

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
APRIL 26, 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 Lois and Mayor Felice. Deputy Mayor Hamilton arrived during Executive Session.

Executive Session

**RESOLUTION 2022-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. Personnel – Colony Pool
 - b. Personnel – Police Department
 - c. Personnel – Recreation
 - d. Collective Bargaining – Teamsters
 - e. Contract Negotiations – Colony Parking Lot
 - f. Potential Litigation – Police
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 Fondaco moved to adopt Resolution 2022-P-08 to enter Executive Session at 6:30 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 7:35 PM.
The Green Village Fire Department presented the Colors and led the Flag Salute.

Approval of Agenda

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

Proclamation

Mayor Felice read aloud the attached proclamation celebrating the Green Village Fire Department's Centennial.

Chief Zalis accepted the proclamation. He thanked the Township Committee and the community for their support of the Green Village Fire Department.

Oath of Office – Police Officer

Mayor Felice provided background on Police Officer Masi.

Officer Masi was sworn in by Mayor Felice.

The Township Committee took a recess at 7:53 PM.
The meeting was resumed at 8:09 PM.

Public Hearing/Adoption of 2022 Municipal Budget

Administrator Hoffmann gave the 2022 Budget Presentation. He announced that on April 26th the State has granted approval for the 2022 Budget to be adopted. Administrator Hoffmann also stated that the budget has a flat tax rate and meets all of the Township Committee's policy objectives.

Township Auditor Valerie Dolan commented on the budget process. She stated that the 2022 Budget is below the tax levy cap by \$831,000 and is also \$140,000 below the Appropriations Cap. Mrs. Dolan commented on use of Open Space Funds for maintenance of Colony Pool and recreation facilities, which is a policy shift. She said that the State has reserved the right to request documentation on the expenditure of Open Space Funds for those purposes. Mrs. Dolan noted that if a future Township Committee wanted to shift those costs back within the cap, it would be based on the lower cap base unless there is a change in Statute or a special ruling by the State. She also said that the 2022 Budget is a financially sound budget.

Administrator Hoffmann said that the average assessment of \$841,000 would have a property tax bill of \$16,412. Administrator Hoffmann said that the municipal portion of an average tax bill is \$3,162. He provided a breakdown of municipal services and capital costs. He also gave a breakdown on tax bills and total appropriations. Administrator Hoffmann further thanked the members of the Finance Committee for their work on budget preparation, as well as Confidential Assistant Megan Gates for her assistance in preparing the budget preparation.

Mayor Felice opened the Public Hearing on the 2022 Budget.

1. Marty McHugh, Ormont Road, said that Planning is one of the services listed in the Budget, and asked what will be done to be sure the Master Plan is updated in a timely fashion.

Committeeman Lois said that elements of the Master Plan are updated on a rolling basis. He also said that the Master Plan is not out of date.

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

RESOLUTION 2022-143

See Attached

Committeewoman Ewald moved to adopt Resolution 2022-143. Deputy Mayor Hamilton seconded the motion.

Committeewoman Ewald asked about the membership structure at Colony Pool and how it is affected by Green Acres rules. Attorney King explained that Colony Pool is an unfunded Green Acres site. He also commented on the items that cannot be funded through the Open Space Trust.

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

Hearing of Citizens

Mayor Felice asked if any written comments had been received.
The Township Clerk indicated that no written comments had been received.

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

Reports

Committeewoman Ewald reported that the Senior Center had a successful Shred Event and Sneaker Collection Event. The Sneaker Collection is still ongoing. Committeewoman Ewald reported that a Prescription Take-Back Event is being held on April 30th at both CVS locations in the Chathams. The Fishawack Festival will be held on June 11th. On May 15th the Madison-Chatham Coalition and the Madison YMCA are hosting a 5K.

Committeewoman Fondaco reported that the Seedling Giveaway Event on April 23rd was a huge success. On April 30th there will be an Earth Day Cleanup Event at the Green Village Pond. The Tri-Town Garage Sale will also be held on April 30th. A Native Plant Sale will also be held at the Municipal Building on April 30th. The Rolling Knolls CAG will meet on May 3rd. The Red Brick Schoolhouse will be open on May 1st from 2:00 PM to 4:00 PM. Committeewoman Fondaco reported on recent DPW activities. She noted that mulch delivery is still available. Committeewoman Fondaco further reported that the Chatham Emergency Squad will be coordinating a Blood Drive on May 14th at Corpus Christi Church from 8:30 AM to 2:30 PM. The CES Fund Drive is ongoing, and new volunteers are welcome.

Committeeman Lois reported that the Colony Pool Centennial Event will be held at the pool. He also reported that Colony Pool is on track for a strong season. Committeeman Lois also addressed the frequency with which the Colony Pool Committee meets. He further reported that the Comcast Franchise Agreement has been approved by the BPU and the Township now has access to the full grant. Committeeman Lois reported that a fallen tree limb caused a power outage recently for over two hours. The Capital Plan calls for a transfer switch at the Municipal Building for an automatic changeover to generator power when power outages occur. NJ American Water will be flushing lines which may result in discolored water which can be rectified by running the cold water until clear. The Recreation Committee met on April 20th, and improvements to club organization was discussed.

Deputy Mayor Hamilton welcomed Officer Masi to the Chatham Township Police Department. He also stated that the two officers attending the Police Academy are on track to graduate in June. Deputy Mayor Hamilton further reported that the Library of the Chathams is ceasing assessment of late fines, however interlibrary loan materials will still be subject to fines if returned late.

Administrator Hoffmann reported that all lighting at Nash Field is working.

The Township Clerk thanked all residents who have renewed their dog and cat licenses, and asked those who have not done so to submit their paperwork. Committeewoman Ewald asked if dog/cat license renewal could be offered as an electronic process. The Township Clerk said that would be dependent on the ability of the Township's financial software to process the payments. Attorney King noted that many towns have dog censuses.

Consent Agenda

RESOLUTION 2022-122 RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY REDUCING THE PERFORMANCE GUARANTY FOR THE ARBOR GREEN PROJECT

WHEREAS, the Planning Board has granted preliminary and final approval for the Arbor Green Project at High Gate at Block 48.16, Lot 117.28; and

WHEREAS, said approvals required, in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., and the Developer's Agreement between the developer and the Township, the posting of a performance guaranty to secure completion of the public improvements that were part of the project, and which was posted by the developer; and

WHEREAS, the original total performance guaranty consists of Performance Bond No. 800038806 in the sum of \$6,200,000.00; and

WHEREAS, as set forth by Township Engineer John K. Ruschke, P.E. in his letter dated March 18, 2022 the public improvements have been substantially completed to the extent that the performance guaranty may be reduced to the amount of \$2,480,000.00, which covers the remaining work described by the engineer's report;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the performance guaranty posted by the developer is hereby reduced, in accordance with the letter of Township Engineer John K. Ruschke, P.E., dated March 18, 2022, to the amount of \$2,480,000.00. The approved bond reduction is for a partial completion of site improvements. A maintenance bond shall be posted upon final acceptance of the site improvements by the Township Committee in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., and the Developer's Agreement between the Township and the developer.

RESOLUTION 2022-144
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 – March
CFO – March
Police – March

RESOLUTION 2022-145
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 April 12, 2022.

RESOLUTION 2022-146
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 April 12, 2022.

RESOLUTION 2022-147
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF
MORRIS, STATE OF NEW JERSEY, RELEASING DEVELOPER ESCROW ACCOUNT
AND/OR PERFORMANCE BOND BALANCES

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

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

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

NAME	<u>Project</u>	<u>A/C NUMBER</u>	<u>AMOUNT</u>
Gialluisi Custom Homes 208 Lenox Avenue, #157 Westfield, NJ 07090	Perf Bond for RO 18-030 Re: 2 Robert Drive	7764943253	\$668.00
Gialluisi Custom Homes 208 Lenox Avenue, #157 Westfield, NJ 07090	RO 18-030 Re: 2 Robert Drive	7764943245	\$256.00

Gialluisi Custom Homes 208 Lenox Avenue, #157 Westfield, NJ 07090	RO 18-051 Re: 16 Williams Road	7765172174	\$267.00
Gialluisi Custom Homes 208 Lenox Avenue, #157 Westfield, NJ 07090	Perf Bond for RO 18-051 Re: 16 Williams Road	7765172215	\$440.00

RESOLUTION 2022-148
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING THE MAYOR TO SIGN CLOSING DOCUMENTS FOR NOUVELLE LLC
REGARDING 314 HILLSIDE AVENUE

BE IT RESOLVED, by the Township Committee of the Township of Chatham that authorization is given to the Mayor and Clerk to sign closing documents for Nouvelle LLC regarding 314 Hillside Avenue.

RESOLUTION 2022-149
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 2022-150
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING A NOTICE TO BIDDERS FOR THE REFURBISHMENT OF THE SHUNPIKE
FIELD BASKETBALL COURT

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 Shunpike Field Basketball Court and advertise the same.

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.

Committeewoman Ewald moved to adjourn at 8:45 PM. Committeeman Lois seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk