

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
JULY 18, 2023**

Mayor Felice called the Regular Meeting of the Township Committee of the Township of Chatham to order at 6:32 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 July 14, 2023; notice was posted on the bulletin board in the main hallway of the Municipal Building on July 14, 2023; and notice was filed with the Township Clerk on July 14, 2023.

Roll Call

Answering present to the roll call were Committeewoman Ewald, Committeeman Lois and Mayor Felice. Deputy Mayor Hamilton arrived at the beginning of the Executive Session. Committeeman Choi was absent.

Executive Session

**RESOLUTION 2023-P-12
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING CONFERENCE OF
THE TOWNSHIP COMMITTEE WITH THE PUBLIC EXCLUDED**

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

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

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

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Contract Negotiations – Shared Services
 - b. Potential Acquisition of Property
 - c. Personnel
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-12 to enter Executive Session at 6:34 PM. Committeeman Lois seconded the motion.

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

The Township Committee returned to Public Session at 7:08 PM.

Public Workshop Session

Monthly Reports

Committeeman Lois asked about the movement of a sign on Township property by Public Works. Mr. Shehady stated that the sign at the top of the driveway for the Municipal Building was moved back because it was blocking the site line for oncoming traffic. Committeeman Lois asked about the ranking of roads for repaving. Mr. Shehady said that the Township Engineer and the Public Works Director coordinated to review the roads.

Mayor Felice asked for background on the Purchasing Ordinance. Mr. Shehady explained that the Township's current ordinance is outdated, and dates to a time before the Qualified Purchasing Agent (QPA) position was created. As there is not currently a provision for a QPA, this ordinance formally creates that position for the Township. Mr. Shehady also said that he will periodically review the Township's code book to see if there are any ordinances that are out of date.

Mr. Shehady commented on a resolution on the Consent Agenda to join a co-op. He stated that joining the co-op will allow the Township to purchase equipment that the Chatham Township Fire Department has requested.

Hearing of Citizens

Mayor Felice opened the Hearing of Citizens.
Seeing none, Mayor Felice closed the Hearing of Citizens.

The Township Committee took a recess at 7:15 PM.

Regular Public Session

The Regular Public Session began at 7:30 PM.

Mayor Felice led the Flag Salute.

Mayor's Statement

Mayor Felice stated that as part of the Township Committee's ongoing commitment to enhance the roads in the Township, several streets will be resurfaced this summer. The roads to be resurfaced are School Avenue, Thornley Avenue, Maple Street, Floral Street, and Spring Street. Efforts will be made to minimize any inconvenience to residents during the repaving work.

Approval of Agenda

Committeeman Lois asked that Resolutions 2023-156 be pulled from the Consent Agenda for separate discussion and a vote.

Committeewoman Ewald moved to approve the agenda as amended. Deputy Mayor Hamilton seconded the motion which carried unanimously.

Hearing of Citizens

Mayor Felice asked if any written comments had been submitted in a timely manner.

The Clerk stated that the following written comments were received:

1. Phil Ankel, Jay Road, wrote the following:

“In regards to the upcoming vote on the budget, I wanted to raise just a few comments.

- a. I am a strong supporter of spending to keep up our recreational facilities. As a general rule, I object to the use of Open Space funds for routine Township recreational facilities expenditures.
- b. I notice that one Committee Member has been writing public letters to the editor and requesting that people sign on to their google poll in support of certain proposed expenditures. They are also asking for personal information of those google poll participants. Is this Member acting on behalf of the Committee? If not, why are Chatham Township logos listed as part of the solicitation? I think the current Committee leadership needs to make clear what are official actions that are taken on behalf of the Township and which actions are not. I find it unseemly that a representative of one political party is soliciting Township residents to provide them

with their personal details in order for those residents to be heard on topics of public concern.

- c. Certain candidates for Township Committee (who are now Committee members) have campaigned now for several years on a platform in opposition to so-called runaway spending and taxes. Yet as I look at my tax bill, it is essentially the same as the bill I had when those candidates were running. And I see at least one of those candidates soliciting even further increases in spending. I fail to see where this current Committee majority has actually substantially cut any spending or my taxes. Which suggests to me they agreed with the spending and taxes all along.
- d. I urge greater comity on this Township Committee than was shown at the last Committee Meeting. And greater clarity on who represents the Committee and in what capacity.”

Committeeman Lois responded by stating that interest costs and legal fees have been reduced, and those monies have been redirected to other areas.

Mayor Felice stated that she will address some of Mr. Ankel’s concerns later in the meeting.

Mayor Felice opened the Hearing of Citizens.

1. Maureen Kelly, Mountain Avenue, expressed her support for the Capital Budget as it presently exists and said that recreation should be generally funded through the operating budget. She also advocated against using open space funds as a petty cash fund. Mrs. Kelly also commented on school taxes, and stated that the Township contributes 55% of the tax revenue received by the School District of the Chathams. Mrs. Kelly said that the Borough recently did a revaluation, and asked if the ratio contributed by each municipality could change.

Committeewoman Ewald said that she also wants to follow up on the equalized valuation and how that will affect the Township’s portion of taxes for the School District.

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

Reports

Committeeman Lois reported about the recent major power failure that affected both the Township and the Borough. He stated that the problem arose from an overheating problem at the Traynor Substation. Committeeman Lois commented on the number of circuits that JCP&L has in the Township. He also stated that an official report on a reliability study should be forthcoming. Committeeman Lois further reported that Colony Pool has their final home swim meet tonight. He also reported that there will be an All Chatham Cup swimming competition held by Fairmount Country Club, which will also include Colony Pool, Minisink, and Chatham Fish & Game.

Regarding the power outage, Committeewoman Ewald noted that there were secondary impacts. She also said that it would benefit residents to submit any complaints to both JCP&L and the Board of Public Utilities. She also invited residents to email their complaints to her so she can pass them on. Committeeman Lois stated that a representative from JCP&L has offered to address the Township Committee during a meeting. He also commented on the power load being higher with people working from home, running air conditioning and charging electric cars.

Deputy Mayor Hamilton reported that construction of the Teen Center at the Library of the Chathams is underway. He also reported that recently there was a violent crime incident in the Township. He noted the efforts of Officer Cortez and Sergeant Gallo who responded to the scene of the incident and provided life saving first aid to the victim and apprehended the suspect.

Public Hearing/Final Adoption of Ordinances

Ordinance 2023-07

ORDINANCE 2023-07
CAPITAL ORDINANCE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$805,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP.

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

Section 1. The Township of Chatham, in the County of Morris, New Jersey (the "Township") is hereby authorized to make various public improvements and acquisitions in, by and for the Township, including, but not limited to:

(A) Police Department

Acquisition of new automotive vehicles, including original apparatus and equipment, consisting of SUVs
Estimated Cost: \$120,000

(B) Roads and Sidewalks

Undertaking of improvements to various roads and construction of sidewalks, as set forth on a list prepared or to be prepared by the Township Engineer and placed on file with the Township Clerk and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Township Committee, there may be additions to or deletions from the aforesaid list.
Estimated Cost: \$500,000

(C) Building Improvements

Installation of new shingle roof on Department of Public Works Storage 1.
Estimated Cost: \$118,000

(D) Volunteer Fire Departments

Acquisition of new additional or replacement equipment and machinery consisting of self-contained breathing apparatus equipment, turnout gear and various items of firefighting, emergency and safety equipment.
Estimated Cost: \$67,000

Section 2. The sum of \$805,000 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Capital Improvement Fund of the Township, as hereinafter provided. The sum of \$805,000 is hereby appropriated from the Capital Improvement Fund of the Township to the payment of the cost of said purposes.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall include all work, materials and appurtenances necessary and suitable therefor. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 5. This ordinance shall take effect at the time and in the manner provided by law.

Mayor Felice opened the Public Hearing on Ordinance 2023-07.
Seeing no public comment, Mayor Felice closed the Public Hearing.

Committeewoman Ewald moved to adopt Ordinance 2023-07. Deputy Mayor Hamilton seconded the motion.

Committeeman Lois opined that capital funds for recreation should be included in the ordinance.

Deputy Mayor Hamilton said that the 2023 Budget supports recreation and he is in favor of the Capital Ordinance as written.

Committeewoman Ewald also noted that the Township Committee supports recreation, and she is not favor of setting aside funds without knowing what they would be used for.

Mayor Felice addressed recent misinformation that has recently been spread within the community regarding the use of capital funds for recreation. She highlighted the capital funds that are presently allocated to recreation purposes. Mayor Felice also described the process by which projects are prioritized. She further addressed the use of the Township seal on documents that are not officially authorized, and commented that Township Committee members should not act unilaterally or spread deception.

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

Ordinance 2023-08

ORDINANCE 2023-08
CAPITAL ORDINANCE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE SEWER UTILITY OF THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$576,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE SEWER UTILITY CAPITAL IMPROVEMENT FUND AND SEWER UTILITY CAPITAL FUND BALANCE OF THE TOWNSHIP.

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

Section 1. The Township of Chatham, in the County of Morris, New Jersey (the "Township") is hereby authorized to make various improvements and acquisitions in, by and for the Sewer Utility of the Township, including, but not limited to: (i) replace comminution equipment; (ii) repair sludge piping at WPC Plant; (iii) replace transfer switch at WPCP and SSPS; (iv) replace fire hydrant and re-route piping; (v) rebuild vertical turbine pump 3 and compressor 3; (vi) modify caustic above ground tanks/piping; (vii) install new VFDs at Southside Pump Station; and (viii) preliminary engineering for WPC Plant upgrade. Said improvements and acquisitions shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$576,000 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Sewer Utility Capital Improvement Fund and Sewer Utility Capital Fund Balance of the Township. The sum of \$336,000 is hereby appropriated from the Sewer Utility Capital Improvement Fund of the Township to the payment of the cost of said purpose. The sum of \$240,000 is hereby appropriated from the Sewer Utility Capital Fund Balance of the Township to the payment of the cost of said purpose.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefitted.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 5. This ordinance shall take effect at the time and in the manner provided by law.

Mayor Felice opened the Public Hearing on Ordinance 2023-08.
Seeing no public comment, Mayor Felice closed the Public Hearing.

Committeewoman Ewald moved to adopt Ordinance 2023-08. Deputy Mayor Hamilton seconded the motion.

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

Introduction of Ordinances

Ordinance 2023-09

ORDINANCE 2023-09

ORDINANCE OF THE TOWNSHIP OF CHATHAM AMENDING CHAPTER 2 ADMINISTRATION, ARTICLE II MUNICIPAL OFFICIALS AND EMPLOYEES § 2-2.6, § 2-2.7 and § 2-7 CREATING THE POSITION OF PURCHASING AGENT FOR THE TOWNSHIP OF CHATHAM

WHEREAS, pursuant to *N.J.S.A.* 40:48-1, New Jersey municipalities may make, amend, and enforce ordinances they deem necessary and proper for the order of the municipality and its citizens as it relates to officers and employees, and prescribe in accordance with the law their duties and terms and provide for the employment of such employees as may be deemed necessary for the efficient conduct of the affairs of the municipality; and

WHEREAS, *N.J.S.A.* 40A:11-9 permits a municipality to designate a Qualified Purchasing Agent, (herein “QPA”) and *N.J.A.C.* 5:34, *et seq.*, establishes the criteria for qualifying as a QPA; and

WHEREAS, a review has been made of Chapter 2, Administration, Article II, Municipal Officials and Employees, indicating that that section of the code was enacted in 1975 with the last amendment being 1989, or thirty four (34) years ago; and

WHEREAS, based upon *N.J.S.A.* 40A:11-9, effective August 10, 2015, and as recommended by the Township Administrator, the following amendments, deletions, and additions have been determined to be in the best interest of the municipality and its citizens and deemed necessary for the efficient conduct of the affairs of the municipality.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Chatham, in the County of Morris, and State of New Jersey, that Chapter 2, Administration, Article II, Municipal Officials and Employees, shall be amended as follows:

SECTION 1. § 2-2.6 Duties and Responsibilities, be amended to include the following section:

“1. In conjunction with the Township’s Chief Financial Officer and Purchasing Agent, the Township Administrator shall review and oversee the purchasing practices and policies of all departments for the purpose of ensuring that purchases are made in accordance with applicable law, the Township Code and sound purchasing practices.”

SECTION 2. § 2-2.7 Responsibility for Purchasing and Contracting, be deleted in its entirety, and reserved.

SECTION 3. § 2-7 (RESERVED), be amended to include the following section:

“§ 2-7 Qualified Purchasing Agent

§ 2-7.1 Creation.

There is hereby created the part-time position of Qualified Purchasing Agent who shall serve no specific term and shall be appointed by the Township Committee of the Township of Chatham.

§ 2-7.2 Compensation.

Compensation for the position of Qualified Purchasing Agent shall be set annually within the Chatham Township Salary Ordinance.

§ 2-7.3 Schedule; duties and responsibilities.

The Qualified Purchasing Agent is required to possess a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs, and perform all duties imposed by law, administrative code, or regulation including but not limited to the following:

- a. An individual shall be considered a Qualified Purchasing Agent pursuant to *N.J.S.A.* 40A:11-9b to exercise the supplemental authority as set forth in *N.J.S.A.* 40A:11-3 and 40A:11-4.3 upon meeting the criteria relevant to the individual as set forth in *N.J.S.A.* 40A:11-9.
- b. To meet the criteria of required training courses set forth in *N.J.S.A.* 40A:11-9b (5), an applicant shall successfully complete the following courses provided by the Center for Government Services at Rutgers, the State University, by the Division of Local Government

Services, or, with the approval of the director, an alternative state university or county college:

1. Principles of Public Purchasing I;
 2. Principles of Public Purchasing II;
 3. Principles of Public Purchasing III;
 4. Municipal Finance Administration, or either of the following courses: Municipal Finance Administration for Municipal Clerks or Municipal Finance Administration for Purchasing Agents
- c. There shall be no specific hours of work for the position of Qualified Purchasing Agent; however, said position shall require the coordination and certification of all purchases by the Township within the confines of the Local Public Contracts Law; and abide by the bid thresholds as contained therein.
- d. Prepare, as needed, reports; establish and maintain files.
- e. Maintain renewal of state issued certification.
- f. The Qualified Purchasing Agent shall have, on behalf of the Township Committee of the Township of Chatham, the authority, responsibility, and accountability for the purchasing activity pursuant to Local Public Contracts Law (*N.J.S.A. 40A:11-1, et seq.*): to prepare public advertising for and to receive bids and requests for proposals for the provision or performance of goods, services, and construction contracts; to award contracts pursuant to New Jersey law in accordance with the regulations, forms, and procedures promulgated by state regulatory agencies, and conduct any activities as may be necessary or appropriate to the purchasing function of the Township of Chatham.
- g. The Qualified Purchasing Agent may award a contract without bid if the aggregate amount does not exceed in a contract year the total sum of the bid threshold amount adjusted and set by the Governor pursuant to *N.J.S.A. 40A:11-3(c)* as referenced by Local Finance Notices.
- h. Perform all other duties as may be required by the Township Committee of the Township of Chatham or Chatham Township Administrator.”

SECTION 3. 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 4. 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 2023-09. Deputy Mayor Hamilton seconded the motion.

Committeeman Lois said it is his understanding that this ordinance cleans up the Township code book and does not necessarily authorize the hiring of a new staff member. Mr. Shehady said that the Township has had a QPA for several years. Mr. King noted that this ordinance formally creates the position of QPA which is already staffed. The appropriation of funds for salary and wages for the position was discussed, and Mr. Shehady said that compensation has been rolled into the salary of the staff member who is serving as QPA.

Committeeman Lois asked that the ordinance be tabled so that he can better understand it. Mr. Shehady reiterated that the purpose of the ordinance is to clarify the Township code book.

Committeewoman Ewald noted that the Township Committee will retain authority to approve salaries, and she said she supports moving forward with the ordinance at this meeting.

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

Public Hearing on Ordinance 2023-09 will be scheduled for August 15, 2023.

Consent Agenda

RESOLUTION 2023-149

**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 \$1,450,611.62 and the prior month's payroll of \$494,478.53 Current Fund, \$66,901.76 Sewer Utility, \$21,254.78 Open Space and \$57,907.09 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of July 2023, in the amount of \$4,390,352.00 be paid.

RESOLUTION 2023-150

**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 June 27, 2023.

RESOLUTION 2023-151

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING EXECUTIVE SESSION MINUTES**

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meeting held on June 27, 2023.

RESOLUTION 2023-152

**RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW
JERSEY TO AUTHORIZE THE MUNICIPAL ALLIANCE COMMITTEE TO SUBMIT A
DMHAS YOUTH LEADERSHIP GRANT APPLICATION**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

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

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

WHEREAS, the Township Committee has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Morris;

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

1. The Township Committee does hereby authorize submission of an application for DMHAS Grant funding for the Municipal Alliance Committee of the Chathams for Year One Grant Term 9/1/23 – 9/30/25 in the amount of:

DMHAS Grant Funding \$3,900.00

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION 2023-153

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING FIRE DEPARTMENT MEMBERSHIPS**

WHEREAS, the Township of Chatham has designated the Green Village Volunteer Fire Department and the Chatham Township Volunteer Fire Department as the official fire companies for the Township; and

WHEREAS, members of both departments are eligible for membership in N.J. State Firemen’s Association as provided by applicable law; and

WHEREAS, in order to become members of the association, the Township is required to certify that each applicant is an active member of the respective Fire Department;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the following named individual has been admitted to active membership in the respective department as approved by the Township Committee.

<u>NAME</u>	<u>FIRE DEPARTMENT</u>
<u>Suzanna Semerjian</u>	Chatham Township Volunteer Fire Department

**RESOLUTION 2023-154
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AWARDING ROAD RESURFACING CONTRACT TO SCHIFANO CONSTRUCTION
CORPORATION FOR 2023 ROAD RESURFACING.**

WHEREAS, Schifano Construction Corporation at 1 Smalley Avenue, Middlesex, New Jersey has been awarded the 2023 Contract #6: Road Resurfacing for District #1 under the Morris County Cooperative Pricing Council; and

WHEREAS, Chatham Township is a member of the Morris County Cooperative Pricing Council and located in District No. 1; and

WHEREAS, Chatham Township wishes to resurface School Avenue, Thornley Avenue, Maple Street, Floral Street, and Spring Street, collectively referred to as “2023 Road Resurfacing”; and

WHEREAS, this award is contingent upon the adoption of Ordinance 2023-07 and N.J.S.A 40:49-9 which requires a 10-day waiting period following the adoption and notice of final adoption.

BE IT RESOLVED that the Township of Chatham hereby awards a contract to Schifano Construction Corp. in the amount of \$447,000.00 subject to applicable unit prices and contract provisions under the Morris County Cooperative Pricing Council.

**RESOLUTION 2023-155
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	1GTHK24K17E601418

- (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 2023-157
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; and

WHEREAS, on May 23, 2023 the Township Committee adopted Resolution 2023-125 to appoint Jack K. Daniels as Acting Fire Subcode Official effective June 1, 2023 for a period not to exceed 30 days; and

WHEREAS, there is a need to extend that appointment.

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, the appointment of John K. Daniels as Acting Fire Sub-Code Official effective June 1, 2023 at a prorated annual salary of \$20,000 is extended for a period not to exceed thirty (30) days.

RESOLUTION 2023-158
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
Elaine True 50 Arrowhead Way Darien, CT 06820	BOH 2023-3 13 Britten Road	7766323065	\$507.50

RESOLUTION 2023-159
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 CB Chatham LLC; and

WHEREAS, the license held by CB Chatham LLC is an inactive license, otherwise known as a “pocket license;” and

WHEREAS, the license went inactive on March 17, 2020; and

WHEREAS, pocket licenses are eligible for two renewal periods; and

WHEREAS, subsequent renewals require a Special Ruling by the Director of the Division of Alcoholic Beverage Control, which was granted on July 12, 2023; and

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 renew the plenary retail consumption license as issued by the New Jersey Division of Alcoholic Beverage Control for the fiscal year beginning July 1, 2023, as follows:
 To CB Chatham LLC, for a pocket plenary retail consumption license (Lic. No. 1405-33-002-009).

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.

RESOLUTION 2023-160
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
RATIFYING AND CONFIRMING THE APPOINTMENT OF AN ADMINISTRATIVE
ASSISTANT

WHEREAS, the Township of Chatham desires to fill a vacancy in the position of Administrative Assistant/Technical Assistant to the Construction Official; and

WHEREAS, the Township of Chatham has advertised the vacancy and received resumes that have been reviewed by the Township Administrator and Construction Official; and

WHEREAS, the Township Administrator has recommended that it would be in the best interests of the Township to appoint Caleigh Robyn Snyder as an Administrative Assistant/ Technical Assistant to the Construction Official; and

WHEREAS, the Township Administrator appoints Caleigh Robyn Snyder as full-time Administrative Assistant/Technical Assistant to the Construction Official.

BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, New Jersey that Caleigh Robyn Snyder is hereby appointed as full-time Administrative Assistant/Technical Assistant to the Construction Official at a starting annual salary of \$47,500, effective July 16, 2023, pending satisfactory completion of a criminal background investigation, subject to satisfactory completion of a probationary period of 180 days, with continued employment contingent upon obtaining certification/licensure as a Technical Assistant through the State of New Jersey at the earliest possible opportunity made available through Rutgers University.

RESOLUTION 2023-161
RESOLUTION AUTHORIZING THE TOWNSHIP OF CHATHAM TO ENTER INTO THE
NATIONAL PURCHASING PARTNERS GOVERNMENT NATIONAL BUYING
COOPERATIVE

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the National Purchasing Partners Government (NPPGov) National Buying Cooperative, hereinafter referred to as the “Lead Agency,” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on July 18, 2023 the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Chatham.
2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Township Administrator is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.
3. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.
4. This resolution shall take effect immediately upon passage.

Deputy Mayor Hamilton moved to approve the Consent Agenda. Committeewoman Ewald seconded the motion.

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

Non-Consent Agenda

RESOLUTION 2023-156
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE
BOROUGH OF CHATHAM FOR A SHARED SERVICES AGREEMENT FOR A JOINT
RECREATION PROGRAM OF THE CHATHAMS.

WHEREAS, the Township desires to enter into a Shared Services Agreement with the Borough of Chatham for a Joint Recreation Program of the Chathams, the terms of which are more specifically set forth in a Shared Services Agreement negotiated between the Township and the Borough of Chatham, which supersedes a March 14, 2016 Agreement; and

WHEREAS, the parties participate in the Joint Recreation Program of the Chathams (“the Joint Recreation Program”) to provide for joint shared recreation and athletic services by ordinance in order to avoid having to incur duplicative costs to manage their programs, facilities, and fields; and

WHEREAS, both parties wish to enter into this Agreement pursuant to the provisions of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., to provide for shared services related to the program coordination and supervision of background checks for the Joint Recreation Program.

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

1. The Mayor and Township Clerk are authorized to enter into a Shared Services Agreement with the Borough of Chatham for a Joint Recreation Program of the Chathams, which Agreement supersedes the March 14, 2016 Agreement;
2. Subject to such modifications as may be deemed necessary or appropriate by the Township Attorney, the Mayor is authorized to execute the Agreement;
3. Notice of this action shall be published in a newspaper of general circulation within the Township within ten (10) days of this award;
4. This Resolution and the Agreement itself shall be available for public inspection;
5. This Resolution shall take effect immediately.

Committeewoman Ewald moved to adopt Resolution 2023-156. Deputy Mayor Hamilton seconded the motion.

Committeeman Lois stated that the final agreement does not conform with what he thought it would be. He also commented on the need to renegotiate the agreement if the lead status for program coordination is to change.

Committeewoman Ewald said that the terms of the agreement match what she understood they would be based on prior discussions in Executive Session. She also commented on the work done by Township staff to determine what is needed.

Mayor Felice said she is glad that an agreement was able to be reached, and she commented on the popularity of the various recreation programs.

Roll call: Committeeman Choi, Absent; Committeewoman Ewald, Aye; Committeeman Lois, Nay; 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 8:16 PM. Committeewoman Ewald seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk