

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
FEBRUARY 8, 2022**

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

Adequate Notice of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both *The Chatham Courier* and the *Morris County Daily Record* on January 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 Ewald, Committeewoman Fondaco, Committeeman Hamilton and Mayor Felice. Committeeman Lois arrived during Executive Session.

Executive Session

**RESOLUTION 2022-P-02
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. Contract negotiations:
 - b. Attorney-Client Privilege
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.

Committeeman Hamilton moved to adopt Resolution 2022-P-02 to enter Executive Session at 6:31 PM. Committeewoman Fondaco seconded the motion.

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

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

Mayor Felice led the Flag Salute.

Mayor's Statement

Mayor Felice stated that one of the goals for the Township Committee in 2022 is to fix, upgrade and maintain the Township's infrastructure and facilities. She noted that this evening's Agenda includes a presentation by Engineer Ruschke about road resurfacing. There is also a resolution on the agenda regarding the unused space at the Municipal Building. Mayor Felice further noted that Colony Pool had a tremendous 2021 season, and the fee ordinance is scheduled for adoption at this meeting. Mayor Felice noted that Chatham Township Police will be afforded the same

discount at Colony Pool as volunteer first responders. Mayor Felice further noted a resolution appointing a new member to the Chatham Township Fire Department.

Approval of Agenda

Committeewoman Ewald asked that Resolution 2022-057 be pulled from the Consent Agenda for a separate vote.

Administrator Hoffmann stated that Resolution 2022-062 will be revisited at the February 22, 2022 meeting.

Committeeman Lois asked that Resolution 2022-049 be pulled from the Consent Agenda for a separate vote.

Committeeman Lois moved to approve the Agenda as amended. Committeewoman Ewald seconded the motion, which carried unanimously.

Proclamations

Black History Month

Mayor Felice read aloud the attached proclamation for Black History Month.

American Heart Month

Mayor Felice read aloud the attached proclamation for American Heart Month.

Presentation – Road Paving Planning

Engineer Ruschke presented the 2022 Proposed Road Maintenance and Improvement Program. He discussed the process by which roads are evaluated for resurfacing, and noted that coordination takes place with utility companies. Engineer Ruschke also commented on preventative maintenance performed by the Department of Public Works, as well as preparations that are made prior to repaving.

Regarding coordination with utility companies, Engineer Ruschke noted that there is a moratorium on road opening permits for repaved roads. He stated that the list of projects is provided to utility companies in advance. Engineer Ruschke also addressed Municipal Aid Funding. He further discussed roads for consideration. The total recommended Township budget for road improvements in 2022 is \$319,000.00.

Engineer Ruschke discussed Morris County roads that are in need of repaving. He reported that Passaic Street, River Road and Southern Boulevard are scheduled to be paved in 2022, as well as a portion of Shunpike Road/Watchung Avenue. In 2023, the County plans to repave Green Village Road. Engineer Ruschke stated that the County will be contacted before plans are finalized to make sure that the correct roads are prioritized.

Committeeman Lois asked about scheduling paving through the County Co-Op. Engineer Ruschke stated that scheduling can be difficult because many municipalities use the Co-Op, and the Township often receives short notice. He discussed the need to secure funding promptly so that the Township can perform preparatory work and get on the Co-Op's schedule as early as possible.

Committeewoman Ewald asked about if patchwork on Britten Road will last if repaving is delayed due to remediation of Rolling Knolls. Engineer Ruschke said that there were only a few areas needing patchwork, and micro-paving can also be used to prevent further deterioration. He also commented on trench restoration on Hillside Avenue.

Deputy Mayor Hamilton asked how the Township can get more attention to County Roads. Engineer Ruschke recommended reaching out to the County Commissioners. Committeeman Lois commented on efforts to get Morris County to work on Shunpike Road and Watchung Avenue.

Reports

Committeewoman Ewald reported that the Finance Committee met to discuss an upcoming Bond Issue. The Communications Committee also met recently, and she will be working with staff on website and social media updates. Committeewoman Ewald further reported on upcoming Senior Center activities. The Mayor's Wellness Committee also recently met to discuss upcoming activities. The Madison-Chatham Coalition is meeting soon, and has a sticker campaign to remind liquor store customers that it is illegal to purchase alcohol for people who are underage. Committeewoman Ewald reported that the Municipal Alliance has an upcoming program to help students transition to college. The Rolling Knolls Community Advisory Group has an upcoming meeting over Zoom.

Committeewoman Fondaco reported that there are garden plots available at the Community Garden. She further reported that the Historical Society is planning to install a historical marker at Colony Pool. The Historical Society also has an upcoming Zoom program called the Real Housewives of New Jersey. The Environmental Commission met last week and unanimously passed a resolution to support preservation of the Drew Forrest. Earth Day programs are also being planned including a free tree giveaway. Committeewoman Fondaco further reported that the Environmental Commission is participating in the Tri-Town Yard Sale along with Madison and Chatham Borough. Committeewoman Fondaco thanked the Department of Public Works for all they do, and reported that signage was installed regarding recently modified parking restrictions near Chatham High School. Committeewoman Fondaco also commented on snowplowing and salting during recent storms.

Committeeman Lois reported that PSE&G plans to finish their power line project in 2022. He further reported that New Jersey American Water will be replacing some water mains. Committeeman Lois also reported that the Joint Recreation Committee has met, and there is work to be done on bylaws and electronic field scheduling. The Finance Committee is working on a bond issuance. Regarding the Communications Committee, Committeeman Lois reported that he is working on upgrades to the cameras and switches in the Committee Chambers. Committeeman Lois also reported on membership trends at Colony Pool, and stated that the Colony Pool Committee is working on recommendations for 2022 fees.

Deputy Mayor Hamilton reported that the Governor has announced that the mask mandate for schools is being lifted on March 7th, and school districts will be able to choose for themselves if they want to have a local mandate. He also said that individuals can opt to continue to wear masks when mandates are lifted. Deputy Mayor Hamilton also reported that the Library of the Chathams is accepting books for the annual Friends of the Library Book Sale until February 20th. The Friends of the Library have worked on a program to provide tutoring through the Library in which students can find live tutors online. The Library's e-book collection is available through an app called Libby. Deputy Mayor Hamilton also reminded residents not to leave key fobs in their cars overnight. Mayor Felice commented on the dangers that car thieves pose by driving recklessly after they steal cars.

Administrator Hoffmann reported that the Nash Field Lighting Project is underway. He also reported that RFQ responses are due at 12:00 PM on February 10th. Committeewoman Ewald noted that the RFQ documents do not specify an hourly rate as was erroneously reported at a previous meeting.

Hearing of Citizens

Mayor Felice asked if any written comments were received. The Township Clerk provided comments as follows:

1. Jim Connelly, Van Houton Avenue, expressed support for the Township Committee's consideration of a resolution to support the preservation of the Drew Forrest.
2. Daniel Nealis, Yarmouth Road, addressed a setback and zoning issue on Yarmouth Road and asked the Township Committee to look into the matter.

Committeewoman Ewald stated that there is some confusion regarding the zoning issue raised by Mr. Nealis. Engineer Ruschke said that the ordinance needs to be reviewed. Committeeman Lois commented on a desire to not have houses protruding too far forward compared to others on the same street. Engineer Ruschke expressed his support for the Construction Official's interpretation of the ordinance as currently written, and reiterated that it can be changed.

Mayor Felice opened the Hearing of Citizens.

1. Jessica Romeo, Pine Street, spoke about the Environmental Commission's support for efforts to preserve the Drew Forest. Mrs. Romeo's daughter spoke about the impacts of deforestation on animal habitats and drinking water. She also said that she has enjoyed visiting the Drew Forest and it is a peaceful place. Mrs. Romeo presented a Certificate of Appreciation for the Chatham Township Environmental Commission's Monarch Waystation. She also encouraged people to attend the Rolling Knolls CAG meeting.
2. Joe Basralian, Fairfax Terrace, thanked the Township Committee for everything they do, and thanked the Township Clerk for taking delivery of trailblaze markers, and Troop 280 will be posting more along trails. Mr. Basralian addressed the Drew Forest and supported efforts to preserve it.
3. Claire Whitcomb, Madison Environmental Commission Chairperson, said that she worked with others such as Mr. Basralian to form the Friends of the Drew Forest. She spoke in favor of efforts to preserve the Drew Forest. Mrs. Whitcomb noted that the Forest is a natural aquifer, and also has walking trails. She opined that if it is preserved, it will be a regional draw for educational purposes. Mrs. Whitcomb also commented on the historic buildings on the Drew Campus. She thanked the Township Committee for their efforts.
4. Dot Stillinger, Noe Avenue, Chair of the Great Swamp Watershed Association's Land Preservation and Advocacy Committee, agreed with Mrs. Whitcomb's comments. She also advocated for a regional approach to open space preservation. Mrs. Stillinger advocated for public attendance at the Rolling Knolls CAG meeting, noting that the EPA's cleanup plan for the site will be discussed. Mrs. Stillinger stated that the site could be used as a link for trail networks.
5. Daniel Nealis, Yarmouth Road, said that his issue has been going on for six months, and a neighboring house is halfway closer to the street than neighboring houses.

Committeeman Lois stated that the Township Committee does not think the condition is satisfactory, and should be addressed through a lot grading plan. He also noted that the footnote in the Township Code is confusing. Administrator Hoffmann stated that the Construction Official enforces that codes and zoning regulations as they are written. He stated that the Construction Official interpreted the poorly worded ordinance correctly. Engineer Ruschke said he will seek an opinion of the Planning Board Attorney on how the regulations can be modified.

6. Jen McNally, Noe Avenue, said she is glad to see so much support for the Drew Forest. She also asked about a letter previously sent to the EPA about the Rolling Knolls Site. Mrs. McNally also expressed her excitement about road resurfacing and asked if any traffic lights will be updated.

Committeewoman Ewald commented on a letter sent to the EPA in 2019 that indicated the Township Committee's preference for option 3 in the remediation plan. Committeewoman Ewald also mentioned that a subsequent Memorandum of Understanding was sent to the EPA in 2021, signed by Chatham Township, the Miele Trust, the Great Swamp Watershed Association and the US Fish and Wildlife Services expressing the parties' interest in pursuing public access for passive recreation at the site. Ewald noted that the MOU does not explicitly reject the prior Committee's preference for Option 3. Committeeman Hamilton noted that the MOU supersedes the 2019 letter.

7. Stewart Carr, Crestwood Drive, asked the Township Committee to reconsider having a second Hearing of Citizens during meetings. He also asked that recordings of meetings be posted online sooner, and also asked that Planning Board meeting recordings be posted online. Mr. Carr further commented on the letter sent to the EPA about the Rolling Knolls Landfill.

Committeeman Lois commented on equipment upgrades, and there is potential for some improvements by the February 22nd meeting. He also commented on possible livestreaming of meetings on YouTube.

Deputy Mayor Hamilton noted that there was an earlier question about traffic lights. Engineer Ruschke said that there would need to be coordination with Morris County.

Committeewoman Ewald asked about posting of Planning Board meeting videos on the website. The Township Clerk noted a concern about the file size and said that the website hosting has limited space. He said that posting through YouTube may be a better option.

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

Public Hearing/Final Adoption of Ordinances

Ordinance 2022-01

**ORDINANCE 2022-01
AN ORDINANCE TO PROVIDE MINIMUM AND MAXIMUM RANGES FOR
COMPENSATION FOR CERTAIN POSITIONS OF EMPLOYMENT IN THE TOWNSHIP OF
CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, EFFECTIVE JANUARY 1, 2022**

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.

<u>Office or Position of Employment</u>	<u>Minimum</u>	<u>Maximum</u>
Township Committee Member	\$0	\$2,400
Township Administrator	\$160,000	\$196,000
Chief of Police (as well as additional compensation as outlined in the employment agreement)	\$150,000	\$186,000
Public Works Manager	\$110,000	\$128,000
Assistant Public Works Manager	\$100,000	\$124,000
Wastewater Treatment Facility Manager	\$100,000	\$124,000
Chief Financial Officer	\$100,000	\$130,000
Qualified Purchasing Agent	\$3,000	\$8,000
Township Clerk/Registrar	\$60,000	\$80,000
Secretary Board of Health/Dog Licensing Clerk	\$5,000	\$14,000
Deputy Clerk	\$35,000	\$50,000
Tax Collector/Utility Collector	\$60,000	\$85,000
Tax Assessor (PT)	\$20,000	\$38,000
Assistant Tax & Utility Collector	\$20,000	\$47,000
Assistant Tax Assessor	\$20,000	\$47,000
Confidential Administrative Assistant/Payroll Clerk	\$35,000	\$57,000
Human Resources Manager/Payroll Clerk	\$35,000	\$57,000
Accounts Payable/Assistant Treasurer	\$35,000	\$63,000
Administrative Assistant/Deputy Registrar	\$35,000	\$50,000
DPW Administrative Assistant/Recycling Coordinator	\$35,000	\$58,000
Police Administrative Assistant	\$35,000	\$48,000
Police Administrative Assistant/Records Manager	\$35,000	\$58,000
Special Law Enforcement Officer III (SLEO III)	\$25.00 Hr.	\$40.00 Hr.
Emergency Management Coordinator PT	\$3,000	\$10,000
Deputy Emergency Management Coordinator PT	\$1,000	\$5,000
Construction Official/Building Sub-code Official /Inspector	\$75,000	\$126,000
Construction Office Control Person/TACO	\$35,000	\$62,000
Construction Office Administrative Assistant	\$35,000	\$50,000
Board Manager PT	\$35,000	\$51,000

Deputy Zoning Officer	\$3,000	\$6,000	
Fire Sub-code Official/Inspector PT	\$13,000	\$24,000	
Electrical Sub-code Official/Inspector PT	\$13,000	\$31,000	
Plumbing Sub-code Official PT	\$13,000	\$21,000	
Plumbing Inspector/Alternate Sub-code Official PT	\$13,000	\$25,000	
Fire Prevention Official/Inspector PT	\$8,000	\$17,000	
Planning Board Secretary		\$250 per meeting	
Zoning Board Secretary		\$250 per meeting	
Governmental Access TV Manager/Video Producer PT	\$3,000	\$9,000	
		\$25 hr special services	
Recreation Director/Grant Writer	\$35,000	\$70,000	
Pool Manager	\$15,000	\$23,000	
Assistant Pool Manager	\$10,000	\$22,000	
Second Assistant Pool Manager	\$5,000	\$12,000	
Swim Team Coach	\$1,000	\$5,000	
Assistant Swim Team Coach	\$1,000	\$3,000	
Lifeguard		\$11.90 - \$20.00	Hr.
Substitute Lifeguard		\$11.90 - \$20.00	Hr.
Water Safety Instructor (added to lifeguard wages)		\$0.50	Hr.
Gate Attendants		\$11.90 - \$20.00	Hr.
Laborer (PT or seasonal)		\$11.90 - \$20.00	Hr.
Crossing Guards		\$13.00 - \$22.00	Hr.
Clerk/Typist (PT)		\$13.00 - \$22.00	Hr.

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 2022-01.
Seeing no public comment, Mayor Felice closed the Public Hearing.

Committeewoman Ewald moved to adopt Ordinance 2022-01. Deputy Mayor Hamilton seconded the motion.

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

Ordinance 2022-02

ORDINANCE 2022-02
AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, ESTABLISHING A RANGE OF POOL MEMBERSHIP FEES FOR THE COLONY RECREATION CENTER

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Section 20-1 of the Township Code is hereby amended to read as follows:

1. 20-1 POOL MEMBERSHIP FEES AT THE COLONY RECREATION CENTER.

- a. The following schedule of Colony Recreation Center Fees for Pool Membership is hereby established:

<u>Chatham Township Resident Memberships</u>	<u>Minimum</u>	<u>Maximum</u>
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Family Membership	\$550	\$715
Couple Membership	\$400	\$530
Individual Membership (14 years or older)	\$250	\$325
Babysitter / Parent Helper	\$120	\$190
Senior Couple Membership	\$115	\$280
Senior Individual Membership	\$60	\$145

<u>Non-Resident Memberships</u>	<u>Minimum</u>	<u>Maximum</u>
Non-Resident Family Membership	\$650	\$845
Non-Resident Couple Membership	\$550	\$715
Non-Resident Individual Membership (14 years or older)	\$295	\$410
Non-Resident Babysitter / Parent Helper	\$160	\$210
Non-Resident Senior Couple Membership	\$125	\$300
Non-Resident Senior Individual Membership	\$65	\$165

<u>All</u>	<u>Minimum</u>	<u>Maximum</u>
Patrons of The Pool Membership	\$775	\$995
Single Daily Guest – Any Age - Accompanied by Member	\$9	\$16
20 Daily Guest Passes – Any Age - Accompanied by Member	\$175	\$320

No refunds will be made after opening day.

b. *Reduced Fees for Emergency Response Organization Volunteers.* Active members of the Chatham Emergency Squad, Green Village Volunteer Fire Department, and Chatham Township Volunteer Fir'e Department, who are eligible for the Length of Service Award Program (LOSAP), or any active duty Chatham Township Police Officer shall be entitled to the Resident Senior Membership rate for individuals and the Resident Senior Couple Membership rate for a couple or family membership.

2. The Township Administrator, in consultation with the Colony Recreation Center Liaison, will set the annual fees.

3. The Township Administrator, in consultation with the Colony Recreation Center liaison, may authorize special promotions and offer special discounts to promote Colony Recreation Center membership, programs and events.

4. This ordinance shall take effect as provided by law.

Mayor Felice opened the Public Hearing on Ordinance 2022-02.
Seeing no public comment, Mayor Felice closed the Public Hearing.

Committeewoman Ewald asked if the ordinance should require that the Township Committee adopt a resolution to set annual fees. Attorney King stated that there are statutes that require a resolution by the Governing Body, and the Administrator could not be authorized to set the fees on his own authority.

Deputy Mayor Hamilton moved to adopt Ordinance 2022-01. Committeeman Lois seconded the motion.

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

Consent Agenda

**RESOLUTION 2022-058
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 \$1,208,628.45 and the prior month’s payroll of \$463,530.26 Current Fund, \$66,128.88 Water Pollution Control, and \$30,691.57 Police Private Employment be paid.
BE IT FURTHER RESOLVED those taxes due to the School District of the Chathams, for the month of February 2022, in the amount of \$3,336,090.00 be paid.

BE IT FURTHER RESOLVED that taxes due to the County of Morris, for the First Quarter of 2022, in the amount of \$2,420,442.58 be paid.

RESOLUTION 2022-059
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 January 20, 2022.

RESOLUTION 2022-060
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING EXECUTIVE SESSION MINUTES OF MEETINGS

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meeting held on January 20, 2022.

RESOLUTION 2022-061
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING FIRE DEPARTMENT MEMBERSHIPS

WHEREAS, the Township of Chatham has designated the Green Village Volunteer Fire Department and the Chatham Township Volunteer Fire Department as the official fire companies for the Township; and

WHEREAS, members of both departments are eligible for membership in N.J. State Firemen's Association as provided by applicable law; and

WHEREAS, in order to become members of the association, the Township is required to certify that each applicant is an active member of the respective Fire Department;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the following named individual has been admitted to active membership in the respective department as approved by the Township Committee.

NAME

FIRE DEPARTMENT

Robert McNelis

Chatham Township Volunteer Fire Department

RESOLUTION 2022-063
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING A COMMERCIAL REAL ESTATE EVALUATION OF OPTIONS FOR USE OF PORTIONS OF THE MUNICIPAL BUILDING

WHEREAS, the Township of Chatham will be making improvements to the physical plant of the Municipal Building including a new roof; and,

WHEREAS, a portion of the Municipal Building has been vacant since calendar year 2019 when the Board of Education moved their Administrative Offices to the Chatham High School campus; and

WHEREAS, the Township Committee wishes to formally explore potential use options for the Municipal Building including governmental, not for profit and private sector.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the Township Administrator is authorized to meet with and solicit input on use options from Commercial Real Estate professionals and others.

BE IT FURTHER RESOLVED that the options be vetted and reported back to the Township Committee for evaluation.

RESOLUTION 2022-064
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM REFUNDING DOG LICENSE FEE

WHEREAS, a dog license renewal form was submitted and fee paid for a dog that passed away before the license was issued, and the license was issued in error; and

WHEREAS, the fee collected for the license was \$21.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following amount be refunded to the depositor of record:

<u>NAME</u>	<u>LICENSE #</u>	<u>AMOUNT</u>
Diane Dressel 25 Hickory Place Apt. H-19 Chatham, NJ 07928	197	\$21.00

RESOLUTION 2022-065

RESOLUTION OF THE TOWNSHIP OF CHATHAM AUTHORIZING AN ENERGY AUCTION FOR THE PURCHASE OF ELECTRICITY (MAIN LOADS) SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, in calendar year 2020 the Township of Chatham conducted a review and determined that it might receive better electricity rates if it participated in an online auction; and,

WHEREAS, 2020-056 was unanimously adopted by the Township Committee which authorized the Township to move forward with the EMEX Reverse Auction in order to procure electricity for it approximately thirty (30) meters that comprise its main load; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the “Act”) authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, the Township of Chatham utilized the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC or another Energy Consultant is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be scheduled for no later than February 22, 2022 and will be conducted pursuant to the Act; and,

WHEREAS, the Township of Chatham saved over \$96,000 or 21.73% by participating in the online energy auction held on January 30, 2020 in which eleven (11) energy companies participated; and,

WHEREAS, the current energy 24 month energy contract will expire on June 17, 2022; and,

NOW THEREFORE BE IT RESOLVED, that the Township of Chatham authorizes the Township Administrator to complete his due diligence and work with an Energy Consultant to schedule an on-line auction so that the Township can evaluate options at the February 22, 2022 Township Committee Meeting.

Committeeman Lois moved to approve 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.

RESOLUTION 2022-049

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS AND STATE OF NEW JERSEY, APPROVING AND AUTHORIZING A DEVELOPER’S AGREEMENT BETWEEN THE TOWNSHIP OF CHATHAM AND STERLING/SUN AT CHATHAM, LLC.

WHEREAS, Sterling/Sun At Chatham, LLC obtained conditional preliminary and final major subdivision approval with variances and design standard waiver approvals for property known as 344 Hillside Avenue, and designated as Lots 17 and 17.01 in Block 67 on the Township tax maps, which approvals were memorialized by Resolution of the Township of Chatham Planning Board on February 22, 2021 and incorporated into the Developer’s Agreement by reference; and

WHEREAS, Sterling/Sun At Chatham, LLC is proceeding with such approvals in accordance with the applicable ordinances, rules and regulations of the Township and its agencies; and

WHEREAS, Sterling/Sun At Chatham, LLC and the Township desire to enter into an agreement setting forth the rights, duties and obligations of the parties in connection with the approvals received; and

WHEREAS, the Township and Sterling/Sun At Chatham, LLC have negotiated an acceptable Developer’s Agreement.

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute the attached Developer’s Agreement between the Township of Chatham and Sterling/Sun At Chatham, LLC.

2. A copy of this resolution shall be provided to the Township Planning Department and Sterling/Sun At Chatham, LLC for their information and guidance.
3. A copy of the Developer's Agreement shall remain on file in the Township Clerk's office and available for public inspection.

This Resolution shall take effect immediately.

Committeeman Lois asked if this resolution is for the development on Hillside Avenue across the street from the Enclave. He also asked why the Developer's Agreement is before the Township Committee. Administrator Hoffmann stated that one of the five lots will be turned over to the Township for the development of a Group Home which will be part of the Township's Round Three Affordable Housing Compliance. Deputy Mayor Hamilton noted that the Planning Board has already granted approvals for this development, and the agreement is a condition of approval.

Committeewoman Ewald moved to adopt Resolution 2022-049. Deputy Mayor Hamilton seconded the motion.

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

RESOLUTION 2022-057

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS AND STATE OF NEW JERSEY, APPROVING AND AUTHORIZING A STORM WATER EASEMENT AND RIGHT TO DRAINAGE AGREEMENT BETWEEN THE TOWNSHIP OF CHATHAM AND TOLL NJ 1, LLC.

WHEREAS, Toll NJ 1, LLC is the fee simple title owner of a certain tract of land lying and being in the Township of Chatham, County of Morris and State of New Jersey, which is designated as Block 66, Lot 1 on the Township of Chatham tax maps; and

WHEREAS, Sterling/Sun at Chatham, LLC was granted preliminary and final major site plan approval with variances and design standard waivers by the Township's Planning Board, which Approval was memorialized by resolution dated December 16, 2019, to develop the Property with fifty-three (53) residential units, as well as a clubhouse and other site improvements; and

WHEREAS, Toll NJ 1, LLC is the successor-in-interest of Sterling/Sun at Chatham, LLC with respect to the Approval and the Property; and

WHEREAS, the Planning Board, by resolution of memorialization adopted on February 22, 2021, granted preliminary and final major subdivision, variance and design standard waiver approvals so as to subdivide the Sterling Property in five single-family dwelling lots, consisting of four market-rate single-family dwelling lots and one affordable group home lot; and

WHEREAS, to facilitate the discharge of storm water from the Sterling Development, Toll NJ 1, LLC, by separate agreement(s) with Sterling, has agreed to allow Sterling to construct approximately 91 linear feet of thirty (30)-inch RCP pipe from "Inlet D1 660" on the Property to "Inlet #654" within the Township drainage system in the Hillside Avenue right-of-way for the discharge of storm water; and

WHEREAS, as set forth in greater detail in a letter regarding the Sterling Development from the Grantee's municipal engineer, Mott MacDonald, dated April 30, 2021, attached hereto and made a part hereof.

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute the attached Storm Water Easement and Right to Drainage Agreement between the Township of Chatham and Toll NJ 1, LLC.
2. A copy of this resolution shall be provided to the Township Planning Department and Toll NJ 1, LLC for their information and guidance.
3. A copy of the Storm Water Easement and Right to Drainage Agreement shall remain on file in the Township Clerk's office and available for public inspection and be properly filed with the Morris County Clerk by the Developer.

This Resolution shall take effect immediately.

Engineer Ruschke stated that this agreement gives the Township the right to discharge stormwater into the stormwater management system at the Enclave.

Committeeman Lois noted that there have not been major drainage problems at the Enclave site during development.

Committeewoman Ewald moved to adopt Resolution 2022-057. Committeeman Lois seconded the motion.

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

Discussion

Drew Forest

RESOLUTION 2022-066 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM SUPPORTING THE PRESERVATION OF THE DREW FOREST PRESERVE

WHEREAS, the Township of Chatham supports the effort of other municipalities, the County of Morris and concerned citizens to preserve the 53 acre forest in the Borough of Madison known as Drew Forest Preserve; and,

WHEREAS, the Forest on the property of Drew University is a wildlife corridor that connects Giralda Farms Preserve which was purchased with the support of County, Township of Chatham and other funds to Loantaka Brook Reservation and the Great Swam Wildlife Refuge; and

WHEREAS, since 2012, 22 acres of the Drew Forest Preserve have been fenced from deer and restored thanks to the sweat, muscle, funding and expertise provided by students, professors, community volunteers and groups such as the Garden Club of Madison and the US Fish and Wildlife Service; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham supports the efforts to find a way to preserve the Drew Forest Preserve which is a regional treasure enjoyed and relied upon by residents of Morris, Union, Somerset and Essex counties as well as students and alumni of Drew University.

Administrator Hoffmann stated that the above resolution was drafted for the Township Committee's consideration if they desire to formally support the preservation of the Drew Forest.

Committeewoman Ewald expressed support for a resolution encouraging conservation and preservation of the Drew Forest.

Committeeman Hamilton asked for clarification and also expressed support.

Committeeman Lois expressed his support for preserving parks and noted the environmental sensitivity of the site. He also suggested that the Township Committee pay attention to the Borough's redevelopment of a site at the intersection of River Road and Watchung Avenue, as it may impact the Township.

Committeewoman Ewald moved to adopt Resolution 2022-066. Committeewoman Fondaco seconded the motion.

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

Deputy Mayor Hamilton moved to adjourn at 9:55 PM. Committeewoman Fondaco seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk