHEREAS, proposed legislation, the bipartisan Auto Theft Prevention Act, introduced by Representatives Mikie Sherrill and Don Bacon, would provide a dedicated source of funding for state and local law enforcement agencies for resources to combat auto thefts under the U.S. Department of Justice's Community Oriented Policing Services; and

WHEREAS, the Department of Justice will be permitted to award funds for equipment such as automated license plate readers, hiring additional law enforcement officers and support staff, additional compensation, resources for joint task forces, data collection, and research activities; and

WHEREAS, these are resources that have been identified by local police departments, sheriffs, prosecutors and the Office of the Attorney General of New Jersey as necessary to addressing the rise in auto thefts.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Chatham in the County of Morris, State of New Jersey, that it strongly supports legislation in regards to funding to address the auto theft epidemic in New Jersey and protect the welfare of our community; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Representative Mikie Sherrill and to the New Jersey League of Municipalities.

Deputy Mayor Hamilton moved to adopt Resolution 2022-304. Committeewoman Fondaco seconded the motion.

Deputy Mayor Hamilton said that anti-theft measures need to be a priority.

Committeeman Lois said that the resolution is not legislation but supports Federal legislation that does not support the root cause. He said the resolution asks the government to tax and spend to address a matter caused by catch and release laws.

Deputy Mayor Hamilton agreed with Committeeman Lois that the resolution does not address root causes. He also said that if the Federal Government is going to tax and spend anyway, he will support having some of that money go to the Chatham Township Police Department.

Committeeman Lois noted that earlier today he sent the Mayor a draft ordinance for review that would increase the fines on trespassing with intent to steal. Mayor Felice said that will be added to the next workshop meeting agenda. She also said that the Township should support measures that would increase grant funding for the Chatham Township Police Department.

Committeewoman Ewald said that the grants from the proposed program could help cover overtime for the Police Department.

Roll call: Committeewoman Ewald, Aye; Committeewoman Fondaco, 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.

Committeewoman Fondaco moved to adjourn at 8:40 PM. Deputy Mayor Hamilton seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk