

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
AUGUST 9, 2022**

Mayor Felice called the Regular Meeting of the Township Committee of the Township of Chatham to order at 6:31 P.M.

Adequate Notice of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both *The Chatham Courier* and the *Morris County Daily Record* on January 7, 2022; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 7, 2022; and notice was filed with the Township Clerk on January 7, 2022.

Roll Call

Answering present to the roll call were Committeewoman Ewald, Committeeman Lois and Mayor Felice. Committeewoman Fondaco and Deputy Mayor Hamilton arrived late. Deputy Mayor Hamilton participated via Zoom.

Executive Session

RESOLUTION 2022-P-13

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING CONFERENCE OF THE TOWNSHIP COMMITTEE WITH THE PUBLIC EXCLUDED

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

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

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

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

Committeeman Lois moved to adopt Resolution 2022-P-13 at 6:32 PM. Committeewoman Ewald seconded the motion.

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

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

Mayor Felice led the Flag Salute.

Approval of Agenda

Mayor Felice that motions would be added to the Agenda for an extension of the lease agreement with a school bus company to use 522 Southern Boulevard and to authorize the Township Administrator and the Township Attorney to negotiate with AMC regarding a hold harmless agreement and an access agreement for filming on a municipal property.

Committeeman Lois asked that Resolution 2022-238 be removed from the Consent Agenda for separate discussion.

Committeeman Lois moved to add Resolution 2022-254 regarding amending the Township Committee bylaws. Committeewoman Ewald seconded the motion.

Mayor Felice objected to adding this item as it had not been submitted for distribution with the Agenda Packet.

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

Committeeman Lois moved to add a resolution regarding the prioritization list. Committeewoman Ewald seconded the motion.

Mayor Felice further objected to adding a resolution that had not been submitted to the Township Committee by way of the Township Clerk 48-hours prior to the meeting. She said that the current bylaws need to be followed.

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

Committeeman Lois moved to add a resolution authorizing reimbursement of lifeguards for certifications obtained following July 1, 2022. Committeewoman Ewald seconded the motion.

Mayor Felice stated that time is needed to review such resolutions before they are added to the agenda. Committeewoman Ewald agreed that it should be reviewed in advance, noting that a draft bylaws resolution was submitted a few months prior.

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

Committeewoman Ewald moved to approve the agenda as amended. Committeeman Lois seconded the motion.

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

Mayor Felice announced that Administrator Shehady has been appointed to the Planning Board as a Class II Member.

Recognition of Retiring Police Officers

Sgt. Dan Papa

Mayor Felice presented Sgt. Papa a certificate of recognition upon his retirement. Sgt. Papa was presented with a shadow box display from the Police Department.

Ptln. Michael Sawyer

Mayor Felice presented Ptln. Sawyer a certificate of recognition upon his retirement. Ptln. Sawyer was presented with a shadow box display from the Police Department.

Sgt. Dave Weinert

Mayor Felice presented Sgt. Weinert a certificate of recognition upon his retirement. Sgt. Weinert was presented with a shadow box display from the Police Department.

Reports

Committeewoman Ewald reported that the Senior Center will be closed for vacation from August 22nd through September 5th, and will reopen on September 6th. She also reported on upcoming programs being offered by the Senior Center. Committeewoman Ewald also gave a report on

recent tasks completed by the Water Pollution Control Plant. She further reported that there will be a diversity event in Madison on September 10th.

Committeewoman Fondaco reported on recent DPW activities. She also reported that the Historical Society had a record number of visitors recently. Committeewoman Fondaco asked residents to consider making donations to the Food Pantry.

Committeeman Lois reported that Colony Pool has almost \$240,000 in revenue and over 1,700 members. He said that the Colony Pool Committee has recommended that the August Membership Special be offered again this year. A meeting was held with JCP&L, and a report from them is anticipated regarding some action items. PSE&G has made a request for approval for the seed mixture for the right-of-way restoration. Committeeman Lois said that the audio issues for Township Committee meeting broadcasts have been resolved.

Committeeman Lois said that it has been requested that he fill the Fire & Rescue Liaison position. Mayor Felice said that is being handled by the Public Safety Committee.

Engineer Ruschke reported that paving is substantially complete and striping still needs to be done. The County should be doing some paving in late September or October. Engineer Ruschke stated that bids were received for the Municipal Building Roof Replacement Project, and the lowest bid was \$1,085,000. He anticipates that a recommendation will be made at the next meeting after the bids have been reviewed. No bids were received for the replacement of the roof at the WPC Administration Building. Engineer Ruschke noted a resolution for rejection of the bids for the Colony Tennis and Shunpike Basketball Court Improvements, and the bid was too high. He described crack repair that will be done on the Tennis Courts. Engineer Ruschke also reported on the Infiltration & Inflow Study, and a smoke study will soon be performed.

Hearing of Citizens

Mayor Felice asked if any written comments had been received. The Township Clerk stated that none had been received.

Mayor Felice opened the Hearing of Citizens.

1. Forrest Shue, Green Village Road, said that his property is on septic, and he and some neighbors have worked to get DEP approval to be brought into the sewer service area. He discussed the costs of extending the sewer line to serve the four affected homes. Administrator Shehady and Attorney King offered to meet with the neighbors to discuss the process moving forward.
2. Aleksandra Bury, Green Village Road, said that installing a septic system on her property would be difficult due to soil conditions. She discussed the process through which she had her neighbors sought access to the Township's sewer system. Mrs. Bury also asked about the possibility of the Township funding the project. She also said that all the costs and estimates have been gathered, and the cost would be \$30,000 to \$60,000 per household. Mrs. Bury also expressed a desire to have the project performed this year when the prices are still valid. She also noted that if the project is not complete by November, it will have to wait for April.

Attorney King reiterated a desire to meet with the neighbors so that documents can be reviewed and a recommendation made to the Township Committee.

3. Dan Flynn, Edgewood Road, said that an attempt was made to steal his car at 2:00 PM on Saturday. He said this has happened before in his neighborhood, and crime is on the rise. Mr. Flynn asked what the Township is doing to address crime. He also asked the Township Committee to put pressure on Trenton to address the matter.

Mayor Felice described the support given to the Chatham Township Police Department, and noted that Chatham is a targeted community. She stressed the need for residents to lock their cars. The installation of security cameras with facial recognition was noted.

Mr. Flynn asked that a letter signed by mayors and police chiefs be sent to the State to address such crime.

4. Lawrence Larson, Edgewood Road, said that after Edgewood Road was resurfaced, the neighborhood has had a problem with basements flooding. He said he believes the problem is due to the road not being pitched perfectly. Mr. Larson asked that the Township and Borough work together to fix the problem, and he warned that insurance companies will begin to deem the neighborhood a flood zone which will devalue the homes. Mr. Larson also asked why the Township and Borough do not work together to make sure there is consistency in curbing. Mr. Larson also addressed recent tree removal which has led to water drainage issues.

Administrator Shehady said he will review this matter with Engineer Ruschke and report back. Committeewoman Ewald asked about consistency with curbing. Administrator Shehady said he will consult with Engineer Ruschke about that as well and will make recommendations regarding either maintaining or changing Township policies regarding curbing.

5. Brad Cheney, Green Village Road, thanked the Township Committee for listening to residents about extending the sewer line on Green Village Road.
6. Jen McNally, Noe Avenue, said that it has been very hard to hear the audio on this meeting and the video has been very fuzzy. She asked about the Rejection of Bids resolution, the appointment of an Insurance Commissioner and the appointment of a Municipal Housing Liaison.

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

Introduction of Ordinances

ORDINANCE 2022-10

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY AMENDING THE LAND DEVELOPMENT ORDINANCE SECTION 30-60.5 TITLED “APPLICATION CONTENT” TO INCREASE THE NUMBER OF PAPER COPIES OF APPLICATIONS AND PLANS TO BE SUBMITTED

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

Section 1.

Section 30-60.5 titled “Application Content” of the Revised General Ordinances of the Township of Chatham, the first full paragraph is hereby amended to change the number of hard copies of subdivision plats or site plans to up to fifteen (15) at the discretion of the land use board and one (1) subdivision plat or site plan in electronic format and up to fifteen (15) hard copies of the application at the discretion of the land use board and one (1) application in electronic format as follows:

30-60.5 Application Content.

Applications shall be made on forms available from the Board Manager. Up to Fifteen (15) hard copies of the application (at the discretion of the land use boards) and one (1) copy in electronic format accompanied by the required filing fee as specified in §30-17 shall be submitted.

Section 2.

Attachment 5, Appendix II, Checklist A to Chapter 30, titled “Land Development”, the first and fourth Checklist items shall be revised to conform to the Ordinance as follows:

___ Up to fifteen completed copies of the appropriate application form(s) and one complete copy in electronic format.

___ Up to fifteen copies of the plat plan, site plan, building or subdivision plan (25 x 36 inches folded engineer style) and one complete plan in electronic format.

Section 3.

The Township Clerk is hereby directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Morris County Planning Board and all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerks of adjoining municipalities. The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this Section, and

shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

Section 4.

After introduction, the Township Clerk is hereby directed to submit a copy of this Ordinance to the Planning Board of the Township of Chatham for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in this proposed Ordinance which are inconsistent with the Township's Master Plan and recommendations concerning any inconsistencies and any other matters as the Board may deem appropriate.

Section 5.

Any article, section, paragraph, subsection, clause, or other provision of the Revised General Ordinances of the Township of Chatham inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 6.

If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

Section 7.

This Ordinance shall take effect immediately upon: (1) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Township Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Committeewoman Ewald moved to introduce Ordinance 2022-10. Committeewoman Fondaco seconded the motion.

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

Public Hearing on Ordinance 2022-10 will be scheduled for September 13, 2022.

The Township Clerk indicated that the ordinance will be referred to the Planning Board for Master Plan Consistency Review.

Consent Agenda

RESOLUTION 2022-239

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, ACKNOWLEDGING RECEIPT OF REPORTS

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following monthly reports of departments be acknowledged as received:

Animal Control – July
WPC – May, June

RESOLUTION 2022-240

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 July 12, 2022.

RESOLUTION 2022-241

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING FIREWORKS FOR FAIRMOUNT COUNTRY CLUB

WHEREAS, state regulations require municipal governing body approval for the use of fireworks displays; and

WHEREAS, the Township has received an application to conduct a fireworks display by the Fairmount Country Club on September 5, 2022, to take place at the Fairmount Country Club on Southern Boulevard, Chatham, New Jersey; and

WHEREAS, the Township wishes to permit the applicant to conduct this fireworks display in accordance with all applicable laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that it hereby approves the Fairmount Country Club Fireworks Application contingent upon the payment of all required fees, posting of appropriate insurance certificates, and compliance with all state and local laws and regulations.

RESOLUTION 2022-242
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPOINTING POLICE CHAPLAINS

BE IT RESOLVED by the Township Committee of the Township of Chatham that Father Kevin Corcoran be appointed as a Police Chaplain at no compensation for a term of one year.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Chatham that Rev. Dr. Ellen Clemot be appointed as a Police Chaplain at no compensation for a term of one year.

RESOLUTION 2022-243
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
INCREASING BID THRESHOLD PURSUANT TO N.J.S.A. 40A:11-3(A) TO \$44,000 AND
CONTINUE THE APPOINTMENT OF DEBRA KING AS THE TOWNSHIP’S QUALIFIED
PURCHASING AGENT

WHEREAS, pursuant to N.J.S.A. 40A:11-3(a), the threshold at which contracts as defined pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., must be subject to competitive bidding if they are in excess of the amount designated by the Governor of New Jersey pursuant to N.J.S.A. 40A:11-3(c); and

WHEREAS, N.J.S.A. 40A:11-3(c) permits the Governor of New Jersey to adjust the bid threshold, originally set by statute at \$25,000 for municipalities with a designated Qualified Purchasing Agent (QPA), in an amount proportional to the index rate as defined in N.J.S.A. 40A:11-2 every five (5) years from the date of the effective date of P.L. 1999, c.440;

WHEREAS, pursuant to order of the Governor of New Jersey, the bid threshold for municipalities with a licensed QPA shall increase from \$40,000 to \$44,000 on July 1, 2020; and

WHEREAS, Debra King was appointed Qualified Purchasing Agent on January 2, 2020 by Resolution 2020-035 and granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.S.A. 40A:11-3(a) requires that contracts below the bid threshold may be awarded by a purchasing agent or other employee so designated by the governing body by resolution, and such powers may be generally delegated to the purchasing agent; and

WHEREAS, the Township of Chatham desires to take advantage of the increased bid threshold which was enacted to increase efficiency and adjust for changes in purchasing and business dynamics, and the Township of Chatham further wishes to confirm the statutory general delegation of this purchasing power to Debra King as the Township’s duly-appointed QPA.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, in the County of Morris, in the State of New Jersey, hereby increases its bid threshold to \$44,000.00; and

BE IT RESOLVED, by the Township Committee of the Township of Chatham that Debra King is hereby re-appointed as the purchasing agent authorized to exercise the contracting power granted pursuant to N.J.S.A. 40A:11-3 with additional compensation in the amount of \$5,000 for calendar year 2022; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2 the Township Clerk is hereby authorized to forward a certified copy of this resolution and a copy of Debra King’s certifications to the Director of the Division of Local Government Services.

RESOLUTION 2022-244
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

East Park Builders LLC 7 Parker Court Florham Park, NJ 07932	RO 18-028 11 Woodlawn Drive	7764943196	\$84.00
East Park Builders LLC 7 Parker Court Florham Park, NJ 07932	Perf Bond for RO 18-028 11 Woodlawn Drive	7764943203	\$2,625.00

RESOLUTION 2022-245
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING THE PURCHASE OF ONE VEHICLE FOR THE TOWNSHIP OF CHATHAM
WATER POLLUTION CONTROL UTILITY UNDER THE EDUCATIONAL SERVICES
COMMISSION OF NEW JERSEY COOPERATIVE

WHEREAS, the Township of Chatham Water Pollution Control Plant wishes to purchase 1, 2022 Ford Explorer Base 4WD for the Water Pollution Control Utility; and

WHEREAS, the current vehicle used by the Township of Chatham Water Pollution Control Utility is showing signs of immanent failure; and

WHEREAS, the cost of the vehicle will exceed the pay to play threshold of \$17,500.00; and

WHEREAS, the Educational Services Commission of New Jersey was established in 1977 and operates under the guidelines of N.J.S.A. 5:34-7.1; and

WHEREAS, the Township of Chatham is a member of the Educational Services Commission of New Jersey Cooperative; and

WHEREAS, the Educational Services Commission of New Jersey has awarded contract 20/21-09 to Beyer Ford from 170 Ridgedale Ave. Morristown NJ 07960 for the purchase of Sport Utility Vehicles; and

WHEREAS, Beyer Ford of Morristown has furnished estimate 65MCESCCPS – ESCNJ 20/21-09 for a Ford Explorer Base 4WD to the Water Pollution Control Utility on March 3, 2022; and

WHEREAS, the funds for this purchase are available under the Water Pollution Control System Ordinance 2022-08, Account C-06-55-565-551, and the Chief Financial Officer has certified that funds are available; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, does hereby authorize the purchase of 1 Ford Explorer Base 4WD from Beyer Ford of Morristown through the Educational Services Commission of New Jersey Contract 20/21-09.

RESOLUTION 2022-246
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, AMENDING EMPLOYEE SALARIES FOR THE YEAR 2022

BE IT RESOLVED by the Township Committee of the Township of Chatham, in the County of Morris, New Jersey, that annual salaries of non-contractual employees are hereby amended as shown below effective for the 2022/2023 School Year.

<u>Position</u>	<u>Amount</u>
Special Law Enforcement Officer III (SLEO III)	\$37.50 per Hour

RESOLUTION 2022-247
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, TO RELIEVE THE TAX COLLECTOR FROM COLLECTING
CERTAIN TAXES AND ELIMINATE THE IMPROVEMENT ONLY ASSESSMENT ON A
CERTAIN TAX-EXEMPT PROPERTY

WHEREAS, Presbyterian Church of Chatham Twp, the owner of the property located at 240 Southern Boulevard known as Block 102.01, Lot 16 and Lot 16, Qual. X (the “subject property”), is a tax exempt entity, which has held an exemption from taxation of the subject property for tax years prior to 2022, subject to the Tax Exemption Law, N.J.S.A. 54:4-3.6; and

WHEREAS, Presbyterian Church of Chatham Twp, leased a portion of the subject property for the 2022 tax year to another organization that is entitled to exemption from taxation pursuant to the Tax Exemption Law, N.J.S.A. 54:4-3.6; and

WHEREAS, the lease of that portion of the subject property resulted in the creation of the line item in the Tax Book of the Chatham Township, Block 102.01, Lot 16, Qual. X, which was subject to taxation for improvements only; and

WHEREAS, the Tax Assessor of Chatham Township, during the course of his work, has discovered an error which resulted in the billing of taxes for the 2022 tax year and preliminary 2023 taxes on the said improvements in contravention and contradiction of the Tax Exemption Law, N.J.S.A. 54:4-3.6; and

WHEREAS, the line item in the Tax Book of the Chatham Township, Block 102.01, Lot 16, Qual. X, created the erroneous billing of year 2022 real estate taxes and preliminary 2023 taxes on improvements which are not billable pursuant to the Tax Exemption Law, N.J.S.A. 54:4-3.6; and

WHEREAS, the said line item, Block 102.01, Lot 16, Qual X erroneously assessed the improvements at \$400,000 resulting in total 2022 taxes in the amount of \$7,784.00, and preliminary 2023 taxes in the amount of \$3,892.00 when they should not have been billed at all; and

WHEREAS, N.J.S.A. 54:4-99 permits the Governing Body of a municipality, subject to N.J.S.A. 54:4-100, to make such abatement, revision, alteration, adjustment and settlement of taxes and assessments as it deems equitable, just and in the best interests of the municipality so long as it shall not impair the right, title, interest or estate, or lien of any tax sale purchaser; and

WHEREAS, N.J.S.A. 54:4-100 prohibits the adjustment of principal taxes payments unless they exceed the fair market value of the property, or levy taxes that were ultra vires in whole or in part; and

WHEREAS, the Mayor and Township Committee of Chatham Township finds that it is equitable, just and in the best interests of Chatham Township to forgive the improvements assessed portion of the 2022 real estate taxes and relieve the Tax Collector of the Chatham Township from collecting the taxes assessed against the assessed improvements portion only on line item Block 102.01, Lot 16, Qual. X, in the tax amount of \$7,784.00 for the 2022 tax year and \$3,892.00 for preliminary 2023 taxes; and

WHEREAS, the adjustments to be made pursuant to this resolution do not impair the right, title, interest or estate, or lien of any tax sale purchaser; and

WHEREAS, pursuant to the Tax Exemption Law, N.J.S.A. 54:4-3.6, it is ultra vires to charge taxes on the improvements for said exempt property; and

NOW, THEREFORE, BE IT RESOLVED, by Chatham Township, New Jersey, that the Tax Collector and Tax Assessor of Chatham Township are hereby authorized to eliminate the line item known as Block 102.01, Lot 16, Qual. X, and forgive the taxes in the amount of \$7,784.00, and interest, if any, for the 2022 tax year, and to cancel any 2023 preliminary taxes billed, only on said line item, and refund any taxes, and interest, if any, paid by Presbyterian Church of Chatham Twp, or its lessee, as to the improvement tax assessment portion of the tax assessment for the 2022 tax year only on as Block 102.01, Lot 16, Qual. X.

RESOLUTION 2022-248

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY DESIGNATING INSURANCE FUND COMMISSIONER

WHEREAS, the Township of Chatham is a member of the Morris County Municipal Joint Insurance Fund, and

WHEREAS, it is necessary to designate a Township Official to serve as a Fund Commissioner to represent the Township at meetings of the Fund;

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

Township Administrator, Ziad Shehady, is hereby designated to serve as the Township's Fund Commissioner in the Morris County Municipal Joint Insurance Fund.

Administrative Assistant/Chief Financial Officer, Debra A. King, is hereby designated to serve as the Alternate Township's Fund Commissioner.

RESOLUTION 2022-249

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING ZIAD SHEHADY AS THE MUNICIPAL HOUSING LIAISON FOR THE TOWNSHIP

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Township of Chatham is required to appoint a Municipal Housing Liaison for the administration of the Township of Chatham's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Township of Chatham has adopted Chapter XXIX entitled Affordable Housing Administration to provide for the appointment of a Municipal Housing Liaison to administer the Township of Chatham's affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Ziad Shehady is hereby appointed as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with the provisions of Chapter XXIX of the Code of the Township of Chatham.

RESOLUTION 2022-250

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING MACC SUPPLEMENTAL GRANT APPLICATION

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

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

\$2,000 requested for the Township of Chatham

\$2,000 requested for the Borough of Chatham

WHEREAS, the term of the grant is from January 1, 2022 to December 31, 2022; and

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

WHEREAS, the Township intends to make a 50% match in the amount of \$1,000.
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Municipal Alliance is authorized to submit an application for a supplemental grant, and the Mayor is authorized to sign the application on behalf of the Township.

RESOLUTION 2022-251
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
OPPOSING THE PROPOSED RATE INCREASES TO THE STATE HEALTH BENEFITS
PROGRAM

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified state and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP account funded by the state, participating local employers, and member premiums; and

WHEREAS, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHBP, and the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

WHEREAS, the State Health Benefits Commission, comprised of state officials and union representatives, annually considers the calendar year premium levels for the Local Government Employer Group of the SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

WHEREAS, the proposed rate increases for the 2023 Local Government Employer Group included a 24% increase for Active Medical, a 3.7% increase for Active Pharmacy, a 15.6% increase in Early Retiree Medical, and a 0.7% increase for Medicare. Early Retiree Pharmacy has a 5.7% decrease; and

WHEREAS, the Department of Treasury has reported that rates for active members and early retirees would likely be increased between 12% - 20% across the various plans for the upcoming year; and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation; and

WHEREAS, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham in the County of Morris does call upon the State Health Benefit Commission to reject the proposed rate increase; and

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Chatham in the County of Morris urges the Legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county governments; and

BE IT FINALLY RESOLVED, that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, Senator Richard Codey, Assemblywoman Mila Jasey, Assemblyman John McKeon, Assemblyman Christian Barranco, and the New Jersey State League of Municipalities.

RESOLUTION 2022-252
RESOLUTION OF THE TOWNSHIP COMMITTEE REJECTING BIDS RECEIVED FOR
COLONY TENNIS COURTS & SHUNPIKE BASKETBALL COURT IMPROVEMENTS
PROJECT

WHEREAS, the Township Committee of the Township of Chatham solicited for bids for the Colony Tennis Courts & Shunpike Basketball Court Improvements Project; and

WHEREAS, the bids were received and opened on Thursday July 7, 2022 at 11:00 A.M.; and

WHEREAS, the bid received on July 7, 2022 exceeded the Township Engineer's estimates for the project; and

WHEREAS, the bid specifications reserved to the Township the right to reject all bids and, under the circumstances, it is fully appropriate to do so;

WHEREAS, the Township Engineer, John Ruschke, PE of Mott MacDonald recommends the rejection of the bids received.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it hereby approves the rejection of the bids received for the Colony Tennis Courts & Shunpike Basketball Court Improvements Project.

RESOLUTION 2022-253
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, 2022**

WHEREAS, an application for the renewal of an Alcoholic Beverage License in the Township of Chatham for the fiscal year beginning July 1, 2022 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 August 5, 2022; 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, 2022, 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.

Committeewoman Ewald moved to approve the Consent Agenda. Committeewoman Fondaco seconded the motion.

Administrator Shehady explained that the Insurance Commissioner and the Municipal Housing Liaison are typically appointed at the Reorganization. The prior Administrator filled those positions and appointments need to be made due to his resignation. Administrator Shehady also said that the rejection of bids pertains to the Colony Tennis Courts and Shunpike Basketball Court Improvements Project, and the bid was too high.

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

RESOLUTION 2022-238

**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 \$1,176,397.38 and the prior month’s payroll of \$452,579.37 Current Fund, \$62,220.02 Sewer Utility, \$49,996.39 Open Space and \$32,610.58 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of August 2022, in the amount of \$3,414,532.00 be paid.

BE IT FURTHER RESOLVED that taxes due to the County of Morris, for the Third Quarter of 2022, in the amount of \$2,420,442.58 be paid.

Committeewoman Ewald moved to adopt Resolution 2022-238, Committeewoman Fondaco seconded the motion.

Committeeman Lois asked how bills that have been pulled from the Bills List get approved, and when it would happen. Attorney King said that they would be approved on the next bill list if all questions regarding the bills have been satisfied.

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

Non-Consent Agenda

RESOLUTION 2022-256

**RESOLUTION OF THE CHATHAM TOWNSHIP COMMITTEE AUTHORIZING THE LEASE
EXTENSION FOR 30 DAYS OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP OF
CHATHAM, COUNTY OF MORRIS**

WHEREAS, the Local Lands and Building Laws, *N.J.S.A.* 40A:12-24, *et seq.*, authorizes the lease by municipalities of any real property, capital improvements or personal property, or interests therein, not needed for public use by lease in the manner provided by law; and

WHEREAS, the Township of Chatham is the owner of certain real property being Block 128, Lot 2 on the Tax Map of the Township of Chatham, commonly known as 522 Southern Boulevard, Chatham, New Jersey, hereinafter (“522 Southern Boulevard”), not needed for public use at this time, and the Mayor and Township Committee had determined that it was in the best interest of the Township to lease the same to generate revenue, reduce taxes and liabilities and help the school district.

WHEREAS, there currently exists a lease for the parking lot with First Student, Inc. and pursuant to paragraphs 14 and 22 thereof the parties wish to extend the lease term for an additional 30 days at the rate of \$5,000.

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

Section 1. The parking lot associated with 522 Southern Boulevard was offered for lease and awarded to First Student, Inc for \$5,000.00 a month pursuant to *N.J.S.A.* 40A:12-24.

Section 2. The property lease shall be extended pursuant to sections 14 and 22 for an additional 30 days at a rate of \$5,000.00.

Section 3. All terms and conditions contained in the original lease agreement are still in full force and affect except for the above-mentioned lease period and payment.

Section 4. The lease amendment is made subject to all applicable laws and ordinances of the State of New Jersey and the Township of Chatham. The parking of the buses will not interfere with any remediation being conducted at the site.

Section 5. If any section or provision of this Resolution shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provision of this Resolution, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 6. The Mayor and the Township Clerk are hereby authorized to execute all documents necessary for the amendment of the current lease of the property listed herein, including but not limited to executing all amendments to the current lease and other required documents if any.

Section 7. This Resolution shall take effect immediately.

Committeeman Lois moved to adopt Resolution 2022-256. Committeewoman Ewald seconded the motion.

Attorney King explained that the bus company has requested an additional 30-day extension under the same terms. Committeewoman Ewald asked about the remediation that needs to happen at the site. Attorney King said that the bus lease has not interfered with that.

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

RESOLUTION 2022-255

RESOLUTION OF THE RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE TOWNSHIP ATTORNEY AND TOWNSHIP ADMINISTRATOR TO NEGOTIATE AN ACCESS AGREEMENT AND HOLD HARMLESS AGREEMENT WITH AMC FOR USE OF A MUNICIPAL PROPERTY

WHEREAS, AMC has expressed interest in use of a Township-owned property for filming; and

WHEREAS, the Township Committee desires to allow use of the requested property subject to negotiation of an access agreement and a hold harmless agreement; and

WHEREAS, the proposed filming would occur prior to the next Township Committee meeting.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Township Attorney and Township Administrator are hereby authorized to negotiate an access agreement and hold harmless agreement with AMC for use of a Township-owned property.

BE IT FURTHER RESOLVED that the Township Committee authorizes the Mayor and Clerk to execute such agreements if the agreements are able to be reached.

Mayor Felice stated that AMC has reached out to the Township about using a Township property for a few days to film a TV show. The resolution would authorize the Township Administrator and Township Attorney to negotiate a Hold Harmless agreement and an Access Agreement, which would also be subject to execution by the Mayor.

Committeewoman Felice moved to adopt Resolution 2022-255. Committeewoman Fondaco seconded the motion.

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

RESOLUTION 2022-254
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM ADOPTING RULES AND ORDER OF BUSINESS OF THE TOWNSHIP
COMMITTEE

BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the following Rules and Order of Business of the Township Committee are hereby adopted:

RULES AND ORDER OF BUSINESS
OF THE TOWNSHIP COMMITTEE

ARTICLE I.

Robert's Rules of Order Newly Revised.

The deliberations of the Township Committee shall be governed by Robert's Rules of Order Newly Revised.

ARTICLE II.

Selection of Mayor and Deputy Mayor.

Section 1. The Mayor and Deputy Mayor shall be selected at the Reorganization Meeting.

Section 2. The Mayor and Deputy Mayor shall serve a term expiring on December 31st.

Section 3. The Annual Reorganization Meeting shall be chaired by the Township Clerk until such time that the Mayor has been selected by the Township Committee.

ARTICLE III.

Meetings.

Section 1. The Mayor shall preside at all meetings of the Township Committee. In the absence of the Mayor, the Deputy Mayor shall perform all the duties of the Mayor. The Mayor shall on all occasions preserve order and shall cause the arrest or removal of all persons who interrupt the proceedings of the Township Committee.

Section 2. The Mayor shall decide all questions of order subject to appeal to the Township Committee.

Section 3. Each member of the Township Committee, including the Mayor, shall have the right to make and second motions and nominations and to vote thereon.

Section 4. Regular meetings shall be held as scheduled at the annual organization meeting each year or as rescheduled by resolution adopted at a regular meeting.

Section 5. Special meetings shall be held as provided by Code of the Township of Chatham and applicable State law. Upon the filing of a proper call for a Special meeting, the Township Clerk shall give at least two (2) business days' notice thereof with a copy of the call to all members of the Township Committee by delivery to each member personally or to each member's residence. Copies of the notice shall be promptly released to the news media and posted in a prominent place in the Township Hall.

Section 6. Regular and Special meetings of the Township Committee shall be open to the public. A portion of all meetings shall be set aside for citizens to address the Township Committee on any matter of interest.

Section 7. All items of business on a consent agenda will be delivered to each member of the Township Committee at least 2 days prior to the meeting at which it is to be considered, unless circumstances do not permit advance delivery.

Section 8. No new business will be considered after 11 PM. Township Committee meetings will adjourn no later than 12 AM (midnight).

Section 9. The Township Committee may, by a majority vote of members then present, waive any section of the By-Laws in the public interest to be able to complete Township Committee business at a duly noticed Township Committee meeting.

Section 10. All Township Committee meetings will be conducted in accordance with the requirements of the Open Public Meetings Act. (N.J.S.A. 10:4-6 et seq.)

Section 11. Township Committee meetings will be broadcast over Zoom, Comcast and Fios as a convenience for the public. In the event that the broadcast is interrupted for any reason, the Township Committee meeting will continue as noticed.

ARTICLE IV.

Order of Business.

Section 1. The following shall be the normal order of business of all Regular meetings of the Township Committee:

1. Meeting called to order
2. Open Public Meetings Act announcement
3. Closed session resolution; if applicable
4. Return to public session; if applicable
5. Salute to flag
6. Moment of Silent Reflection (as necessary)
7. Roll Call
8. Review and acceptance of agenda
9. Special Recognition/Awards
10. Reports
11. Hearing of citizens
12. Public Hearing and final adoption of ordinances
13. Introduction of ordinances
14. Adoption of resolutions
15. Miscellaneous business
16. Second Hearing of Citizens
17. Second closed session resolution; if applicable
18. Adjournment

Section 2. The final agenda shall be adopted as amended, if need be, by vote of the Township Committee at the start of each meeting.

Section 3. Hearing of Citizens

(a). During the first Hearing of Citizens on the Agenda, speakers may comment upon items that are not the subject of a separate public hearing scheduled for that meeting. Speakers may comment for up to five (5) minutes. Speakers may speak once and may not yield their time to another speaker.

(b). During public hearings, Section 3(a) will also apply.

(c). During the second Hearing of Citizens, speakers may comment upon any item on the agenda and/or any topic for the good and general welfare of the Township of Chatham. Speakers may comment for up to three (3) minutes. Speakers may speak once and may not yield their time to another speaker.

(d). During all public hearings, residents of the Township of Chatham will be called upon to speak before non-Township residents.

Section 4. Sub-Committee chairpersons and liaisons will provide short update reports to the Township Committee during the report section of meetings.

Section 5. The Chief of Police, Public Works Manager, Recreation Director and Township Administrator shall report on a quarterly basis to the Township Committee, during the report section of meetings.

ARTICLE V.

Committees and Boards.

Section 1. The Township Committee hereby creates four Standing Committees, each consisting of two (2) members of the Township Committee as follows:

1. Public Safety/Emergency Management
2. Administration/Finance
3. Public Works/Sewer Utilities
4. Communications

Note: The Township Administrator shall supervise all departments, attend all meetings of the Standing Committees and implement the policies adopted by the Township Committee. The Standing Committees are not authorized to exert any administrative control over the departments assigned.

Section 2. Except as otherwise required by State statute and the Code of the Township of Chatham, the Mayor shall appoint members to the various Township boards with the approval of the Township Committee.

Section 3. The Township Committee may appoint advisory committees for special purposes composed of no more than 2 Members of Township Committee and such other Administrative staff members and members of the general public as it deems necessary and appropriate.

Section 4. At the time of creation of an advisory committee, the Township Committee shall establish the duration of the advisory committee. No advisory committee shall take a position on behalf of the Township Committee without the Township Committee's approval.

Section 5 . A member of the Township Committee, appointed by the Committee, shall serve as liaison to the following Boards, Commissions and Community Groups and other Entities:

Mayor's Wellness Campaign
Board of Education
Environmental Commission
Senior Citizens Center/Senior Club of the Chathams
Municipal Alliance Committee
Chamber of Commerce
Fire and Rescue
Historical Society
Public Utilities

Section 6. A member(s) of the Township Committee, appointed by the Committee, shall serve as a member of the following Boards and Committees:

Joint Recreation Advisory Committee
Joint Municipal Court Committee (2 members)
The Board of Health
The Board of Trustees of the Joint Library of the Chathams (Mayor or Mayor's designee)
Open Space Committee
Joint Community Garden

ARTICLE VI.

Ordinances.

Section 1. All proposed ordinances, supplements to and amendments of ordinances shall be presented in writing at a regular meeting, except in those instances when the Township Committee decides to act on an ordinance at a special meeting.

Section 2. Every ordinance duly passed by the Township Committee shall be recorded by the Township Clerk in the Township Ordinance Book, with a proper index. Each ordinance entered in the Ordinance Book shall be compared with the original and shall not be entered unless it is identical in content with such original. The Township Clerk shall enter at the foot of the ordinance the date it was passed and the number and page of the Minute Book containing the minutes of the meeting at which it was passed. Each ordinance entered in the Ordinance Book shall be signed by the Mayor or Deputy Mayor and the Township Clerk.

Section 3. The Township Ordinance Book is hereby established as the original permanent record of the Ordinances of the Township.

Section 4. All ordinances shall be introduced, considered, read, heard, adopted and published in accordance with applicable law and inserted in the correct place in the Code of the Township of Chatham.

ARTICLE VII.

Filings.

Section 1. The Township Committee shall file with the Township Clerk all ordinances, resolutions, reports, petitions, correspondence and other papers considered by or presented to the Township Committee.

ARTICLE VIII.

Minutes.

Section 1. The Township Clerk shall keep minutes of all Township Committee meetings as provided by law.

Section 2. Draft minutes for all meetings shall be delivered to the Township Committee Members no later than the Friday preceding the next regular meeting. Such minutes shall be clearly marked as a draft minutes.

Section 3. Minutes will be filed into the minute book and released to the public only by the Township Clerk and only after approval by the Township Committee.

Section 4. All open sessions of the regular and special meetings may be recorded.

Section 5. The recordings, if made, will be kept by the Township Clerk as required by law.

Section 6. The approved minutes shall become the official record of the meeting.

ARTICLE IX.

Newly Elected Township Committee Members

Section 1. Upon certification of election results, the Township Clerk shall begin sending newly elected Township Committee members the meeting agendas and supporting documentation.

Section 2. Upon certification of election results, newly elected Township Committee members shall be invited to attend Executive Sessions prior to swearing-in provided that the newly elected Township Committee Member agrees to be bound by confidentiality requirements.

ARTICLE X.

Code of Conduct.

Section 1. No member of the Township Committee, including the Mayor, can conduct business for, or on behalf of, the Township without express, specific approval of the Township Committee. This includes all correspondence, written or otherwise, negotiations, and the like.

Section 2. It is the responsibility of each Committee member to disclose to the Township Attorney any personal or private interest, directly or otherwise, in any question or measure proposed or pending before the Township Committee. The Township Attorney will determine whether a conflict of interest exists.

Section 3. A member of the Township Committee who has a conflict of interest on a particular matter shall neither vote on nor take part in discussion of same.

Section 4. A member of the Township Committee shall not use or disseminate confidential information acquired by or available to them for personal gain or for personal, non- Township business related reasons. Any member who is aware of a breach of confidentiality, is expected to bring forth that information to the appropriate officials in a timely manner.

ARTICLE XI.

Filling Vacancies

Section 1. Vacancies on the Township Committee will be filled in accordance with 40A:16-11 and all other relevant statutes.

Section 2. Upon receipt of the names of three nominees to fill a vacancy, the nominees will be invited to present candidate statements to the Township Committee at a regular or special Township Committee meeting in Public Session.

Section 3. The three nominees will also be invited to be interviewed by the Township Committee in Public Session.

Section 4. The Township Committee's discussion on the merits of the three nominees will be held in Public Session.

Section 5. Any formal action by the Township Committee to fill a vacancy will be taken in Public Session.

ARTICLE XII.

Township Administrator.

Section 1. The Township Administrator shall be the Chief Administrative Officer of the Township, shall supervise all Departments, perform the duties of Township Administrator as specified in the Code of the Township and shall be responsible to the Township Committee for the proper and efficient administration of Township affairs. The Township Administrator shall make reports to the Township Committee as requested.

Section 2. The Township Administrator and staff under his direction shall prepare the annual budget. In preparation for the budget process, all departments, including the volunteer Fire Departments and Emergency Medical Service, shall submit their goals and objectives along with short-term and long-term budget and capital requests in a format to be decided by the Township Administrator. Members of the Township Committee also shall submit their goals and objectives to the Township Administrator. The funding requests accepted by the Township Administrator shall be included in the budget along with the goals and objectives to create a

planning document to be shared with the public. It shall be the responsibility of the Township Administrator and the Township Committee to provide a short-term and long-term capital plan that includes an assessment of all Township facilities, physical plants, land and infrastructure as part of the planning and budget process.

Section 3. Professional services. In order to maintain transparency and the efficient use of professional services, the Township Administrator shall conduct a Request for Qualifications/Proposals every three years, on a staggered basis, for all professional services.

Section 4. It is intended that the Township Committee shall act in all matters as a body. Members of the Township Committee shall not seek individually to influence the official acts of the Township Administrator or any other officer or to interfere in any way with the performance by such officers of their duties.

Attorney King asked what change is proposed for the bylaws. Mayor Felice said she has not received the proposed change. Committeeman Lois said that his proposed change is to Article 4.

Deputy Mayor Hamilton said that the resolution was added to the agenda improperly. He noted that he is out of town bringing his child to college, and this item was not on the agenda when he confirmed with the Mayor at 6:00 PM what was on the agenda. Deputy Mayor Hamilton said that regardless of the substance of the topic, the manner in which it was added is a violation of the Township Committee's bylaws.

Committeewoman Ewald moved to carry the resolution to the next Township Committee meeting. Committeewoman Fondaco seconded the motion.

Committeeman Lois said that the resolution was not added improperly. He said that the agenda needs to be available in advance of the meeting so far as items are known, and he had not received confirmation whether or not it would be on the agenda. Committeeman Lois said that the Township Committee owes it to the public to add back the second Hearing of Citizens.

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

Mayor Felice reiterated that the bylaws resolution was not added according to the proper process.

Committeeman Lois said that he wants to discuss the projects and possibilities list. Mayor Felice said that multiple groups have been asked to provide input. She also objected to having a resolution presented to the Township Committee minutes before a meeting starts.

Committeeman Lois moved to adopt a resolution for the possibilities list. The motion was not seconded.

Committeewoman Ewald asked that Administrator Shehady collect recommendations for the list, and said that it is important to involve the community in the development of the list. Mayor Felice said she has spoken with Administrator Shehady about doing that.

The Township Clerk stressed the need for resolutions to be submitted to him in advance of a meeting so that the document can be formatted and distributed properly.

Committeewoman Fondaco moved to adjourn at 9:00 PM. Committeewoman Ewald seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk