

**MINUTES
TOWNSHIP COMMITTEE
WORKSHOP MEETING
APRIL 25, 2023**

Mayor Felice called the Regular Meeting of the Township Committee of the Township of Chatham to order at 6:34 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 4, 2023; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 4, 2023; and notice was filed with the Township Clerk on January 4, 2023.

Roll Call

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

Executive Session

**RESOLUTION 2023-P-08
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING CONFERENCE OF
THE TOWNSHIP COMMITTEE WITH THE PUBLIC EXCLUDED**

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

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

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

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Litigation – Tax Appeal
 - b. Contract Negotiations – Shared Services
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.

Committeewoman Ewald moved to adopt Resolution 2023-P-08 to enter Executive Session at 6:35 PM. Committeeman Lois seconded the motion.

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

The Township Committee returned to Public Session at 7:32 PM.

Mayor Felice led the Flag Salute.

Moment of Silence

A moment of silence was held in honor of retired Police Chief George Conrads who recently passed away. Mayor Felice noted that Chief Conrads served the Chatham Township Police Department from 1959 to 1986, and was Chief from 1978 to his retirement.

Recognition

Mayor Felice recognized Chief Miller for graduating from the 285th Session of the FBI National Academy in Quantico, VA. Mayor Felice noted that fewer than 1% of officers have the opportunity to attend the National Academy.

Mayor’s Statement

Mayor Felice noted the scheduled introduction of the 2023 Municipal Budget which does not include a tax increase. She also noted proposed decrease in the Open Space Tax and an increase in fund balance. Mayor Felice thanked Township Administrator Ziad Shehady and Township CFO Debbie King for their work on preparing the budget.

Approval of Agenda

Committeeman Lois asked to pull Resolution 2023-088 from the Consent Agenda.

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

Reports

Committeewoman Ewald reported that she and Mr. Shehady met with the Historical Society to discuss the upcoming construction project at the Red Brick Schoolhouse. She also said that the Red Brick Schoolhouse will be part of the Pathways to History Tour on May 6th. On May 21st there will be a presentation at the Library of the Chathams regarding New Jersey’s horticultural history. Committeewoman Ewald reported that the Senior Center had a successful Shred Event, and the sneaker drive is ongoing. Tickets are available for the Garden Tour which will be on June 3rd. The Senior Center will have a booth at Fishawack. There are still spaces available for the Move More Eat Less program. Committeewoman Ewald reported that there was an Electric Vehicle Expo in Madison recently and was co-hosted by the Environmental Commission. The Tree Seedling Giveaway was successful. There is a community wide yard sale on April 29th.

Committeeman Lois reported that NJ American Water will be performing flushing of the system. If your tap water is discolored, it is advised to run the water until it is clear. Tennis court improvements were discussed by the Recreation Committee. Colony Pool memberships are now available.

Hearing of Citizens

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

Budget Presentation

Mr. Shehady presented the 2023 Municipal Budget. He reviewed some changes in the budget process this year which includes several staffing changes over the past year. Mr. Shehady provided an overview of the 2023 Budget.

Public Hearing/Final Adoption of Ordinances

Ordinance 2023-01

**ORDINANCE 2023-01
ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Chatham in the County of Morris finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$122,928.55 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Chatham, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Township of Chatham shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$430,249.93, and that the CY 2023 municipal budget for the Township of Chatham be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Felice opened the Public Hearing on Ordinance 2023-01.
Seeing no public comment, Mayor Felice closed the Public Hearing.

Committeewoman Ewald moved to adopt Ordinance 2023-01. Committeeman Choi seconded the motion.

Committeeman Lois provided a history of cap bank ordinances in New Jersey. He also noted that the Township would need a referendum to increase appropriations beyond what is permissible by statute. Committeeman Lois further expressed his opposition to having cap bank available in case of emergency as there are debt options available.

Committeewoman Ewald said that the law was crafted to allow governing bodies to have the option of a 3.5% cap, and she noted that there are budgetary factors beyond a municipality's control. Committeewoman Ewald also noted that a portion of DPW salaries had to be moved back from the Open Space Trust to the Operating Budget because the prior year's budgeted DPW expense in Open Space could not be justified.

Committeeman Choi noted that it would be good financial management to have the cap bank available, and it is a zero cost option. He also noted that all measures taken by the Township Committee are subject to public scrutiny, and the cap bank is a tool for the Committee's use.

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

Ordinance 2023-04

ORDINANCE 2023-04

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, AMENDING CHAPTER 30, LAND DEVELOPMENT, OF THE TOWNSHIP CODE, ARTICLE II, DEFINITIONS, § 30-6, DEFINITIONS.

WHEREAS, pursuant to *N.J.S.A. 40:48-2*, New Jersey municipalities may make, amend, and enforce ordinances they deem necessary and proper for the order and protection of persons and public health, safety and welfare of the municipality and its citizens; and

WHEREAS, after a review of the definition section, specifically impervious coverages, and based on the recommendation of the Municipal Engineer it has been determined to clarify such definitions.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Chatham, in the County of Morris, and State of New Jersey, that Chapter 30, Land Development, shall be amended as follows:

SECTION 1. Chapter 30, Land Development, Article II, Definitions, § 30-6, Definitions, is hereby amended as follows:

IMPERVIOUS IMPROVEMENTS

Shall mean buildings, structures, pavement, porous construction material, or other improvements which prevent normal groundwater absorption.

IMPERVIOUS SURFACES ON A SINGLE FAMILY RESIDENTIAL LOT IN RESIDENCE DISTRICTS

Shall mean buildings, roofed structures, pavement, driveways, parking and turnaround areas, sidewalks, patios, porous construction material, and other improvements which prevent normal ground water absorption, excluding decks and the surface area of swimming pools.”

SECTION 2. 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 3. 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 4. This ordinance shall take effect immediately upon passage and publication.

Mayor Felice opened the Public Hearing on Ordinance 2023-04.
Seeing no public comment, Mayor Felice closed the Public Hearing.

Committeewoman Ewald moved to adopt Ordinance 2023-04. Committeeman Lois seconded the motion.

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

Introduction of Ordinances

Ordinance 2023-05

ORDINANCE 2023-05

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE PROVISIONS FOR THE FUNDING OF OPEN SPACE ACQUISITION

WHEREAS, the Township Committee of the Township of Chatham wishes to reduce the tax levy for the contribution to the Open Space Reserve as set forth at Chapter 2, Article VIII, Section 2-75, Open Space Trust Fund for the tax year 2023;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the Revised General Ordinances of the Township of Chatham, are amended to provide for modifications to Chapter II, Subsection 2-75.2, Funding of the Reserve for Open Space Acquisition, as follows:

1. 2-75.2 Funding of the Reserve for Open Space Acquisition.

The Reserve for Open Space Acquisition shall be funded through the dedication to the fund of an amount of one and a half (\$.015) cent per one hundred (\$100.00) dollars of assessed valuation for the tax levy for the year 2023. The Reserve shall also be permitted to accept donations and testamentary bequests. The funds accumulated within the Reserve may be utilized for the acquisition of land, easements, or development rights in land within the Township, including use for active and passive recreation, the development and maintenance of municipal properties to be used for active and passive recreation, or as a down payment for the issuance of bonds for the same purposes at the discretion of the Township Committee. Any and all interest accruing on said funds shall be placed into the Reserve for Open Space Acquisition. Unless the Township Committee takes further action, the annual tax levy for the Reserve for Open Space Acquisition shall return to two (\$.02) cents per hundred (\$100.00) dollars of assessed valuation commencing with the tax levy for the year 2024.

2. All other provisions of Chapter II, Article VIII, Section 2-75, shall remain unchanged.

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

Committeewoman Ewald moved to Introduce Ordinance 2023-05. Committeeman Choi seconded the motion.

Committeeman Lois noted the availability of Open Space Funds for maintenance of open space properties, and expressed his opposition to lowering the Open Space Tax. He also opined that it is not a good idea to use the operating budget to fund operations that can be funded through segregated funds. Committeeman Lois said he is in favor of limited government, and also said that a nay vote on the ordinance is a vote in favor of fully funding open space.

Mayor Felice said that lowering the open space tax is an example of limiting government.

Committeewoman Ewald cited an example of misuse of open space funds for payment of operational costs for DPW wages and salaries that had to be reclassified. She also emphasized that use of open space funds has to be justified. Committeewoman Ewald said that when she first joined the Committee, the Open Space Tax was only being used to pay down the debt from prior purchases. Now that the Open Space Fund has some money in it, she is ok with lowering the tax.

Committeeman Choi spoke in favor of disciplined, efficient government. He also said that there does not appear to be a clear mandate for using Open Space Funds for maintenance of recreation facilities, even if the ordinance allows that.

Committeewoman Ewald moved to introduce Ordinance 2023-05. Committeeman Choi seconded the motion.

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

Public Hearing on Ordinance 2023-05 will be scheduled for May 23, 2023.

Introduction of 2023 Municipal Budget

RESOLUTION 2023-086

(See Attached)

Committeewoman Ewald moved to adopt Resolution 2023-086. Committeeman Choi seconded the motion.

Committeeman Lois said that he has unanswered questions about the Budget. Mayor Felice asked him to send his questions to the Finance Committee.

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

RESOLUTION 2023-087

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY REGARDING SELF-EXAMINATION OF 2023 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Chatham has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2023 budget year.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Chatham that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Committeewoman Ewald moved to adopt Resolution 2023-087. Committeeman Choi seconded the motion.

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

Consent Agenda

**RESOLUTION 2023-089
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING MINUTES OF MEETINGS**

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meetings held on March 21, 2023 and April 4, 2023.

**RESOLUTION 2023-090
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING EXECUTIVE SESSION MINUTES**

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meeting held on April 4, 2023.

**RESOLUTION 2023-091
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, RELEASING DEVELOPER ESCROW
ACCOUNT AND/OR PERFORMANCE BOND BALANCES**

WHEREAS, developers are required to deposit monies with the Township for the purposes of offsetting Township professional costs to review plans or to inspect approved development and for the purpose of ensuring the satisfactory completion of public or private improvements; and

WHEREAS, these deposited monies, following all necessary withdrawals to cover Township expenses or costs, may be released upon satisfactory completion of work, receipt of review board decisions, or completion of guaranteed work, upon passage of a Township resolution authorizing such release.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following guarantee amount or account balances, with interest adjustments as prescribed by state and local laws, may be released to the depositor of record:

NAME	Project	A/C NUMBER	AMOUNT
Justin Boyd 51 Meadowbrook Road Chatham, NJ 07928	BOA-22-005	7765834708	\$496.00
Michael Gonnella 21 Slope Drive Short Hills, NJ 007078	ZBA-20-009 Re: 60 Linden Lane	7765834683	\$1,330.39
Reza Sharif 180 Southern Blvd. Chatham, NJ 07928	BOA-22-013	7766178478	\$67.50
Tara Perrone 128 Candace Lane Chatham, NJ 07928	BOA 19-39-42	7765172520	\$31.50
Paul Kolodziej 127 Chatham Street Chatham, NJ 07928	ZBA-20-012	7765172950	\$545.20
PSEG c/o Brandi Bartolomeo 4000 Hadley Road South Plainfield, NJ 07080	ZBA-20-003 Re: 7 Meyersville Road	7765172695	\$782.28
Chris Costner 35 Rose Terrace Chatham, NJ 07928	BOA-22-012	7766178460	\$120.50
Frank Francese 128 Allwood Road Unit 5 Clifton, NJ 07014	BOA 19-62-56 Re: 580 River Rd	7765172372	\$306.70
Frank Francese 128 Allwood Road Unit 5 Clifton, NJ 07014	BOH 18-62-56	7764943021	\$415.30
9 Mountainview LLC	PB-17-54.10	7764128615	\$77.00
Harpal Singh 80 Highland Avenue Chatham, NJ 07928	BOA-19-62.03-11	7765172281	\$185.30

RESOLUTION 2023-092

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AUTHORIZE THE MUNICIPAL ALLIANCE COMMITTEE TO SUBMIT A GRANT APPLICATION FOR THE FISCAL YEAR 2024

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Committee of the Township of Chatham, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Morris;

NOW, THEREFORE, BE IT RESOLVED by the Township of Chatham, County of Morris, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Municipal Alliance Committee of the Chathams grant for fiscal year 2024 in the amount of:

DEDR	\$8,038.00
Cash Match	\$2,009.50
In-Kind	\$6,028.50
2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**RESOLUTION 2023-093
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING MACC SUPPLEMENTAL GRANT APPLICATION**

WHEREAS, the Municipal Alliance Committee of the Chathams will be submitting an application to the County of Morris for a supplemental grant; and

WHEREAS, the grant is in the amount of \$4,000 with the following breakdown:

\$2,000 requested for the Township of Chatham

\$2,000 requested for the Borough of Chatham

WHEREAS, the term of the grant is from January 1, 2023 to December 31, 2023; and

WHEREAS, the application required the signature of the Mayor; and

WHEREAS, the Township intends to make a 50% match in the amount of \$1,000.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Municipal Alliance is authorized to submit an application for a supplemental grant, and the Mayor is authorized to sign the application on behalf of the Township.

**RESOLUTION 2023-094
RESOLUTION SUPPORTING THE ESTABLISHMENT OF A VETERANS AFFAIRS (VA)
CENTER IN NORTHWEST, NEW JERSEY**

WHEREAS, Veterans’ Centers are critical community-based counseling centers that provide social and psychological services, including professional readjustment counseling, marriage counseling, and family counseling to eligible Veterans, active duty service members, Reservists, members of the National Guard, and their families, by offering services during non-traditional hours; and

WHEREAS, the Veterans Administration (VA) operates five Vet Centers in New Jersey, located in Bloomfield Township, Egg Harbor Township, Ewing Township, Lakewood Township, and Secaucus Township”; and

WHEREAS, veterans residing in Morris, Sussex, Warren and Hunterdon Counties utilize the Vets Center located in either Bloomfield, Secaucus or Ewing, placing severe travel burden on individuals who need to travel, sometimes over an hour, to receive necessary mental health services.; and

WHEREAS, following the COVID-19 pandemic, many veterans are reporting increased rates of hypervigilance, isolation, anxiety and stress; and

WHEREAS, by establishing a sixth Vet Center in Northwest, New Jersey, the VA will be able to continue to provide quality counseling services to veterans, service members, Reservists, members of the national Guard and their families in an accessible location closer to their homes.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham supports the efforts of Members of Congress Rep. Mikie Sherill and Rep. Tom Kean in asking

for the establishment of a U.S. Department of Veterans Affairs (VA) Vet Center in Northwest, New Jersey and other underserved areas across the country.

RESOLUTION 2023-095

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE EXTENSION OF THE CONTRACT FOR SNOW PLOWING SERVICES, WITH FRANK GALBRAITH & SON EXCAVATING AND DEMOLITION L.L.C.

WHEREAS, on May 20, 2021, sealed bids were received and opened for Snow Plowing Services for the 2021 snow season with a renewal option for an additional four (4) years upon mutual consent by both parties; and

WHEREAS, on Ma 27, 2021 the Township of Chatham awarded the bid for Snow Plowing Services to Frank Galbraith & Son Excavating and Demolition L.L.C. for a one-year period commencing September 1, 2021, and continuing through April 1, 2022, and further authorized the extension for the 2022 snow season; and

WHEREAS, the Township wishes to again extend the contract for the second of the four one (1) year renewal options, commencing September 1, 2023, and continuing through April 1, 2024, in accordance with *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the Township is still satisfied with the proposal submitted by Frank Galbraith & Son Excavating and Demolition L.L.C., as being responsible and being in conformance with the requirements promulgated pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*, which satisfies the best interests of the Township; and

WHEREAS, the Township Administrator has indicated that the services are being performed in an effective and efficient manner and recommends that the Contract be extended by exercising the second option to renew for an additional one (1) year with Frank Galbraith & Son Excavating and Demolition L.L.C.; and

WHEREAS, pursuant to Chapter 2, Administration, Article II, Municipal Officials and Employees, § 2-2.7, Responsibility for Purchasing and Contracting, the Township Administrator, who shall serve as the Township Purchasing Agent and Contracting Agent, is limited to awarding contracts for non-professional services in an amount that does not exceed \$9,200.00; and

WHEREAS, this contract is being awarded as an open-ended contract pursuant to *N.J.A.C. 5:30-11.10*, and there shall be a maximum hourly rate billed for a truck and driver for each snow event as defined in the bid specifications per contract period, snow season (September to April), and as such the award amount could exceed \$9,200.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that it hereby authorizes the option to extend the contract, based on the recommendation of the Township Administrator, for Snow Plowing Services to Frank Galbraith & Son Excavating and Demolition L.L.C., of 831 Raritan Road, Scotch Plains, New Jersey 07076 as follows:

1. The option to extend the Contract is authorized for an additional term of September 1, 2023, and continuing through April 1, 2024.
2. The rate will be consistent with the terms of 2021 bid, \$175.00 per hour for a 10-foot truck and \$140 per hour for an 8-foot truck, snow plow and operator included, a minimum of three (3) trucks for a snow fall of approximately 4 inches of snow.
3. No amount of this contract shall be chargeable until such time as the certification of available funds is made by the Chief Financial Officer, upon receipt of a properly executed Purchase Order pursuant to *N.J.A.C. 5:30-11.10*.
4. No minimum payment is implied or shall be guaranteed under the contract which shall be terminable by the Township with or without reason and the contractor shall only be paid for the work completed up to the date of termination.
5. The Mayor and the Township Clerk are hereby authorized to enter a Contract necessary for the aforementioned services, a copy of which shall be available for public inspection in the Office of the Township Clerk.

RESOLUTION 2023-096

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN INTER-LOCAL AGREEMENT WITH THE PASSAIC VALLEY SEWERAGE COMMISSION FOR THE DISPOSAL OF WET SLUDGE

WHEREAS, the Township Committee of the Township of Chatham adopted Ordinance 2002-011 on September 12, 2002, approving an Inter-Local Agreement between the Township of Chatham and

the Passaic Valley Sewerage Commission for the treatment and disposal of wet sludge generated by the Township's sewer treatment plants, known as the Tanglewood Plant and the Chatham Glen Plant; and

WHEREAS, said Agreement entered into by the Township had a term of five (5) years, expiring December 31, 2007, which was renewed for various additional five-year terms in 2013 and 2018; and

WHEREAS, the Agreement entered into on July 19, 2018, by Resolution 2018-126, had a term of five (5) years, expiring July 27, 2023, which does not have an additional renewal term; and

WHEREAS, a new Agreement was requested by the Township and provided by Passaic Valley Sewerage Commission, which is attached here to and made a part of this Resolution; and

WHEREAS, the new Agreement will commence on July 27, 2023, and unless terminated sooner, will expire in five (5) years, or on July 27, 2028; and

WHEREAS, the rate to treat and dispose of the municipal sludge at the Passaic Valley Sewage Commission Wastewater Treatment Facility located in Newark, New Jersey, will be \$43.00 per 1,000 gallons of discharged waste; and

WHEREAS, the Township of Chatham wishes to enter into this Agreement for another five (5) year term.

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

1. The Mayor and Township Clerk are hereby authorized to execute said Agreement with the Passaic Valley Sewerage Commission for another five (5) year term, or until July 27, 2028.
2. A copy of said Agreement shall be available for public inspection in the Office of the Township Clerk.
3. This Resolution shall take effect immediately.

RESOLUTION 2023-097

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CATALIS FOR TOWNSHIP WEBSITE SERVICES.

WHEREAS, the Township of Chatham is in need for Township Website upgrades, enhancements, and additional technology advancement; and

WHEREAS, the Township was satisfied with the proposal submitted by CATALIS, of 3025 Windward Plaza, Suite 200, Alpharetta, GA 30005, which is attached hereto and made a part of this Resolution, for a yearly cost of \$6,995.00, which satisfies the best interests of the Township; and

WHEREAS, the Township Administrator has indicated that the vendor, CATALIS specializes in municipal governmental websites that are secure and developed by professionals with many years of experience, and the Township Administrator recommends that an Agreement be executed with CATALIS (United States).

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, and State of New Jersey, that it hereby awards and authorizes the execution of an Agreement with CATALIS (United States), of 3025 Windward Plaza, Suite 200, Alpharetta, GA 30005, for Website design pursuant to the proposal submitted and made a part of this Resolution, as follows:

1. The Agreement is for a one year term, at a cost of \$6,995, with annual renewals at an increase of 6% to the annual cost thereafter.
2. All pricing and services are subject to a signed License Agreement, based on a one (1) year term, with annual renewals thereafter. The Agreement will be performed in an effective and efficient manner in accordance with the proposal submitted to the Township of Chatham Administrator and made a part of this Resolution.
3. A copy of the Agreement which shall be available for public inspection in the Office of the Township Clerk.
4. This Resolution shall take effect immediately.

RESOLUTION 2023-098

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING A NOTICE TO BIDDERS FOR THE REFURBISHMENT OF THE COLONY TENNIS COURTS

BE IT RESOLVED, by the Township Committee of the Township of Chatham that authorization is given to the QPA, the Township Administrator and the Township Engineer to prepare the necessary bid documents for the refurbishment of the Colony Tennis Courts and advertise the same.

RESOLUTION 2023-099
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY APPOINTING A CROSSING GUARD

BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, New Jersey that James S. Martinsen is hereby appointed to serve as a Crossing Guard for the Township of Chatham, effective May 1, 2023, at a rate consistent with the 2023 Salary Resolution.

RESOLUTION 2023-100
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING THE EXECUTION OF A LEASE AND MAINTENANCE AGREEMENT WITH
JERSEY MAIL SYSTEMS, L.L.C., OF FREEHOLD N.J. FOR A MAIL MACHINE UNDER
STATE CONTRACT #19-GNSV2-00680

WHEREAS, the Township of Chatham is in need of a Lease and Maintenance Agreement for its Postbase Pro DS postage machine; and

WHEREAS, the Township was satisfied with the proposal submitted by Jersey Mail Systems, Inc. for a Lease and Maintenance Contract for 63 months at Three Hundred Twenty-Two and 70/100 (\$322.70) Dollars per month, for a total contract price of Twenty Thousand Three Hundred Thirty and 10/100 (\$20,330.10) Dollars (April, 2023, through April, 2028), which satisfies the best interests of the Township; and

WHEREAS, the Township Administrator has indicated that the vendor, Jersey Mail Systems L.L.C., is an approved State Vendor and the services and contract will be performed in an effective and efficient manner under State of New Jersey Contract #19-GNSV2-00680, and the Township Administrator recommends that the Lease and Maintenance Agreement be executed with Jersey Mail System, Inc., of 295 Route 9 North, Suite 30, Freehold, NJ 07728.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that it hereby awards and authorizes the execution of a Lease and Maintenance Agreement with Jersey Mail Systems, Inc., of 295 Route 9 North, Suite 30, Freehold, NJ 07782, for the lease and maintenance of the Postage Pro DS postage meter machine leased by the Township pursuant to the proposal submitted and made a part of this resolution, as follows:

1. The Lease and Maintenance Contract is for 63 months at \$322.70 per month, for a total contract price of \$20,330.10 (April, 2023, through April, 2028).
2. The Lease and Maintenance Contract will be performed in an effective and efficient manner in accordance with State of New Jersey Contract #19-GNSV2-00680 and the proposal submitted to the Township of Chatham Administrator and made a part of this Resolution.
3. The equipment will consist of a Postbase Pro DS Automatic Postal Mailing System with sealer, Dynamic scale, 15IB scale and maintenance agreement.
4. The Customer Agreement between FP Mailing Solutions is not a part of this Resolution and will be subject to a separate Resolution once the Agreement is properly reviewed and modified.
5. The Mayor and the Township Clerk are hereby authorized to enter a Lease and Maintenance Agreement necessary for the aforementioned services, a copy of which shall be available for public inspection in the Office of the Township Clerk.
6. This Resolution shall take effect immediately.

RESOLUTION 2023-101
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING TAX AND SEWER
LIEN

WHEREAS, due to payment by property owner of the lien amount, a redemption of the tax and sewer lien is appropriate; and

WHEREAS, the Tax Collector has recommended the refund of redemption monies as well as the Premium to the Outside Lien Holder;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following refund be made as indicated:

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
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65.03	1.03	Lienholder: Christiana T. c/f C&E1/First PO Box 5021 Philadelphia, PA 19111-5021 Certificate 21-00006 Property Owner: Nancy McLaughlin 23F Heritage Drive Chatham, NJ 07928	\$ 1,384.75 Certificate <u>2,100.00 Premium</u> \$ 3,484.75 Total
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BE IT FURTHER RESOLVED that the Tax Collector is authorized to prepare and sign a Discharge of Certificate 21-00006.

RESOLUTION 2023-102
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	LOT	NAME & ADDRESS	AMOUNT
36	10.01	Ridgeview Title and Settlements 1501 Hamburg Turnpike, Suite 420-B Wayne, NJ 07470	\$5,636.59 1 st Quarter 2023
48.19	157.01	Jordan Blacker 55 Britten Road Chatham, NJ 07928	\$499.09 1 st Quarter 2023

RESOLUTION 2023-103
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HOTFOIL-EHS, INC. FOR HOLLOW METAL HOLDING CELL DOORS

WHEREAS, the Township of Chatham’s municipal detention facility was inspected on October 27, 2022, by Ronin Security Solution to determine compliance with the requirements of N.J.A.C. 10A:34, the “Minimum Standards for New Jersey Municipal Detention Facilities”, under the authority of N.J.S.A. 30:1-15; and

WHEREAS, said report noted that the cell doors are constructed of steel bars and metal mesh and need to be security-type hollow core metal (minimum 12 gauge) steel; and

WHEREAS, the Township was satisfied with the February 3, 2023 proposal submitted by Hotfoil-EHS, Inc., of 2960 East State Street Ext., Hamilton, NJ 08619, which is attached hereto and made a part of this Resolution, for a total cost for two new cell doors of \$9,330.00, and installation charge of \$1,500.00 per day x 2, or \$3,000.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, and State of New Jersey, that it hereby awards and authorizes the execution of an Agreement with Hotfoil-EHS, Inc., of 2960 East State Street Ext., Hamilton, NJ 08619, as follows:

1. The Agreement is for two hollow metal holding cell doors, at a cost of \$4,665.00 each, and the installation charge is \$1,500.00 per day, per door.
2. The Agreement will be performed in an effective and efficient manner in accordance with the proposal submitted to the Township of Chatham Administrator and made a part of this Resolution.
3. A copy of the Agreement which shall be available for public inspection in the Office of the Township Clerk.

4. This Resolution shall take effect immediately.

RESOLUTION 2023-104
RESOLUTION AUTHORIZING THE PROCUREMENT OF A CONCESSION STAND
OPERATOR FOR THE COLONY POOL CONCESSION STAND IN ACCORDANCE WITH
THE LOCAL PUBLIC CONTRACTS LAW

WHEREAS, the Mayor and Township Committee of the Township of Chatham have determined that its residents and visitors would benefit from the professional operation and management of the Concession Stand located in the Colony Pool property owned by the Township of Chatham as part of its recreation facilities; and

WHEREAS, the Township of Chatham has a need to acquire an outside vendor to operate a food concession at the Colony Pool during the 2023 pool season pursuant to the provisions of *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the Township has determined to procure the services of a food concession vendor after considering the benefits and risks to include having a qualified food vendor who has experience and knowledge in the food industry, food safety handling, availability to food products and goods, and trained employees, compared to hiring seasonal employees who would not have the experience, not be dependable, and would lack the proper health and safety training that a qualified food vendor has; and

WHEREAS, it has been determined through historical data that the total annual value of the contract for the services is under \$30,000.00 as determined by the Chief Financial Officer; and

WHEREAS, the total amount of revenue for services to be received by the Township is \$1,000.00; and

WHEREAS, it is estimated that any costs to be incurred by the Township as part of the concession will be nominal; and

WHEREAS, the Township will allow the successful vendor to utilize a snack bar building, with professional food equipment, including: ice cream freezer, four upright freezers, a refrigerator, ice making machine, grill, deep fryer, ventilation hood, three side-by-side sinks, pretzel machine, hot dog star grill, dual heat lamp, dual oven for pizza, cash register, a 6-head soda dispenser, and fire suppression system; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, in accordance with *N.J.S.A. 40A:11-1, et seq.*, the Township attempted to solicit through the competitive contracting process and a Request for Proposals (“RFP”) for the services containing the elements required by *N.J.A.C. 5:34-4.2*, and advertising the RFP for a minimum of twenty (20) days, without success; and

WHEREAS, pursuant to *N.J.S.A. 40A:11-1, et seq.*, the Township Administrator sought out competitive proposals of various qualified Concession Stand Operators, concluding that the contract shall be awarded based upon a determination of the most advantageous price and other factors to last year’s vendor, Corp Café, of Vespucci’s Market, 90 Ridgedale Avenue, East Hanover, NJ, and the Chief Financial Officer has determined that funds will be available for this purpose; and

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

1. The Township Committee hereby authorizes the procurement of the operation and management of a Colony Pool Concession Stand Services Contract pursuant to *N.J.S.A. 40A:11.1, et. seq.*, and *N.J.A.C. 5:5:34-9.4*.
2. The Township Administrator recommends an award of contract for the operation and management of the Colony Pool Concession Stand Services to Corp Café, of Vespucci’s Market, 90 Ridgedale Avenue, East Hanover, NJ, in accordance with the requirements in the Request for Proposal and response to accept same as contained in Corp Café’s April 24, 2023 response.
3. The Township Committee hereby authorizes the execution of a contract with Corp Café as the Concession Stand Operator for the Colony Pool Concession Stand for the 2023 pool season pursuant to its proposal as indicated in its April 24, 2023 email and subject to the requirements of the Request for Proposal.
4. The Township Committee hereby authorizes that a copy of the Resolution shall be filed with the Clerk of the Township of Chatham.

Committeewoman Ewald moved to approve the Consent Agenda. Committeeman Choi seconded the motion.

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

Non-Consent Agenda

RESOLUTION 2023-088

**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 \$5,434,600.41 and the prior month's payroll of \$469,188.64 Current Fund, \$65,224.95 Sewer Utility, \$16,196.25 Open Space and \$20,848.68 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of April 2023, in the amount of \$3,414,532.00 be paid.

Committeewoman Ewald moved to adopt Resolution 2023-088. Committeeman Choi seconded the motion.

Committeeman Lois asked about what the accounts to which some TruGreen payments were charged. Mayor Felice noted that the resolution is for payment of bills, not what accounts they are charges to. She also said that Committeeman Lois's questions have been answered multiple times, and offers have been made to meet with him to go over the bills list.

Mr. Shehady explained how the bill list works, and explained again the purpose of a bills list resolution. He further noted that what account a bill is charged to can be adjusted later if necessary.

Committeeman Lois asked about the timeframe for having questions regarding the accounts used answered. Mr. Shehady reiterated how bills lists work.

Roll call: Committeeman Choi, Aye; Committeewoman Ewald, Aye; Committeeman Lois, Aye; Deputy Mayor Hamilton, Absent; 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 8:34 PM. Committeeman Lois seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk