

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
FEBRUARY 22, 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-03
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
 - c. Litigation – Municipal Tax Appeal
 - d. Collective Bargaining – Teamsters
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-03 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 said that one of the primary goals of 2022 is to fix, maintain and upgrade the Township's infrastructure.

Approval of Agenda

Committeewoman Ewald asked that Resolutions 2022-073, 2022-074, 2022-075, 2022-076 and 2022-077 be pulled from the Consent Agenda for discussion and a separate vote.

Committeeman Lois moved to approve the Agenda as amended. Deputy Mayor Hamilton seconded the motion, which carried unanimously.

Reports

Committeewoman Ewald reported that she attended the Morris County League of Municipalities meeting, and the online application portal is now open for the Morris County Small Business Grant Program. Eligible grant recipients may be reimbursed up to \$15,000 for COVID-19 related expenses. Committeewoman Ewald further reported that the Finance Committee met to discuss upcoming Bond issuance in April and the 2022 Budget. She commented on the financial progress made by the Township over the past few years. Regarding the Senior Center, Committeewoman Ewald reported that the Shred Event will be held on April 23, 2022 at Chatham Middle School from 9:00 AM to 12:00 PM. Golf lessons will also be offered by the Senior Center beginning March 9th. On March 15, 2022 at 11:00 AM the Senior Center is having a free legal forum regarding Advanced Medical Directives and how to start the conversation with family and loved ones about your health and personal care plans. The Senior Center also received funding from Morris County to offer a free, evidence-based online weight loss management program to Morris County residents over 60. Tax preparation is also being offered by appointment on Fridays. The Communications Committee is continuing to move forward with technology improvements and website and social media improvements. Boards and Committee should reach out to Megan Gates with updates for their respective website pages. Committeewoman Ewald further reported that the Rolling Knolls Landfill Community Advisory Group met via Zoom on February 15, 2022 at which there was a presentation on comparable EPA Region 2 superfund landfills, and US Fish & Wildlife gave an overview of the scope and results of a recent data gap investigation on their portion of the landfill.

Committeewoman Fondaco reported on the various projects that the Department of Public Works has been working on. She also reported that the Historical Society held an online program titled “The Real Housewives of New Jersey” which focused on women during the Revolutionary War. Committeewoman Fondaco further reported that spacers will be installed in the new PSE&G high-tension power lines.

Committeeman Lois reported that he met with JCP&L regarding reliability issues. He said that most of the problems have been traced to the Gillette Substation, and a report is expected from JCP&L regarding what upgrades will be made to improve the reliability of the substation. Committeeman Lois further reported that Township Clerk LaConte and Governmental Access TV Manager/Video Producer Alex Gonzalez have worked together to have Township Committee meetings broadcast through YouTube Live. The Joint Recreation Advisory Committee is endeavoring to set up another meeting before the spring season begins. The Colony Pool Committee has given input on 2022 seasonal fees, and there is a resolution on this meeting’s Agenda to set those fees. The Finance Committee has met to discuss the 2022 Budget, and Committeeman Lois commented on restructuring of municipal debt. He said there will be a tapering of debt through a lowering of debt service.

Committeewoman Ewald clarified that lowering debt service does not lower the amount of overall debt, and that it spreads out the payments over a longer period. Committeeman Lois commented on the increase in municipal debt over the past three years.

Deputy Mayor Hamilton reported that the Friends of the Library Book Sale will begin on March 12, 2022. He also reported that the State Mask Mandate for schools is planned to be lifted on March 7th. Deputy Mayor Hamilton reminded residents not to leave fobs in their cars overnight.

Administrator Hoffmann reported that all eight lighting poles have been installed at Nash Field. Trenches are being dug for placement of electrical conduits. Once the lights are installed, they will be tested and adjusted. Administrator Hoffmann further reported that the Finance Committee has been making progress in developing the 2022 Budget. He noted that some of the municipal debt discussed previously is a result of the Township’s progress toward meeting the Third Round Affordable Housing Obligation. Administrator Hofmann further noted that it is the 290th anniversary of the birth of George Washington.

Engineer Ruschke stated that a letter was received by the Township from the County of Morris regarding 2022 road repaving projects. He noted that although the letter was received on February 22nd, it was dated February 2nd and he believes the list of projects is inaccurate. Engineer Ruschke stated that the County has committed to repave more of Shunpike Road than was stated in the letter. Mayor Felice stated that the County has promised to pave from Watchung Avenue to the western end of Stonehedge Lane.

Hearing of Citizens

Mayor Felice asked if any written comments had been received. The Township Clerk indicated that there were not any written comments.

Mayor Felice opened the Hearing of Citizens.

1. Maureen Kelly, Mountain Avenue, noted the participation of Albert Cruz in the effort to receive the Comcast Grant. Mrs. Kelly asked that the Township Committee members pay close attention to the Rolling Knolls Landfill site. She noted that residents are interested in having trails on the site following remediation. Mrs. Kelly further addressed the lack of public hearing at Planning Board meetings. She also asked that Planning Board meetings continue to be made available through Zoom once meetings start to be held in person. Mrs. Kelly also said that the Environmental Commission is not making access to the meetings available to the public.

Mayor Felice noted that the Township Committee has been advised by counsel not to fully participate in the Rolling Knolls CAG. She also stated that Planning Board matters should be addressed by the Planning Board.

Administrator Hoffmann noted that the Special Counsel for the Rolling Knolls matter sent an email to the Township Committee earlier in the day, and he attended the CAG meeting on behalf of the Township. Administrator Hoffmann also addressed the Environmental Commission meetings, noting that the Commission Secretary recently resigned. He provided an update on efforts to find a new secretary.

Mayor Felice asked about making CTEC meetings available to the public. The Township Clerk reported that once their agendas have been drafted, they can be sent to the Clerk for posting on the Township website.

2. Michael Kelly, Mountain Avenue, asked that the Zoom link for CTEC meetings be posted online. The Township Clerk stated that the link will be in the agendas once they are prepared. Mr. Kelly stated that public comments cannot be given to the Planning Board directly when they do not hold hearings of citizens. Mr. Kelly further addressed the resolution on this meeting's agenda setting a Mask Optional Policy. He stated that the resolution does not include any input from the Health Officer or Health Department. Mr. Kelly also said that there is a need for community responsibility in addition to individual rights.
3. Phil Ankel, Jay Road, addressed the level of transparency in the selection of Attorney King. He stated that Mayor Felice refused to provide a list of attorneys that were considered and interviewed prior to a selection being made. Mr. Ankel stated that he filed an OPRA request for correspondence regarding the selection of the new Township Attorney, and noted that the documents provided did not include any correspondence between Mayor Felice, Deputy Mayor Hamilton or Committeeman Lois and the law offices of Attorney King, nor was there a proposal for services. Mr. Ankel also noted that there was also not any correspondence with any other lawyer or law firm being considered. Mr. Ankel asked that it be publicly explained what qualifies Attorney King to have been selected, and alleged that the only apparent qualification is that Attorney King is the Vice-Chair of the Morris County Republican Committee.

Mr. Ankel read the list of names of the members of the Affordable Housing Committee, Business Advisory Committee and Diversity Committee in 2021. He said that Mayor Felice had requested to hear from these committees before deciding whether to make them permanent committees. Mr. Ankel recommended that the former committees be invited to report on their work.

Mayor Felice addressed discussions regarding a potential ordinance to create the Affordable Housing Committee. She stated that the matter is on hold for the moment so that once the Township selects an Affordable Housing Attorney, they can provide input on the structure of the Affordable Housing Committee if it is created.

Committeeman Lois addressed the restructuring of the Township's legal strategy. He also stated that RFQs should have been sought for various professional services earlier.

Committeewoman Ewald noted that the RFQs requested hourly rates for the various services.

Deputy Mayor Hamilton defended Attorney King's qualifications and said that it is insulting to allege that one's only qualification is their political affiliation.

Attorney King addressed his qualifications to serve as Township Attorney.

4. Kathy Abbott, Wynwood Road, advocated for Zoom access to Planning Board meetings. She also alleged that the Comcast grant for upgrades to A/V equipment in the Committee Chambers can be used for improved remote access to meetings, and asked if there is anything left in the grant to be used for that purpose. Mrs. Abbott also asked if there were any plans to move the Planning Board into the Township Committee Chambers. Mrs. Abbott also claimed that there has been a change in the preparation of the Consent Agenda and questioned whether routine appointments should be made part of the Consent Agenda.

Attorney King explained the purpose of a Consent Agenda and stated that any Township Committee member can request a separate vote on any item. He also said that he should not be deciding what goes on the Consent Agenda. The Township Clerk indicated that during his 16 years working for the Township, this is the first time that there has been any objection to having the award of a professional service contract on the Consent Agenda. Committeeman Lois noted that the Township Engineer and Bond Counsel are both being reappointed. Attorney King noted that the Agenda Review meeting included the Administrator, the Township Clerk, the Mayor and the Township Attorney.

5. Jen McNally, Noe Avenue, said it is a disappointment that the Affordable Housing, Business Advisory and Diversity Committees have been left hanging. She asked about the cost of having an attorney oversee volunteer committees. Mrs. McNally further asked if Planning Board and Zoning Board meetings could be televised. She further addressed comments made by Committeeman Lois about municipal debt, and said that some of the debt is due to a lack of planning on the part of the Township regarding affordable housing. Mrs. McNally stated that a lot of the current debt could have been avoided if developers fees had been collected starting in 2009 when the ordinance was first adopted. Mrs. McNally further stated that she reached out to the Township's Health Officer, and he had not been consulted regarding the Mask Optional Policy resolution on the Consent Agenda.
6. Jessica Romeo, Pine Street, said that the schedule for Environmental Committee meetings should be posted on the Township website. She also thanked DPW Director Rich Young for providing assistance to her daughter with her Girl Scouts Silver Award process. Mrs. Romeo further addressed membership rates at Colony Pool that were presented at the last meeting and offered accurate information as reported in the Township's Audit Reports.
7. Stewart Carr, Crestwood Drive, asked if the Township Committee can reinstitute a second Hearing of Citizens during meetings. He also asked the Township Committee to continue to utilize Zoom access during meetings. Mr. Carr asked if the Township Attorney has looked into possibly rescinding the 2019 letter to the EPA which supported an earlier option regarding the Rolling Knolls Landfill Superfund Site. Mr. Carr asked if the Township can look into scheduling use of the Oak Knoll Field so as to set a precedent, and asked Administrator Hoffmann to give an update.

Administrator Hoffmann stated that there has not yet been a need for use of the Oak Knoll School fields. Committeeman Lois stated that the Recreation Committee has inquired about the process for using the Oak Knoll Fields and when they are available. Deputy Mayor Hamilton said that use of the Oak Knoll Field is something the Township is entitled to, and should make use of it.

Committeeman Lois said that the question of a second Hearing of Citizens can be addressed as part of a larger discussion regarding the Bylaws, and he noted that the current Bylaws were unanimously adopted. He further noted that the School District only has one public hearing despite having a budget seven times as large as the Township’s budget. Mayor Felice noted that the School District only allows people to watch meetings through Zoom, and the Planning Board rarely has general public hearings. Attorney King noted that use of Zoom was a byproduct of the COVID-19 pandemic.

Attorney King said that he has been in touch with Special Counsel Carl Woodward regarding Rolling Knolls, and legal strategies are not discussed publicly. Regarding the possibility of trails, it will depend on who owns the property.

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

Consent Agenda

**RESOLUTION 2022-067
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
ACKNOWLEDGING RECEIPT OF REPORTS**

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following monthly reports of departments be acknowledged as received:

- Animal Control – January
- CFO – January
- Police – January

**RESOLUTION 2022-068
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 February 8, 2022.

**RESOLUTION 2022-069
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 February 8, 2022.

**RESOLUTION 2022-070
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>
70	37	Bahl, Samir & Ruchika 9 Crestwood Dr Chatham, NJ 07928	\$1,394.67 1 st Quarter 2022

RESOLUTION 2022-071
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING FILING OF A MUNICIPAL TAX APPEAL OF A REAL PROPERTY ASSESSMENT

WHEREAS, SL Chatham LLC owns real property identified as Block 48.15, Lot 117.01, in the Township of Chatham, commonly known as 395 Southern Blvd, and formerly the home of the Noe Pond Club (the “Property”); and

WHEREAS, the Township authorized an investigation of the property tax assessment for the Property; and

WHEREAS, the 2022 tax assessment is the result of a 2005 County Tax Board Judgment; and

WHEREAS, the subject property recently sold for a price of \$5,250,000, which is considerably higher than the current tax assessment; and

WHEREAS, accordingly, the Township finds it to be in the best interest of the Township to authorize the Township Tax Attorney to file an appeal of the 2022 property tax assessment of the Property to seek an increased assessment to reflect the true value of the property.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, in the County of Morris, and the State of New Jersey authorizes the law firm of DiFrancesco, Bateman, Kunzman, Davis & Lehrer, P.C., to file a tax appeal of the 2022 property tax assessment of the Property for an increased assessment to reflect the true value of the property.

BE IT FURTHER RESOLVED that this Resolution shall be without prejudice to the Township of Chatham’s dealings with any other Township taxpayer(s).

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

RESOLUTION 2022-072
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS AND STATE OF NEW JERSEY, SETTING COLONY POOL FEES FOR 2022

BE IT RESOLVED by the Township Committee of the Township of Chatham, in the County of Morris, New Jersey, that Colony Pool Fees for the year 2022 are hereby established as shown below.

<u>Chatham Township Resident Memberships</u>	<u>Early Bird Promotion</u>	<u>2022 Season</u>
Family Membership	\$510	\$560
Couple Membership	\$385	\$405
Individual Membership (14 years or older)	\$235	\$255
Babysitter / Parent Helper	\$120	\$125
Senior Couple Membership	\$120	\$130
Senior Individual Membership	\$60	\$65

<u>Non-Resident Memberships</u>	<u>Early Bird Promotion</u>	<u>2022 Season</u>
Non-Resident Family Membership	\$550	\$650
Non-Resident Couple Membership	\$505	\$550
Non-Resident Individual Membership (14 years or older)	\$295	\$315
Non-Resident Babysitter / Parent Helper	\$155	\$160
Non-Resident Senior Couple Membership	\$130	\$140
Non-Resident Senior Individual Membership	\$65	\$70

<u>All Early Bird Promotion</u>	<u>Early Bird Promotion</u>	<u>2022 Season</u>
Patrons of The Pool Membership	\$805	\$855
Single Daily Guest – Any Age - Accompanied by Member		\$10
20 Daily Guest Passes – Any Age - Accompanied by Member	\$167	\$180

- a) 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 Fire 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.
- c) The Early Bird Special will end on March 31, 2022.
- d) This resolution shall take effect immediately.

Deputy Mayor Hamilton moved to approve the Consent Agenda. Committeeman Lois seconded the motion.

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

RESOLUTION 2022-073
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS AND STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ELIMINATION OF FACE MASK REQUIREMENTS

WHEREAS, the Morris County Public Health Department has confirmed that Morris County is now experiencing a significant decrease in the level of COVID-19 community transmission; and

WHEREAS, the Governor of the State of New Jersey has eliminated the mask mandate for the wearing of face masks in most public places and businesses; and

WHEREAS, each member of the public and resident of Chatham Township has an individual right to choose to either wear or not wear a mask based on personal choice, health concerns and or medical advice.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that no person, employee, volunteer, or organization may require, mandate, or otherwise force face masks to be worn when entering the Municipal Building or any Township owned and maintained property to includes parks, recreation facilities, roads, sidewalks, or any public space under the control, direction, or ownership of the Township of Chatham without regard to age or vaccination status.

BE IT FURTHER RESOLVED that this proclamation and policy applies to all members of the public and residents of the Township of Chatham without regard to age or vaccination status.

This Resolution shall take effect immediately.

Deputy Mayor Hamilton moved to adopt Resolution 2022-073. Committeeman Lois seconded the motion.

Committeewoman Ewald said she is not opposed to making masks optional. However, she would rather have an effective date of March 7th to coincide with the lifting of the mask mandate on schools. Committeewoman Ewald also said that it is shortsighted to forbid future mask mandates, especially for the Senior Center. Committeewoman Ewald asked if the Health Officer and any of the first responder organizations were consulted, and said that organizations should be given the flexibility to require masks if necessary.

Mayor Felice stated that the Senior Center had been mask optional for a while.

Deputy Mayor Hamilton stated that wearing of masks can still be encouraged, and this resolution serves to make it clear that masks are not required.

Mayor Felice said that there needs to be personal responsibility practiced by individuals and it is not the job of the government to make health decisions for people.

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

RESOLUTION 2022-074
RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR SPECIALIZED LEGAL SERVICES FROM BOND COUNSEL

WHEREAS, an RFQ for Bond Counsel Services was issued on January 13, 2022; and

WHEREAS, proposals were received and publicly opened on Thursday, February 10, 2022 at 12:00 PM, prevailing time; and

WHEREAS, after consideration, the Township Committee of the Township of Chatham has determined to engage the services of Rogut McCarthy LLC as Bond Counsel for the Township for the calendar year 2022; and

WHEREAS, it is the desire of the Township Committee to prequalify a pool of attorneys to provide Bond Counsel Services.

NOW THEREFORE, BE IT RESOLVED that the Township of Chatham authorizes the Mayor and Clerk to enter into a contract for specialized legal services in connection with the authorization and the issuance of bonds or notes of the Township with Rogut McCarthy LLC as described herein; and,

BE IT FURTHER RESOLVED that the following attorneys and/or firms are prequalified to provide Bond Counsel Services:

1. McManimon, Scotland and Baumann

BE IT FURTHER RESOLVED that the Township of Chatham authorizes the Mayor and Clerk to enter into a contract for specialized legal services in connection with the authorization and the issuance of bonds or notes of the Township with McManimon, Scotland and Baumann as described herein; and,

BE IT FURTHER RESOLVED that a copy of this resolution as well as the Contracts shall be placed on file with the Clerk of the Township of Chatham.

Committeeman Lois moved to adopt Resolution 2022-074. Deputy Mayor Hamilton seconded the motion.

Committeewoman Ewald stated that she requested that the reappointments be separated from the prequalification of new vendors. She also asked why McManimon, Scotland and Baumann was selected as a backup. Mayor Felice said that a total of 64 RFQs were submitted to the several positions recently advertised. She stated that she privately discussed the vendors with Deputy Mayor Hamilton and Committeeman Lois before making a recommendation. Committeewoman Ewald asked again why McManimon, Scotland and Baumann was chosen. Mayor Felice declined to discuss a vendor's qualifications during public session. She also said that Township Committee members can conduct individual interviews of vendors rather than having subcommittees conduct interviews.

Deputy Mayor Hamilton said that all Township Committee members had access to the pertinent information in advance of the meeting and a decision can be made.

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

RESOLUTION 2022-075

RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR MUNICIPAL ENGINEERING SERVICES WITH JOHN K. RUSCHKE OF MOTT MacDONALD AND PREQUALIFYING ALTERNATE ENGINEERS FOR MUNICIPAL ENGINEERING SERVICES

WHEREAS, an RFQ for Municipal Engineering Services was issued on January 13, 2022; and

WHEREAS, proposals were received and publicly opened on Thursday, February 10, 2022 at 12:00 PM, prevailing time; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract may exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are or will be available upon adoption of the temporary budget for year 2022; and

WHEREAS, it is the desire of the Township Committee to prequalify a pool of engineers to provide Engineering Services.

NOW THEREFORE, BE IT RESOLVED that the Township of Chatham hereby appoints John K. Ruschke of Mott MacDonald as Township Engineer and authorizes the Mayor and Clerk to enter into a contract with Mott MacDonald as described herein; and,

BE IT FURTHER RESOLVED that the following engineers and/or firms are prequalified to provide Municipal Engineering Services:

2. Greenman-Pedersen Inc.
3. Remington & Vernick Engineers
4. Boswell Engineering

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to enter into a contract with Greeman-Pedersen, Inc., Remington & Vernick Engineers, and Boswell Engineering as described herein; and

BE IT FURTHER RESOLVED that a copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township of Chatham.

Committeewoman Ewald moved to separate out the reappointment of Engineer Ruschke from the prequalification of other vendors. Committeewoman Fondaco seconded the motion.

Attorney King explained the purpose of prequalifying vendors.

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

Committeeman Lois moved to adopt Resolution 2022-075. Deputy Mayor Hamilton seconded the motion.

Committeewoman Ewald stated that residents reached out to her advocating for the reappointment of Engineer Ruschke.

Administrator Hoffmann discussed his experience working with the proposed vendors.

Mayor Felice discussed the purpose in prequalifying vendors in case second opinions are needed.

Mayor Felice said she does not want to say anything negative about any professionals in public session.

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

**RESOLUTION 2022-076
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, APPOINTING A MUNICIPAL
PROSECUTOR AND ALTERNATE MUNICIPAL PROSECUTOR**

WHEREAS, the Township Committee is required to appoint a municipal prosecutor; and
WHEREAS, the Township Committee is required, pursuant to N.J.S.A. 2B:25-4a, to appoint alternate municipal prosecutors to serve in the absence of the municipal prosecutor; and
WHEREAS, an RFQ for Municipal Prosecutor Services was issued on January 13, 2022; and
WHEREAS, proposals were received and publicly opened on Thursday, February 10, 2022 at 12:00 PM, prevailing time; and
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Matthew Dorsi, Esq., is hereby appointed as municipal prosecutor, and W. Timothy Howes, Esq., is hereby appointed as alternate municipal prosecutor to serve in the absence of the municipal prosecutor.

Committeeman Lois moved to adopt Resolution 2022-076. Deputy Mayor Hamilton seconded the motion.

Mayor Felice noted that the Municipal Prosecutor is being reappointed, and a new Alternate Prosecutor is being appointed.

Committeewoman Ewald asked why the former Alternate Prosecutor is not being reappointed and why the proposed attorney is being selected. Mayor Felice stated that Mr. Howes was selected because he submitted an RFQ. Committeewoman Ewald noted that Mr. Howes hasn't served as a prosecutor for 20 years and he is the Chair of the Somerset County Republican Committee."

Attorney King stated that if there was a matter before the Municipal Court where the Prosecutor was disqualified because of a conflict, the whole firm would also be disqualified. As such, the Alternate Prosecutor should be from a different firm. Attorney King also gave examples of what would qualify as a conflict.

Mayor Felice stated that the Township did not have an Alternate Prosecutor. The Township Clerk said that the Alternate Prosecutor was a member of the same firm as the Prosecutor. Committeewoman Ewald noted that there had never been a problem with the previous Alternate Prosecutor.

Deputy Mayor Hamilton commented on the need to have the Alternate Prosecutor be from a different firm.

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

RESOLUTION 2022-077
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, NEW JERSEY, PREQUALIFYING ATTORNEYS FOR
AFFORDABLE HOUSING ATTORNEY SERVICES

WHEREAS, an RFQ for Affordable Housing Attorney Services was issued on January 13, 2022; and

WHEREAS, proposals were received and publicly opened on Thursday, February 10, 2022 at 12:00 PM, prevailing time; and

WHEREAS, it is the desire of the Township Committee to prequalify a pool of attorneys to provide Affordable Housing Attorney Services.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, in the County of Morris, New Jersey, that the following attorneys and/or firms are prequalified to provide Affordable Housing Attorney Services:

1. Surenian, Edwards & Nolan, LLC
2. DeCotiis, FitzPatrick, Cole & Giblin, LLP
3. Savo, Schalk, Corsini, Gillespie, O'Grodnick & Fisher, P.A.

Committeeman Lois moved to adopt Resolution 2022-077. Deputy Mayor Hamilton seconded the motion.

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

Discussion

Field Maintenance

Committeeman Lois discussed the quality of the Township's recreation facilities. He also presented pictures of present conditions at Mountainview Field, the Colony Tennis Courts and Esternay Field. Committeeman Lois also discussed maintenance of School District controlled fields and presented a picture of a field at Southern Boulevard School.

Mayor Felice asked about the potential of changing field treatments.

Committeeman Lois discussed the need for the will to act to improve and maintain recreational facilities.

Administrator Hoffmann stated that prices are being sought for netting at Mountainview Field, which will increase field usage for additional sports. He also noted issues with cicada killers at Mountainview Field. Mayor Felice stated that sports should not need to be rescheduled due to infestation problems.

Committeeman Lois addressed use of fertilizers at Township fields.

Committeewoman Ewald noted that Colony Tennis Court repairs are part of the Capital Plan. She also said she favors moving forward with improvements but wants to know how things will move forward.

Mayor Felice noted the need to provide access to restrooms at the Township's recreation facilities.

Executive Session II

RESOLUTION 2022-P-04
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:
3. It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.
4. The Committee will come back into Regular Session and will not take further action.
5. This Resolution shall take effect immediately.

Deputy Mayor Hamilton moved to adopt Resolution 2022-P-04 to enter Executive Session at 9:55 PM. Committeeman Lois seconded the motion.

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

The Township Committee returned to Public Session at 10:24 PM.

Deputy Mayor Hamilton moved to adjourn at 10:25 PM. Committeewoman Ewald seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk