

**MINUTES
TOWNSHIP COMMITTEE
WORKSHOP MEETING
DECEMBER 13, 2022**

Mayor Felice called the Regular Meeting of the Township Committee of the Township of Chatham to order at 6:32 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 7, 2022; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 7, 2022; and notice was filed with the Township Clerk on January 7, 2022.

Roll Call

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

Executive Session

RESOLUTION 2022-P-18

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

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

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

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

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Personnel
 - b. Contract Negotiations –Shared Services Agreement
 - c. Contract Negotiations – Professional Services Agreement
3. It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.
4. The Committee will come back into Regular Session and may take further action.
5. This Resolution shall take effect immediately.

Deputy Mayor Hamilton moved to adopt Resolution 2022-P-18 to enter Executive Session at 6:33 PM. Committeeman Lois seconded the motion.

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

The Township Committee returned to Public Session at 7:39 PM.

Mayor Felice led the Flag Salute.

Mayor's Statement

Mayor Felice recognized Committeewoman Fondaco on her last meeting on the Township Committee. Mayor Felice cited Committeewoman Felice's variety of volunteer roles in Chatham Township.

Committeewoman Ewald also thanked Committeewoman Fondaco for her years of service on the Township Committee and in other volunteer roles.

Committeewoman Fondaco expressed her gratitude for the recognition.

Mayor Felice presented Committeewoman Fondaco with a plaque in recognition of her service on the Township Committee.

Approval of Consent Agenda

Committeeman Lois asked that Resolution 2022-305 be removed from the Consent Agenda for separate discussion.

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

Township Committee Reports

Committeewoman Ewald reported that the Senior Center recently hosted two holiday parties. There will be a cookie decorating event on December 14th, and a Welcome Winter chocolate fondue party on December 21st. The Senior Center will be closed from December 23rd through January 2nd. Committeewoman Ewald further reported that Madison had a meeting recently about allowing a marijuana dispensary, and it was voted down. The Municipal Alliance recently had a speaker who discussed the many health benefits of nose breathing, including as a tool in managing stress and anxiety.

Committeewoman Fondaco reported that the Art League had a successful reception on December 11th.

Committeeman Lois reported that he has been in touch with JCP&L about waivers for the upcoming fiberoptic network, and they are looking for grants that would distinguish Chatham Township from other communities, so it does not set a precedent.

Deputy Mayor Hamilton reported that the Library of the Chathams completed a wellness program, and anxiety issues were addressed. He also thanked Committeewoman Fondaco for her service to the Township.

Hearing of Citizens

Mayor Felice asked if any written comments had been received.

1. Sue Hoag, Canterbury Lane, submitted comments recognizing Committeewoman Fondaco for her service to the Township.

Mayor Felice opened the Hearing of Citizens.

1. Stewart Carr, Crestwood Drive, recognized Committeewoman Fondaco for her service to the Township. He also asked when he can expect information from Administrator Shehady regarding the debt service schedule and debt costs. Mr. Carr also commented on information he received from Committeeman Lois about the Township's inability to lower taxes because grant money had been received.

Committeewoman Ewald said that federal funds cannot be used to lower taxes, however anything funded through grants alleviates the tax burden.

Committeeman Lois said that the federal grant money was held for the roof and has yet to be expended in its total. He also said that a tax cut would have to be justified to if it was not related to the roof repair project.

2. Jessica Romeo, Pine Street, thanked Committeewoman Fondaco for everything she has done for Chatham Township residents. She said she anticipates that Committeewoman

Fondaco will continue to be active. Mrs. Romeo also noted that Committeewoman Fondaco played a role in reducing Shunpike Road from four lanes to two lanes.

- 3. Phil Ankel, Jay Road, commented on Committeewoman Fondaco’s unfailing desire to meet voters while campaigning, and her desire to hear what people have to say.
- 4. Jen McNally, Noe Avenue, told a story of Committeewoman Fondaco’s willingness to speak with residents while campaigning. She thanked Committeewoman Fondaco for her service and presented her with flowers.

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

Public Hearing/Final Adoption 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.

Mayor Felice opened the Public Hearing on Ordinance 2022-13.
Seeing none, Mayor Felice closed the Public Hearing.

Committeewoman Ewald moved to adopt 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.

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.

Mayor Felice opened the Public Hearing on Ordinance 2022-16.
Seeing none, Mayor Felice closed the Public Hearing.

Committeewoman Ewald moved to adopt Ordinance 2022-16. Deputy Mayor Hamilton seconded the motion.

Committeeman Lois said he appreciates the commitment and consensus to make a minimum 20% down payment.

Deputy Mayor Hamilton asked for clarification on the down payment. Administrator Shehady said that the ordinance as written includes a \$100,000 down payment. It is the intention to cancel unused balances on some former bond ordinances for land acquisition to increase the down payment on this ordinance.

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

Consent Agenda

RESOLUTION 2022-306 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING MINUTES OF MEETINGS

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meeting held on November 29, 2022.

RESOLUTION 2022-307

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE A LIMITED ACCESS AGREEMENT BETWEEN THE TOWNSHIP OF CHATHAM AND WALTERS-CORNERSTONE DEVELOPMENT, LLC

WHEREAS, the Township of Chatham desires to enter into a Limited Access Agreement with Walters-Cornerstone Development, LLC, of 21 East Euclid Avenue, Suite 200, Haddonfield, NJ 08033, for property known as 522 Southern Boulevard, Block 128, Lot 2, in the Township of Chatham, County of Morris, and State of New Jersey; and

WHEREAS, the Township and Walters-Cornerstone Development, LLC have agreed to the terms of said Limited Access Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Committee of the Township of Chatham, in the County of Morris, and State of New Jersey, that the Committee does hereby authorize the proper Township officials to enter into a Limited Access Agreement with Walters-Cornerstone Development, LLC, of 21 East Euclid Avenue, Suite 200, Haddonfield, NJ 08033, for property known as 522 Southern Boulevard, Block 128, Lot 2, in the Township of Chatham, County of Morris, and State of New Jersey, which document is attached hereto and made a part of this Resolution.

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the legal newspaper of the Township of Chatham.

RESOLUTION 2022-308

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PEDESTRIAN SAFETY AND ADA IMPROVEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit the grant application to the New Jersey Department of Transportation on behalf of the Township of Chatham. The improvements will be located on multiple roads located within the Township including Meyersville Road, Fairmount Avenue, School Avenue and River Road.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Chatham and that their signature constitutes the acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION 2022-309

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM RATIFYING AND CONFIRMING THE APPOINTMENT OF A FULL-TIME FINANCE CLERK

WHEREAS, the Township of Chatham desires to fill a vacancy in the Finance Department; and

WHEREAS, the Township of Chatham has advertised the vacancy and received resumes that have been reviewed by the Chief Financial Officer and Township Administrator; and

WHEREAS, the Chief Financial Officer has recommended that it would be in the best interests of the Township to appoint Edward Davenport as Finance Clerk; and

WHEREAS, the Township Administrator appoints Edward Davenport as full-time Finance Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that they do hereby ratify and confirm the Township Administrator's appointment of Edward Davenport as full-time Finance Clerk effective December 16, 2022 at an annual salary of \$80,000, pending satisfactory completion of a criminal background investigation, subject to satisfactory completion of a probationary period of 90 days and other terms and conditions outlined in Offer Letter dated December 5, 2022.

RESOLUTION 2022-310

RESOLUTION OF THE CHATHAM TOWNSHIP COMMITTEE AUTHORIZING A LEASE EXTENSION FOR UP TO 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 30 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 up to an additional 60 days at a rate of \$10,000.00 with an end date of February 15, 2023.
- 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.

RESOLUTION 2022-311
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING OVERPAYMENT OF TAXES

WHEREAS, an overpayment of property taxes has been made for the following properties; and
WHEREAS, the Tax Collector has recommended the refund of such overpayment,
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following refunds be made:

BLOCK	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
102.08	21	Hall, Kyle Kenneth/Lauren Raggio 73 Dale Dr Chatham, NJ 07928	\$11,622.21 3 rd Quarter 2022
48.03	4	Frey, Jonathan Taylor/Gail M Co. Trust 482 Fairmount Ave Chatham, NJ 07928	\$2,521.00 3 rd Quarter 2022
73	1.02	Corelogic Centralized Refund P.O. Box 9202 Coppell, TX 75019-9760 Property Owner: Moog, Matthew William/Julie Gale 17 Williams Road	\$5,869.76 1 st Quarter 2022

RESOLUTION 2022-312
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE A GENERAL RELEASE AND SETTLEMENT BETWEEN THE TOWNSHIP OF CHATHAM AND ROBERT HOFFMANN

WHEREAS, the Township of Chatham accepted the resignation, Separation Agreement and General Release between the Township of Chatham and Robert Hoffmann (hereinafter “Employee”); and
WHEREAS, the Employee instituted a lawsuit over same in the Superior Court of New Jersey, Law Division, Morris County, entitled, *Robert S. Hoffmann v. Township of Chatham, et al*, bearing Docket No. MRS-L-1010-22; and

WHEREAS, the Employee and Township of Chatham have agreed to resolve the matter and release each other from any further obligations.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Committee of the Township of Chatham, in the County of Morris, and State of New Jersey, that the Committee does hereby authorize the proper Township officials to enter into the General Release and Settlement with Robert S. Hoffmann for \$5,627.12, which document is attached hereto and made a part of this Resolution.

Deputy Mayor Hamilton moved to adopt the Consent Agenda. Committeewoman Fondaco 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 2022-305

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 \$563,395.90 and the prior month’s payroll of \$461,806.04 Current Fund, \$71,095.89 Sewer Utility and \$24,004.84 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of December 2022, in the amount of \$4,404,442.00 be paid.

BE IT FURTHER RESOLVED that taxes due to the County of Morris, for the 2022 Added and Omitted, in the amount of \$88,015.61 be paid.

Committeewoman Ewald moved to adopt Resolution 2022-305. Committeeman Lois seconded the motion.

Committeeman Lois asked if Administrator Shehady had received his desired corrections and modifications to the bill list. Administrator Shehady said he did not have time to review the changes in depth. He also explained that the Township does not charge things directly to JRAC but has to request reimbursement from the Borough.

Committeeman Lois said that he would like to have the Township Committee receive the bill list with more time to review the list.

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 Ewald moved to adjourn at 8:10 PM. Committeewoman Fondaco seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk