

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
MAY 27, 2021**

Mayor Ness 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 8, 2021; notice was posted on the front door and the bulletin board in the main hallway of the Municipal Building on January 8, 2021; and notice was filed with the Township Clerk on January 8, 2021.

Roll Call

Answering present to the roll call were Committeewoman Felice, Committeewoman Fondaco, Committeeman Hamilton and Mayor Ness. Deputy Mayor Ewald was absent

Committeeman Hamilton and Committeewoman Felice participated in the meeting via Zoom.

Executive Session

**RESOLUTION 2021-P-11
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. Attorney – Client Privilege
 - b. Litigation – Township of Chatham v. Kronos Holdings LLC and SL Chatham II, LLC-Condemnation Action Docket No. MRS-L-789-21
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 2021-P-11 to enter Executive Session at 6:32 PM. Committeeman Hamilton seconded the motion.

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

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

Mayor Ness led the Flag Salute.

Approval of Agenda

Committeewoman Fondaco moved to approve the Agenda. Committeewoman Felice seconded the motion, which carried unanimously.

Proclamations

National Gun Violence Awareness Day

Mayor Ness read aloud the attached proclamation for National Gun Violence Awareness Day.

Jaime McLaughlin from Moms Demand Action was present via Zoom to receive the proclamation. Mrs. McLaughlin addressed gun violence, noting that she is a survivor and her brother was killed by someone using a firearm. She also discussed the increased risk of suicide when a firearm is available.

Reports

Committeewoman Felice reported that the Colony Pool will open Memorial Day Weekend. She said membership rates are 25% higher than 2019. Revenue for 2021 has exceeded \$180,000.00 and the 2021 Budget anticipated \$140,000.00 in revenue. Membership rates in 2021 are the best since 2013, and continued increases in membership are expected. Committeewoman Felice said that there is a new concession stand vendor. A new swim lesson schedule has been created, and a new afternoon tennis lesson program has been developed. The Swim Team has also been expanded to include a development program. Members can also sign up online for swimming lessons, tennis lessons and to join the Swim Team. Committeewoman Felice said that the Colony Pool Committee appreciates the support of Mayor Ness and the Township Committee. She also thanked the Township Staff for their work toward opening Colony Pool.

Committeeman Hamilton reported that the Library of the Chathams had a successful outdoor book sale. He also reported that the Library is now open to the public without appointment. Patrons are still asked to wear masks. On June 1st, the Friends of the Library will hold an additional book sale. The Business Advisory Committee has launched a questionnaire for local business who want to be included in a Business Directory. Committeeman Hamilton further reported that the School District has returned to in-person learning for K-12 without incident. He also reported that a Public Safety Committee meeting will be held soon to discuss some necessary improvements to the Police Headquarters. Committeeman Hamilton further noted that there have been car thefts in the Township and asked residents to lock their cars.

Committeewoman Fondaco reported that the Green Village Fire Department will be hosting a Memorial Day Service on the Green Village Green at 8:30 AM on May 31st. The Chatham Township Historical Society will be hosting a program by Pat Wells via Zoom on the History of the White House on May 20th at 4:00 PM. The Senior Center will be hosting the Glorious Garden Tour on June 5th, and advance registrations are available. GoGo Grandma rides are also available.

Mayor Ness commented on the importance of Memorial Day. Colony Pool will open this weekend, and Colony Pool will hold this year's Chatham High School Senior Picnic. Mayor Ness further reported that the next Township Committee meeting will be open for the public to attend in person. Municipal boards and committees can also attend in person. Hillside Trail is now officially open, and Mayor Ness thanked Engineer Ruschke and Administrator Hoffmann for pursuing the grant that made the trail possible. She also thanked the Boy Scouts for assisting with placing mulch and planting trees, and thanked JCP&L for providing trees. The Senior Center is expanding its programming now that social distancing restrictions have been eased. The Diversity Committee has continued to meet, and a survey is posted on the Township's Facebook page. Mayor Ness further reported that there is a resolution on the Consent Agenda for Nash Field Lighting, and she thanked the Chatham Athletic Foundation for the grant that is funding the purchase. The Township has also received a \$22,400 Clean Communities Grant. Mayor Ness further reported that the number of active Covid-19 cases has been holding steady at 20, and she encouraged residents to continue to get vaccinated and take safety measures.

The Township Clerk reported that the Primary Election will be held on June 8th, and voting will take place in-person at normal polling places.

Engineer Ruschke provided an update on the 2021 Road Paving Program and said that notices will be provided to affected residents prior to when paving begins.

Committeewoman Fondaco asked when sidewalks will be installed on Shunpike Road. Engineer Ruschke reported that the Safe Routes to School sidewalk is progressing toward final design. The segment on the Borough side is still in the preliminary phase.

Administrator Hoffmann reported that 2021 will be a robust year for road paving. He noted that there is a resolution on the Consent Agenda for repaving of Noe Avenue. Administrator Hoffmann said that a total of 7.15 miles of road will be paved in 2021, which is 13.75% of all roads in Chatham Township. Administrator Hoffmann further thanked the volunteers from the Colony Pool Committee who helped with the preparations and planning for the 2021 season. He also commented on the Nash Field Lighting Grant and said that the costs came in much lower than the 2019 cost estimate thanks to competition. Administrator Hoffmann stated that a walk-through of the Hillside Trail was conducted, and this project also came in well under budget. The Township had performed some preparation work, which helped reduce the costs. Administrator Hoffmann further commented on the Memorial Day Holiday, stating that it honors those who died in battle to protect American freedoms.

Hearing of Citizens

The Township Clerk read aloud written comments from the following residents:

1. Bailey Brower, Driftway, asked if the Township's ordinance prohibiting sale and manufacture of marijuana is still in effect, and if the Township Committee plans to draft a new ordinance in response to recent legislation.

The Township Clerk indicated that he spoke with Mr. Brower, and emailed him the ordinance that was adopted in April 2021 to address this issue.

Mayor Ness opened the Hearing of Citizens.

1. Bill Karpowic, Oak Drive (Chatham Borough), thanked the Township Committee for the support shown for the Nash Field Lighting Project. He said he was a trustee of the Chatham Athletic Foundation (CAF), and the last grant given before the CAF was dissolved was a grant to the Township for field lighting. Mr. Karpowic noted that CAF provided over \$1,400,000 in grants to the Township and the Borough, as well as youth athletic programs. He said that the Youth Baseball Program is excited about the new lighting. Mr. Karpowic also thanked Administrator Hoffmann for his work on and enthusiasm for the Nash Field Lighting Project.
2. Maureen Kelly, Mountain Avenue, spoke in favor of the proposed pesticide ordinance. Mrs. Kelly commented on the research that went into the preparation of the ordinance. She also said that for the past several years it has already been the practice of the Township to not use pesticides on fields, and she commented on the dangers to children of pesticide use. Mrs. Kelly also said that pesticide reduction works along with efforts of plant pollinators.
3. Cara Feeser, expressed her support for the pesticide ordinance, and said that it is the culmination of work performed over the past 4 years. She also said that residents have expressed a desire for safe recreation facilities. Mrs. Feeser further stated that sustainable lawncare procedures can be successful. Mrs. Feeser also said that the impetus for this direction is the science showing that even low-level pesticide exposure is harmful, especially to children. She also said that pesticide runoff winds up in the Township's water supply.

Mayor Ness thanked Mrs. Feeser for all the work she put into the development of the pesticide ordinance.

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

Introduction of Ordinances

Ordinance 2021-15

ORDINANCE 2021-15

ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, ELIMINATING USE OF PESTICIDES ON ALL MUNICIPAL RECREATIONAL AREAS

WHEREAS, scientific studies associate exposure to pesticides with asthma, cancer, developmental and learning disabilities, nerve and immune system damage, liver or kidney damage, reproductive impairment, birth defects, and disruption of the endocrine system;

WHEREAS, infants, children, pregnant women, the elderly, people with compromised immune systems and chemical sensitivities are especially vulnerable to pesticide effects and exposure;

WHEREAS, pesticides are harmful to pets, wildlife including threatened and endangered species, soil microbiology, plants, and natural ecosystems;

WHEREAS, toxic runoff from chemical fertilizers and pesticides pollute streams and lakes and drinking water sources;

WHEREAS, the use of hazardous pesticides is not necessary to create and maintain green lawns, recreational areas, and landscapes given the availability of viable alternatives practices and products;

WHEREAS, people have a right not to be involuntarily exposed to pesticides in the air, water or soil that inevitably result from chemical drift and contaminated runoff;

WHEREAS, sustainable land use practices that emphasize non- chemical methods of weed and pest prevention and management and least-toxic pesticide use as a last resort will eliminate the use of and exposure to pesticides on recreational areas;

WHEREAS, sustainable land use practices complements other important goals of Chatham Township and administration, such as energy conservation and security;

WHEREAS, recognizing that if an emergency public health situation warrants the use of pesticides, which would otherwise not be permitted under this policy, the Township shall have the authority to grant a temporary waiver on a case-by-case basis after an evaluation of all alternative methods and materials;

WHEREAS, recognizing this policy excludes any pesticide applications performed by Morris County (e.g. mosquito spraying); and

WHEREAS, Chatham Township embraces a precautionary approach to the use of toxic pesticides to adequately protect people and the environment from pesticides' harmful effects.

NOW, THEREFORE, BE IT ORDAINED as follows:

Section 1. Purpose.

The Chatham Township Committee hereby finds and declares that it shall be the policy of Chatham Township to eliminate toxic pesticide use on all municipal recreational areas to promote a healthy environment, protect the public from the hazards of pesticides, and for implementation of sustainable land use.

Section 2. Definitions.

Allowed Materials List. The Township must include in the regulations adopted under this section a list of acceptable pesticides, known as the Allowed Materials List. The list is limited to: (A) All nonsynthetic (natural) materials, with the exception of prohibited nonsynthetic materials under 7 CFR 205.602; (B) Any synthetic material listed at 7 CFR 205.601 that is labeled for turf uses, subject to discretionary authority to require disclosure of inert ingredients; and (C) 25b listed pesticides under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Emergency – means an urgent need to mitigate or eliminate a pest that threatens public health or safety.

Inert ingredient – Any substance (or group of substances with similar chemical structures if designated by the Environmental Protection Agency) (EPA) other than an active ingredient which is intentionally included in any pesticide product (40 CFR 152.3(m)) [7 CFR 205.2 Terms defined.] and are not classified by the Administrator of EPA as inerts of toxicological concern. [7 U.S.C. 6502(21) Definitions]

Lawn – means an area of land, except agricultural land, that is: (i) mostly covered by grass, grass, other similar herbaceous plants, shrubs, or trees; and (ii) kept trim by mowing or cutting.

Nonsynthetic (natural) materials – A substance that is derived from mineral, plant, or animal matter and does not undergo a synthetic process as defined in section 6502(21) of the Organic Foods Production Act

(7 U.S.C. 6502(21)). For the purposes of this part, nonsynthetic is used as a synonym for natural as the term is used in the ordinance. [7 CFR 205.2 Terms defined.]

Pesticide – any substance or mixture of substances intended for—(i) preventing, destroying, repelling, or mitigating any pest; (ii) use as a plant regulator, defoliant, or desiccant; or (iii) use as a spray adjuvant such as a wetting agent or adhesive. The term ‘pesticide’ does not include cleaning products, other than those that contain pesticidal agents.

Recreational areas – means municipal land that is designated for recreational activities including lawns, playgrounds, sports fields, pool areas and any other land where recreational activities occur and are controlled, managed, leased or owned by Chatham Township.

Sustainable Land Use– means a program that:

- (A) uses— effective mowing, watering and fertilizing practices that provide a healthy soil, other nonchemical methods, and if nontoxic options are unreasonable or have been exhausted, a pesticide on the allowed materials list; and
- (B) minimizes— (i) the use of toxic pesticides; and (ii) the hazards to human health and the environment associated with pesticide applications.

Synthetic materials – The term “synthetic” means a substance that is formulated or manufactured by a chemical process or by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral sources, except that such term shall not apply to substances created by naturally occurring biological processes. [7 U.S.C. 6502(21) Definitions]

Use of Pesticides. — The Township shall only use pesticides on the allowed materials list as part of sustainable land use practices. A pesticide not on the allowed materials list may only be used as a last resort in a quantity and in a timeframe approved by the Township which may grant a temporary waiver on a case-by-case basis after an evaluation of all alternative methods and materials (e.g. poison ivy). Pesticides are only to be applied by certified commercial applicators that are NOFA certified.

NOFA -- NOFA Organic Land Care is an extension of NOFA (Northeast Organic Farming Association) that sets policy, provides outreach and education on organic agricultural practices. NOFA Land Care extends the vision and principals of organic agriculture to the care of landscapes. A NOFA Organic Land Care Certified Landscaper must comply with the NOFA Standards for Organic Land Care.

Posting of Signs — If applying a pesticide under this paragraph, the certified commercial applicator shall post a sign warning of the application of the pesticide —in a prominent place that is in or adjacent to the location to be treated; and at each entrance to the ground to be treated. A sign required for the application of a pesticide shall remain posted for at least 72 hours after the end of the treatment; be at least 8 1/2 inches by 11 inches.

Section 3. Grounds Management Implementation Guidelines.

It is the policy of the Township to take the following preventive measures to maintain optimal turf conditions on municipal recreational areas:

- (A) To maintain healthy soil, soil sampling and analysis will be conducted to evaluate and assess the level of care needed for the facility’s turf and landscape.
- (B) Well-adapted, pest-resistant grass varieties that are more suitable for Chatham Township’s climate will be planted.
- (C) Lawn aeration will be scheduled at least once a year.
- (D) A proper pH for the soils will be maintained.
- (E) The soil should be tested to adjust the pH if needed.
- (F) Annual fall fertilizer applications will be scheduled and carried out. Only slow- release fertilizer formulations will be used.
- (G) Approved soil amendments will be applied as necessitated by soil test results. Following, but not limited to, the recommendations of the Northeast Organic Farmers’ Association and/or the Organic Material Review Institute.
- (H) Outdoor management practices will be modified to comply with organic horticultural science, including scouting, monitoring, watering, pruning,
- (I) proper spacing and mulching.
- (J) Practices will include the use of physical controls, including over-seeding.

This Ordinance shall take effect as provided by law.

Mayor Ness said that the ordinance will held the Township in the effort to achieve Silver Certification in the Sustainable Jersey program. She also said that Administrator Hoffmann had worked on the draft to address poison ivy.

Committeewoman Fondaco moved to introduce Ordinance 2021-15. Committeewoman Felice seconded the motion.

Committeewoman Felice asked if the emergency mitigation clause would allow the Township to address termites. Mayor Ness said that she believes the intent of the clause would include response to termite infestation, and anything that would cause a safety hazard or costly harm. Committeewoman Felice asked if the language of the ordinance should be modified to include termite response. Attorney Cruz said that the language about “public health or safety” suffices.

Committeeman Hamilton said that the ordinance discusses pesticides and herbicides, however only pesticides are noted in the title of the ordinance. Administrator Hoffmann said that he added the language about poison ivy and poison sumac, and the Township will need to be able to address those issues. Committeeman Hamilton asked if use of any chemicals will be prohibited. Administrator Hoffmann said that stronger chemicals can be used if there is a threat to public health and welfare.

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

Public Hearing for Ordinance 2021-15 will be scheduled for June 10, 2021.

Ordinance 2021-16

ORDINANCE 2021-16

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING STORMWATER CONTROL ORDINANCE

BE IT ORDAINED by the Township Committee of the Township of Chatham that the Section 30-64.3 be amended as follows:

1. Definitions for the following are hereby removed:
 - a. CAFRA Centers, Cores, or Nodes
 - b. CAFRA Planning Map
 - c. Tidal Flood Hazard Area
2. Section II: Replace reference to County Board of Chosen Freeholders with Board of County Commissioners
3. Section IV: Replace '{insert Office of the County Clerk or the registrar of deeds and mortgages of the county in which the development, project, project site, or mitigation area containing the stormwater management measure is located, as appropriate, to the municipality}' in Paragraph M, and '{insert appropriate Office of the County Clerk or the registrar of deeds and mortgages, as applies}' in Paragraph N with Office of the Morris County Clerk.
4. This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

Engineer Ruschke said that the amendments are minor changes based on feedback from the NJDEP. The Township Clerk noted that the ordinance will be sent to the Planning Board for a Master Plan Consistency Review.

Committeeman Hamilton moved to introduce Ordinance 2021-16. Committeewoman Fondaco seconded the motion.

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

Public Hearing for Ordinance 2021-16 will be scheduled for June 24, 2021.

Consent Agenda

RESOLUTION 2021-154 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:

CFO – April
Police Department – April

RESOLUTION 2021-155 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 May 13, 2021.

RESOLUTION 2021-156 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 May 13, 2021.

RESOLUTION 2021-157 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AWARDED CONTRACT TO QUALITE SPORTS LIGHTING, LLC FOR THE PURCHASE AND INSTALLATION OF A GAMECHANGER Q-LED LIGHTING SYSTEM FOR NASH FIELD

WHEREAS, the field lighting at Nash Field is over thirty-one (31) years old and requires upgrading to reduce the ongoing costs of maintaining an inefficient system; and,

WHEREAS, since the summer of 2019 the Township in consultation with the Baseball Association, Softball Association and now defunct Chatham Athletic Foundation (CAF) has researched and evaluated the costs of installing, operating and maintaining lighting systems recommended by vendors that would achieve the goal of upgrading the thirty-one (31) year old field lighting system with a new energy efficient system that will increase the lighting on the fields, as well as provide lighting for the basketball and ice skating areas, while reducing spill over onto neighboring properties; and

WHEREAS, it has been determined that the best overall value for the Township of Chatham and its residents, is to purchase the sought after equipment and systems through a nationally recognized and accepted purchasing contract between the Texas Interlocal Purchasing System (TIPS) and Qualite Sports Lighting, LLC; and,

WHEREAS, pursuant to N.J.S.A. 52:34-6.2b.(3) (as amended by P.L. 2011, c.139) and LFN 2012-10, a New Jersey municipality may purchase goods and services without public bidding under the Local Public Contracts Law through the use of a nationally-recognized and accepted cooperative purchasing contract that has been developed utilizing a competitive bidding or contracting process by another contracting unit within New Jersey or another state; and

WHEREAS, as required by Local Finance Notice (LFN) 2012-10, dated May 14, 2012, Section 2, Page 7 – Legal Advertising Requirements, the Township placed a public notice in the May 13, 2021 edition of the Chatham Courier notifying prospective bidders of its decision to utilize a national purchasing agreement; and,

WHEREAS, as also required by LFN 2012-10, this public notice as published at least ten (10) days before the intended action is taken; and,

WHEREAS, the Texas Interlocal Purchasing System (TIPS) is a regional organization of governments operating under the laws of the State of Texas and is a political subdivision of the State of Texas; and

WHEREAS, the subject cooperative purchasing contract was awarded by TIPS to Qualite Sports Lighting, LLC utilizing a competitive contracting process; and

WHEREAS, also pursuant to N.J.S.A. 52:34-6.2b.(3) (as amended by P.L. 2011, c.139) and LFN 2012-10, prior to making purchases under nationally-recognized and accepted cooperative purchasing contracts, the municipality must determine that the use of the cooperative purchasing contract shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered; and

WHEREAS, the Township of Chatham's use of the TIPS cooperative purchasing contract to procure field lighting for Nash Field will result in cost savings of \$55,623 or 16.1%; and,

WHEREAS, consistent with the TIPS cooperative purchasing contract and needs of the Township of Chatham, Qualite Sports Lighting, LLC has submitted a proposal to provide a GAMECHANGER Q-LED System, QL#: 21370D1 SF4518, for the sum of \$343,877 which includes installation; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in:

CAF G-01-60-040-020	\$100,000
Ordinance 2019-11 Section 3	\$149,500
Ordinance 2020-06 Section D	\$100,000
Ordinance 2021-09-D	\$50,000

leaving a contingency of \$55,623.00; and

WHEREAS, The Baseball Club of Chatham (BCC) and the Chatham Softball Club (CSC) have agreed if the cost of installation should exceed \$400,000 due to unforeseen soil conditions or other related issues, the BCC will contribute up to \$75,000 and the CSC will contribute up to \$25,000 for a total commitment of \$100,000 with the understanding that they will have up to three (3) years to make the additional contribution,

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

1. The foregoing “Whereas” clauses are hereby incorporated as if fully restated.
2. A contract for the purchase and installation of GAMECHANGER Q-LED System for Nash Field for the sum of \$343,877.00 is hereby awarded to Qualite Sports Lighting, LLC without public bidding as permitted by law.
3. The Mayor or Township Administrator and Township Clerk are hereby authorized and directed to execute an “End User Agreement” with Qualite Sports Lighting LLC pursuant to the terms of its nationally-recognized and accepted cooperative purchasing agreement with the Texas Interlocal Purchasing System.
4. The form and terms of the End User Agreement shall be consistent with this resolution and is subject to the approval of the Township Attorney.
5. The Township Committee expresses its appreciation to the Baseball Club of Chatham, the Chatham Softball Club and the Chatham Athletic Foundation for their assistance and financial commitment to this project which will improve recreational opportunities for current and future generations of Chatham residents.

RESOLUTION 2021-158

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
RECOMMENDING AWARD OF NOE AVENUE RESURFACING PROJECT CONTRACT TO
CIFELLI & SON GENERAL CONTRACTING, INC**

BE IT RESOLVED that Township of Chatham hereby recommends to the New Jersey Department of Transportation that the contract for Noe Avenue Resurfacing Project (2021 NJDOT Municipal Aid) in the Township of Chatham, County of Morris be awarded to Cifelli & Son General Contracting, Inc. via 2021 Morris County Cooperative Pricing Council whose bid amounted to \$24,530.00 subject to the approval of the Department.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby directed to sign for and on its behalf the Township of Chatham the contract in the prescribed form for said construction. The Township Clerk is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

RESOLUTION 2021-159

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING OVERPAYMENT OF
TAXES**

WHEREAS, an overpayment of property taxes has been made for the following properties; and

WHEREAS, the Tax Collector has recommended the refund of such overpayment,

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

BLOCK	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
64.05	3.01	Emmanuel Coeytaux 10 Garden Road Summit, NJ 07901	\$1,619.94 1 st Quarter 2021

		Property Address- 21G Heritage Drive Chatham, NJ 07928	
--	--	--	--

RESOLUTION 2021-160
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING THE AWARD OF A CONTRACT FOR SNOW PLOWING SERVICES

WHEREAS, the Township of Chatham has a need to acquire snow plowing services; and,
WHEREAS, the Township Committee of the Township of Chatham solicited for bids for Snow Plowing Services;
WHEREAS, one total bid was received and opened on Thursday May 20, 2021 at 11:00 A.M.;
WHEREAS, the term of this contract is from December 1, 2021 to April 1, 2023; and
WHEREAS, Frank Galbraith Excavating and Demolition, having offices at 2365 Waldheim Ave Scotch Plains, NJ 07076 has submitted a proposal on May 20, 2021 indicating they will provide the snow plowing services for the hourly rate of \$175/hour for a 10-foot minimum plow and \$140/hour for an 8-foot minimum plow; and
WHEREAS, the Chief Financial Officer has determined that sufficient funds available in the 2021 adopted budget and funds are or will be available upon adoption of the budgets for years 2022 and 2023; and
WHEREAS, the total value of this contract is not to exceed \$17,500.00 per winter season.
NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham authorizes the Mayor and Clerk to enter into a contract with Frank Galbraith Excavating and Demolition as described herein.

RESOLUTION 2021-161
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM TO
AUTHORIZE THE REMOVAL OF DEBRIS, FIXTURES, APPLIANCES AND FURNITURE
FROM 490 RIVER ROAD

WHEREAS, the Township of Chatham will turn over the municipally owned parcel at 490 River Road for the development of two (2) ranch style houses for the development of affordable housing for adults with disabilities; and
WHEREAS, the Township solicited quotes or proposals from four (4) companies to purchase the contents of the current house on the site, or, organize a sale of the contents; and,
WHEREAS, after visiting the house, the representatives of the companies have stated that there is no market for the contents of the home; and
WHEREAS, the contents of the property must be removed in preparation for the demolition of the structure; and
WHEREAS, Nouvelle, LLC has submitted a proposal to remove the contents of the house including interior fixtures, debris, furniture and other loose items for a cost of \$9,600; and,
WHEREAS, the Chief Financial Officer has certified that funds for this activity are available in Account Number C-04-55-949-901.
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham hereby authorizes Nouvelle, LLC to remove the contents of the building for an amount not to exceed \$9,600.

RESOLUTION 2021-162
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM TO
ADOPT A GREEN GROUNDS AND MAINTENANCE POLICY IN CHATHAM TOWNSHIP

WHEREAS, the Township of Chatham is desirous of promoting the initiatives already taken, as well as the benefits that can be achieved by building a green sustainable community; and
WHEREAS, the Township is aware that utilizing "green products and practices" provides many benefits to community sustainability; and
WHEREAS, over the past several years the Township has used common sense green products and practices; and,
WHEREAS, the Township of Chatham Municipal Green Team has developed a "Green Grounds and Maintenance Policy" that builds on the Township's past efforts and now sets forth guidelines to use that encourages the best management practices to achieve environmentally sound and efficient results in the area of maintaining and designing municipal buildings and property; and
WHEREAS, the Township Committee have determined that it is in the best interest of the public to formally adopt the Green Grounds and Maintenance Policy as part of the Township's Sustainable Jersey initiative.
NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham hereby adopts the Green Grounds and Maintenance Policy developed by the Chatham Township

Municipal Green Team and approves the continued implementation of same in an effort to support the Township's Sustainable Jersey initiative.

RESOLUTION 2021-163
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM TO
PURCHASE TWO DUAL MEZZO KITS FOR SAND FILTERS TO REDUCE ALGAE
GROWTH

WHEREAS, the Township of Chatham Water Pollution Control Plant is Dual Mezzo kits to for alae control in the water filtration process; and

WHEREAS, three written quotes were obtained for the purchase of these algae control units; and

WHEREAS, the best value was proved by Maryland Biochemical at a cost of \$12,942.00 ; and,

WHEREAS, funds for this purchase are available in the Sewer Utility Capital Outlay Funds and the Chief Financial Officer has certified that funds are available.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham hereby authorizes the purchase of 2 Dual Mezzo kits from Maryland Biochemical 712 Tobacco Run Drive, Bel Air, Maryland 21015 as provided in their quote dated April 13, 2021.

Committeewoman Fondaco moved to adopt the Consent Agenda. Committeewoman Felice seconded the motion.

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

Hearing of Citizens

Mayor Ness opened the Hearing of Citizens.

1. Jessica Romero, Pine Street, spoke in favor of the pesticide ordinance, and noted that Colony Pool is pesticide-free. She also said that the premise of the ordinance is to protect human health and the environment. Mrs. Romeo noted that pets can be harmed by pesticides as well. Mrs. Romeo also said that the Township is setting a high bar for other municipalities to follow.
2. Cara Feeser clarified the definition of the word pesticide, and said that it is an umbrella term that includes herbicides.

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

Committeewoman Felice moved to adjourn at 8:31 PM. Committeeman Hamilton seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk