

**MINUTES
TOWNSHIP COMMITTEE
WORKSHOP MEETING
MAY 23, 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-10
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. Property Acquisition
 - 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-10 to enter Executive Session at 7:01 PM. Deputy Mayor Hamilton seconded the motion.

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

The Township Committee returned to Public Session at 7:31 PM.

Mayor Felice led the Flag Salute.

Mayor's Statement

Mayor Felice commented on the achievements of the proposed 2023 Municipal Budget scheduled for adoption at this meeting. She noted that the tax rate is not increasing in this year's budget, and the Open Space Tax will be reduced. Mayor Felice further commented on an anticipated increase in fund balance in the 2024 Budget. She also commented on the planned

capital projects. Mayor Felice thanked the Finance Committee, particularly Mr. Shehady and Mrs. King, for their work in the preparation of the budget.

Approval of Agenda

Committeewoman Ewald asked that Resolution 2023-114 be pulled from the Consent Agenda for discussion and a separate vote.

Committeeman Lois asked to suspend the rules to address the reduction of the Open Space Tax following the vote on the 2023 Municipal Budget. Mr. King stated that the ordinance will need to be voted upon prior to the Budget.

Reports

Committeeman Choi reported that the Recreation Department's soccer program remains a robust program, and there is new leadership for the soccer club. He also highlighted the track program, and said there is a need for better access to tracks. Committeeman Choi noted that there are special needs participants in the track program, and their specialized equipment would need to be used on a track rather than on a grass surface.

Committeewoman Ewald reported that the Senior Center's Garden Tour will be held on June 3rd and will include seven gardens. The Historical Society had successful participation in the Pathways to History Program. On June 11th there will be a presentation held by the Historical Society about Nina Miller Edison. The Environmental Commission is working on implementing an Adopt-a-Drain program. They are also keeping an eye on beech leaf disease. The Environmental Commission also has a vacancy to be filled, and anyone interested in serving can reach out to the Township Clerk. Representatives from the Environmental Commission attended a subcommittee meeting regarding the tree protection ordinance, and there was consensus to wait until the State's model ordinance is released before moving forward.

Committeeman Lois reported that Colony Pool opens this weekend, and memberships are available. There are approximately 1,100 members and \$135,000 in revenue thus far this season. Committeeman Lois also reported that he attended a meeting with JCP&L regarding survey work at the transmission lines. Some wooden poles related to the Green Village Substation will be replaced with metal poles which will be more reliable. NJAW is still performing hydrant flushing, and residents who experience discolored water should let the faucet run for a few minutes until the discoloration clears.

Deputy Mayor Hamilton reported he and Mayor Felice attended the Friends of the Library Celebration Luncheon. The event included the presentation of a donation of more than \$35,000 raised at the Friends of the Library Book Sale. The Summer Reading program will kick off soon, and information is available at the Library. The Library will be having contractors perform inspections related to the upcoming bidding for the new Teen Center construction.

Mayor Felice reported that the Municipal Building will be moving to Summer Hours, and will close at 1:30 PM on Fridays through Labor Day Weekend. The Public Safety Committee met to discuss use of opioid grant funds. The consensus was to purchase Narcan kits and a public service announcement to inform the public on how to use Narcan. Committeeman Lois said that Narcan is available from the County and expressed concern about redundancy. Mr. Shehady commented on availability of kits through the County and said that the idea was to offer an additional source.

Hearing of Citizens

Mayor Felice opened the Hearing of Citizens.

1. Jamie O'Brien, Southern Boulevard, said she is a member of Moms Demand Action. Mrs. O'Brien addressed gun violence and National Gun Violence Awareness Day. Mrs. O'Brien said that a National Gun Violence Event will be held on June 2nd in Morristown and participants will tie orange ribbons. A second event that day will be held in Chatham Borough at the Gazebo. Mrs. O'Brien invited the Township Committee to participate in those events.

Committeewoman Ewald thanked Mrs. O'Brien and Moms Demand Action for their work to curtail gun violence.

2. Jen McNally, Noe Avenue, said that there was an incident at Chatham Middle School when a bullet casing was found. She also noted a recent incident where there was a suspected active shooter in Madison. Mrs. McNally encouraged the Township Committee to get involved in efforts to curtail gun violence.

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

Budget Presentation

Mr. Shehady presented an overview of the 2023 Budget. He noted that only 17 cents of every tax dollar collected remain with the Township, and the remainder goes to the School District and the County. The municipal tax rate has remained flat in 2023, and the Open Space tax is being reduced for this year. Mr. Shehady also commented on anticipated surplus, which will be higher this year. Mr. Shehady said that he is available to the public to answer any questions. He also noted that the Budget Presentation is currently available on YouTube and will be posted on the Township website.

Public Hearing/Final Adoption 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.

Mayor Felice opened the Public Hearing on Ordinance 2023-05.

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

Committeeman Lois commented on the amount of money spent last year on maintenance of recreation facilities, and commented on the budgeted amount for this year. Committeeman Lois said he does not think it is good to pay for the maintenance costs through the operational budget. Committeeman Lois stated that 490 acres of open space land have been acquired over the last twenty years, and at some point there will not be any more land to acquire. He said that money should move from the acquisition side to the maintenance side.

Committeewoman Ewald said that operational costs have traditionally been paid through the operations budget. She also said that the spending of funds is more transparent when paid through the operational budget.

Committeewoman Ewald moved to adopt Ordinance 2023-05. Deputy Mayor Hamilton seconded the motion.

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

Public Hearing/Final Adoption of 2023 Municipal Budget

Mayor Felice opened the Public Hearing on the 2023 Municipal Budget. Seeing no public comment, Mayor Felice closed the Public Hearing.

RESOLUTION 2023-105
(See Attached)

Committeewoman Ewald moved to adopt Resolution 2023-105. Deputy Mayor Hamilton seconded the motion.

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

Introduction of Ordinances

Ordinance 2023-06

ORDINANCE 2023-06
AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, AMENDING CHAPTER 4, GENERAL LICENSING, OF THE TOWNSHIP CODE, § 4-6.11, SCHEDULE OF RATES.

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, concerns have been raised regarding the fees charged for towing by the Chief of Police based on the fact that the ordinance has not been updated since 2005; and

WHEREAS, a review has been made of towing fees charged in surrounding jurisdictions and based upon those fees and the Chief of Police’s recommendation, it has been determined to amend the Township Code, Chapter 4, General Licensing, § 4-6.11, Schedule of Rates.

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

SECTION 1. The Township Code, Chapter 4, General Licensing, § 4.6.11, Schedule of Rates, subsections a. and c. are hereby amended as follows:

“a. Charges for the basic towing of vehicles within the limits of the Township by any authorized wrecker or towing operator shall not exceed \$125 for a daytime fee (8:00 a.m. to 4:30 p.m. Monday through Friday) and \$150 for a nighttime fee (4:30 p.m. to 8:00 a.m. weekends and New Jersey State Holidays). In addition, the wrecker or towing operator shall be permitted to charge \$1.75 for each mile the vehicle is towed within Township limits.”

“c. For any additional work beyond the basic towing service, the fees shall be as follows:

1. Recovery - Recovery is when a vehicle is off the roadway, or on the roadway overturned, or in any position other than normal towing position. Recovery charges are in addition to any towing charges. \$150 days, \$200 nights, weekends, and New Jersey State holidays.”

“6. Outside Storage Rates:

Private Passenger Automobile	\$40 per day
Trucks up to 24,000 lbs. GVWR	\$90 per day

Tractor Trailers \$100 per day (Tractor)
Tractor Trailers \$150 per day (Trailers)
Storage per day is per calendar day or any part thereof. A new business day is 12:01 a.m.”

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.

Committeewoman Ewald moved to introduce Ordinance 2023-06. Deputy Mayor Hamilton seconded the motion.

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

Public Hearing on Ordinance 2023-06 will be scheduled for June 27, 2023.

Consent Agenda

RESOLUTION 2023-106

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING PAYMENT OF BILLS, PAYROLLS, SCHOOL TAXES AND COUNTY TAXES

BE IT RESOLVED that bills in the total amount of \$1,023,799.82 and the prior month’s payroll of \$489,740.39 Current Fund, \$64,934.15 Sewer Utility, \$16,418.36 Open Space and \$29,201.25 Police Private Employment be paid.

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

BE IT FURTHER RESOLVED that taxes due to the County of Morris, for the 2nd Quarter of 2023, in the amount of \$2,435,667.08 be paid.

RESOLUTION 2023-107

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 April 25, 2023 and May 9, 2023.

RESOLUTION 2023-108

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 meetings held on April 25, 2023 and May 9, 2023.

RESOLUTION 2023-109

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
Charles Cherundolo Consulting Inc. 713 Clover Lane Moscow, PA 18444	BOA-22-006 300 Shunpike Road	7765834716	\$29.25
Jason Spina 102 Candace Lane Chatham, NJ 07928	BOA-21-010	7765834500	\$0.00
Bin Ou 823 River Road Chatham, NJ 07928	BOA-18-2-10	7764943237	\$116.50
NY SMSA Limited d/b/a Verizon Jacobs Telecommunication Inc. 2 Ash St. Suite 3000 Conshohocken, PA 19428	BOA-23-001 RE: 405 Southern Blvd.	BOA-23-001	\$35.25
Bruce Bushel 20 Club Road Chatham, NJ 07928	BOA 16-15-7	7763180046	\$0.00
Fairmount Country Club 400 Southern Blvd Chatham, NJ 07928	PLAN.17-128-10.01	7764128491	\$0.00
Aleksandra Bury 12 Woodland Road Chatham, NJ 07928	BOA-17-48.17-133 341 Green Village Road	7764128566	\$317.50

**RESOLUTION 2023-110
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING THE SALE OF SURPLUS MUNICIPAL EQUIPMENT**

WHEREAS, the Township of Chatham is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Township Committee are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:

<u>Year</u>	<u>ITEM</u>	<u>VIN or MODEL No</u>
2007	GMC Pickup	1GTHK24X7E600896
1999	GMC Single axel dump truck Trash pump from WPC	1GDP7H1CXXJ517260

Power washer
 Sandblaster
 Nitrogen machine
 Metal detector for doorway
 facial temperature kiosks
 100 gallon diesel tank
 8x Panasonic CF-WEB-301 Vehicle Dock/Port Replicator
 for Panasonic Toughbook CF 30/31. All have mounting
 brackets, but some mounting brackets are not connected
 2x Havis DS-PAN-111-1 Vehicle Docks/ Port Replicator
 for Panasonic Toughbook CF 30/31
 Infocus PanelBook LCD Projection Panel

- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Township of Chatham reserves the right to accept or reject any bid submitted.

RESOLUTION 2023-111
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW
JERSEY ACCEPTING THE RESIGNATION OF DENNIS BETTLER

WHEREAS, the Township of Chatham has accepted the resignation of Dennis Bettler (hereinafter “Employee”); and

WHEREAS, the Employee resigned effective May 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Chatham Committee, in the County of Morris, that the Committee accepts the resignation of Dennis Bettler.

RESOLUTION 2023-112
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING A NOTICE TO BIDDERS FOR THE PINE STREET IMPROVEMENTS
PROJECT

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 Pine Street Improvements Project and advertise the same.

RESOLUTION 2023-113
RESOLUTION AUTHORIZING THE EXECUTION OF A RENEWAL OF AN AGREEMENT
WITH SPATIAL DATA LOGIC “SDL” FOR SDL LICENSING AND MOBILE ACCESS FOR
THE CONSTRUCTION DEPARTMENT

WHEREAS, the Township of Chatham is in need of a renewal of five (5) licenses for Spatial Data Logic (herein “SDL”) and mobile access solution for use with iPads utilized by the Construction Department during field inspections and office operations; and

WHEREAS, the Township was satisfied with the SDL system currently utilized and proposal for renewal of those licenses submitted by SDL, of 285 Davidson Ave, Somerset, NJ 08873, which is attached hereto and made a part of this Resolution, for a yearly cost of \$9,400.00, which satisfies the best interests of the Township; and

WHEREAS, the Township Administrator has indicated that the vendor, SDL specializes in municipal governmental software solutions for Construction Departments that are secure, reliable, and developed by professionals with many years of experience, and the Township Administrator recommends that an Agreement to renew be executed with SDL.

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 SDL, of 285 Davidson Ave, Somerset, NJ 08873, for the renewal of licensing and mobile access for the Construction Department 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 \$9,400, for five (5) Enterprise Licenses and one (1) SDL mobile access solution for an iPad.
2. All pricing and services are subject to the attached proposal, based on a one (1) year term. 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 Proposal shall be available for public inspection in the Office of the Township Clerk.
4. This Resolution shall take effect immediately.

**RESOLUTION 2023-115
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
REFUNDING MULCH DELIVERY FEE**

WHEREAS, the Township Committee has considered the request submitted by the Public Works Director with regard to the fee that was paid for mulch delivery;

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

<u>NAME</u>	<u>AMOUNT</u>
Dan Colleton 72 Van Houton Avenue Chatham, NJ 07928	\$25.00

**RESOLUTION 2023-116
A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2023 BUDGET.**

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Chatham has received \$249,770.00 from the State of New Jersey Department of Transportation and wishes to amend its 2023 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$249,770.00 which is now available as a revenue from:

Miscellaneous Revenues – Section F: Special Items of General revenue – Public and Private Revenues Offset with Appropriations:

2023 Municipal Aid Pine Street Road Improvement, and

BE IT FURTHER RESOLVED, that a like sum of \$249,770.00 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

2023 Municipal Aid Pine Street Road Improvement.

BE IT FURTHER RESOLVED, that the Township Clerk forward a copy of this resolution to the Director of Local Government Services.

**RESOLUTION 2023-117
A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2023 BUDGET.**

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Chatham has received \$375,000 from the State of New Jersey Department of Transportation and wishes to amend its 2023 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$375,000 which is now available as a revenue from:

Miscellaneous Revenues – Section F: Special Items of General revenue – Public and Private Revenues Offset with Appropriations:

Local Aid Infrastructure Fund Pedestrian Safety and ADA Improvement, and
BE IT FURTHER RESOLVED, that a like sum of \$375,000 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Local Aid Infrastructure Fund Pedestrian Safety and ADA Improvement.

BE IT FURTHER RESOLVED, that the Township Clerk forward a copy of this resolution to the Director of Local Government Services.

RESOLUTION 2023-118

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2023 BUDGET.

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Chatham has received \$30,120.00 from the Morris County Park Commission and wishes to amend its 2023 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$30,120.00 which is now available as a revenue from:

Miscellaneous Revenues – Section F: Special Items of General revenue – Public and Private Revenues Offset with Appropriations:

Hillside Walking Trail-Phase 2 Construction Grant Program, and

BE IT FURTHER RESOLVED, that a like sum of \$30,120.00 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Hillside Walking Trail-Phase 2 Construction Grant Program.

BE IT FURTHER RESOLVED, that the Township Clerk forward a copy of this resolution to the Director of Local Government Services.

RESOLUTION 2023-119

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2023 BUDGET.

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Chatham has received \$69,194.00 from the State of New Jersey Department of Law & Public Safety and wishes to amend its 2023 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$69,194.00 which is now available as a revenue from:

Miscellaneous Revenues – Section F: Special Items of General revenue – Public and Private Revenues Offset with Appropriations:

Automated License Plate Recognition Technology Grant , and

BE IT FURTHER RESOLVED, that a like sum of \$69,194.00 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Automated License Plate Recognition Technology Grant .

BE IT FURTHER RESOLVED, that the Township Clerk forward a copy of this resolution to the Director of Local Government Services.

RESOLUTION 2023-120

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
64.05	7.01	Michael Goodwin 16 I Heritage Drive Chatham, NJ 07928	\$1,560.69 2 nd Quarter 2023

RESOLUTION 2023-121

RESOLUTION AUTHORIZING THE RECLASSIFICATION OF A SLEO III TO A SLEO II AND MODIFYING THE CURRENT SHARED SERVICES AGREEMENT FOR SPECIAL LAW ENFORCEMENT OFFICERS WITH THE SCHOOL DISTRICT OF THE CHATHAMS OF OCTOBER 2018

WHEREAS, the Chief of Police of the Township of Chatham has requested the reclassification of one (1) of the three (3) Special Law Enforcement Officers (herein “SLEO”) III to a SLEO II; and

WHEREAS, the Township, as a result of the reclassification, would be required to modify the current Shared Services Agreement for SLEO III that was originally entered in to and executed with the School District of the Chathams in October of 2018; and

WHEREAS, the Township currently has three (3) SLEO III assigned to the School District of the Chathams within the Township and is looking to change the classification of one (1) SLEO III to a SLEO II; and

WHEREAS, the SLEO III can only be deployed for school security related duties; and

WHEREAS, the Chief of Police has indicated that such a classification of one (1) SLEO III will have no impact on the police budget as the SLEO II will only be deployed for extra duty and road and construction details that fall outside of any regularly scheduled school duties; and

WHEREAS, this modification will allow the Township Police Department more flexibility to utilize the SLEO II in both the school district and for other emergencies that arise in the Township; and

WHEREAS, the Chief of Police has discussed this matter with the New Jersey Police Training Commission which regulates the training and administration of SLEO officers and has advised that such reclassification is permissible; and

WHEREAS, the Township Administrator, after reviewing the proposed plan with the Chief of Police, has confirmed his findings and recommends that the changes be made to reclassify one (1) of the three (3) SLEO III to a SLEO II and modify the current Shared Services Agreement for SLEO III that was originally entered into and executed with the School District of the Chathams in October of 2018 reflecting the new reclassification.

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 authorizes the reclassification of a SLEO III and modification of the 2018 Shared Services Agreement with the School District of the Chathams as follows:

1. Authorize the Mayor and Clerk to execute the amended Shared Services Agreement for SLEO III that was originally entered into and executed with the School District of the Chathams in October of 2018 reflecting the new reclassification of a SLEO II.
2. That David Courter will be reclassified from SLEO III to SLEO II.
3. A copy of the final modified Shared Services Agreement shall be available for public inspection in the Office of the Township Clerk once duly executed by all parties thereto.
4. This Resolution shall take effect immediately.

RESOLUTION 2023-122

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING ESTIMATED TAX BILLING

WHEREAS, the 2023 tax levy has not been certified at this time and said levy will not be certified in time for tax bills to be mailed in a timely manner; and

WHEREAS, there will be insufficient cash flow to support municipal operations in late July, August and September unless third quarter tax revenue is received on time; and

WHEREAS, the Tax Collector and Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham as follows:

1. The Tax Collector of the Township of Chatham is authorized and directed to prepare and issue estimated tax bills for the third installment of 2023 taxes in accordance with the provisions of N.J.S.A. 54:4-66.2 et seq.

2. The estimated tax levy to be used for the preparation of the estimated tax bills shall be \$65,792,271.19 which is 0% more than the tax levy of 2022. The estimated tax rate for 2023 is 1.946.
3. The Tax Collector shall take whatever action as permitted and required by Chapter 72 Public Laws 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3.

RESOLUTION 2023-123

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING THE LIST OF VOLUNTEERS ELIGIBLE FOR LOSAP**

WHEREAS, the Township of Chatham has received a list of volunteers eligible for LOSAP from the Green Village Volunteer Fire Department, the Chatham Township Volunteer Fire Department and the Chatham Emergency Squad; and

WHEREAS, the Township Committee has reviewed the list from each emergency service organization.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the volunteers on the attached certified lists are hereby approved as being eligible for LOSAP; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each emergency service organization for a 30-day posting.

RESOLUTION 2023-124

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2023 BUDGET.**

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Chatham has received \$25,290.38 from the State of New Jersey Clean Communities Account Fund and wishes to amend its 2023 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$25,290.38 which is now available as a revenue from:

Miscellaneous Revenues – Section F: Special Items of General revenue – Public and Private Revenues Offset with Appropriations: Clean Communities Program, and

BE IT FURTHER RESOLVED, that a like sum of \$25,290.38 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Clean Communities Program.

BE IT FURTHER RESOLVED, that the Township Clerk forward a copy of this resolution to the Director of Local Government Services.

RESOLUTION 2023-125

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, APPOINTING AN ACTING FIRE SUB-
CODE OFFICIAL/INSPECTOR (HHS)**

WHEREAS, due to the resignation of Dennis Bettler effective May 31, 2023, there will be fill a vacancy in the position of Fire Sub-Code Official; and

WHEREAS, the absence of a Fire Sub-Code Official would impede the orderly administration of the Uniform Construction Code by the Township; and

WHEREAS, Construction Official John K. Daniels is licensed and qualified to fill the position and is willing to serve as the Township’s Acting Fire Subcode Official for a period not exceeding thirty days while a suitable replacement is found.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, New Jersey that pursuant to N.J.A.C. 5:23-4.4(a)6, John K. Daniels is hereby appointed Acting Fire Sub-Code Official effective June 1, 2023 at a prorated annual salary of \$20,000 for a period not exceeding thirty (30) days.

RESOLUTION 2023-126

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, NEW JERSEY, REGARDING THE RENEWAL OF ALCOHOLIC**

**BEVERAGE LICENSES IN THE TOWNSHIP OF CHATHAM FOR THE FISCAL YEAR
BEGINNING JULY 1, 2023**

WHEREAS, an application for the renewal of an Alcoholic Beverage License in the Township of Chatham for the fiscal year beginning July 1, 2023 has been made by Jay Krishna LLC, Chattam Wine & Liquor LLC and Fairmount Country Club

WHEREAS, the applicants have complied with all the requirements of “An Act for the Manufacture, Distribution and Sale of Alcoholic Beverages”, known as the “Alcoholic Beverage Act and Amendments and Supplements thereto”, as well as the Ordinance of the Township of Chatham entitled “An Ordinance to Regulate the Sale and Distribution of Alcoholic Beverages”, as amended, including the submission of the appropriate license fees, and no objections to the renewal of said licenses have been received.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk be and hereby is authorized to deliver the plenary retail distribution license as issued by the New Jersey Division of Alcoholic Beverage Control for the fiscal year beginning July 1, 2023, as follows:

To Jay Krishna LLC, trading as the Hickory Wine Cellar, for premises situated at 641 Shunpike Road, Chatham, New Jersey (Lic. No. 1405-44-003-009).

To Chattam Wine & Liquor LLC., trading as Buy Rite Liquor, for premises situated at 650 Shunpike Road, Unit 1A Chatham, New Jersey (Lic. No. 1405-44-004-007).

BE IT FURTHER RESOLVED that the Township Clerk be and hereby is authorized and directed to issue and deliver a plenary retail consumption license for the fiscal year beginning July 1, 2023, as follows:

To Fairmount Country Club, Inc., a private club for members only, for premises situated at 400 Southern Boulevard, Chatham Township, New Jersey (License # 1405-33-001-002).

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk be forwarded to the Division of Alcoholic Beverage Control and the State Department of Taxation and Finance, Newark, New Jersey, for their information and guidance.

Committeewoman Ewald moved to approve the Consent Agenda. Deputy Mayor Hamilton 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 NO. 2023-114

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE USE OF SOUND
AMPLIFICATION AT COUGAR FIELD IN COMPLIANCE WITH MUNICIPAL ORDINANCE
BH 4-1, ET. SEQ.**

WHEREAS, the Township Committee of the Township of Chatham has been asked to authorize the use of the amplification of sound by loudspeakers for sporting events at Cougar Field; and

WHEREAS, Ordinance BH4-1, *et. seq.*, specifically §BH4-3.2 allows the governing body by resolution to authorize such use for public events pursuant to the and in accordance with the terms and condition of the resolution.

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

1. The use of amplification of sound by loudspeakers for sporting events at Cougar Field shall be permitted for sporting events for the remainder of 2023 from 8:00 AM to 10:00 PM..
2. The use of the sound amplification will be governed by §BH 4-1, *et seq.*
3. This Resolution shall take effect immediately.

Committeewoman Ewald said that the draft distributed does not have parameters. Mr. King stated that the parameters are set by the Noise Ordinance. He noted that specific times can be added to the resolution.

Mayor Felice explained that the Board of Health plans to amend the ordinance, and the resolution will serve to protect the activity until the ordinance is amended. She also noted that the Police would not need to shut down an approved activity.

Deputy Mayor Hamilton noted the logistical challenges in enforcement of a noise ordinance.

Deputy Mayor Hamilton moved to adopt Resolution 2023-114 as amended. Committeeman Lois seconded the motion.

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

Hearing of Citizens

Mayor Felice opened the Hearing of Citizens.

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

Deputy Mayor Hamilton moved to adjourn at 8:15 PM. Committeewoman Ewald seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk