

**MINUTES
TOWNSHIP COMMITTEE
WORKSHOP MEETING
SEPTEMBER 12, 2023**

Mayor Felice called the Workshop 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 4, 2023; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 4, 2023; and notice was filed with the Township Clerk on January 4, 2023.

Roll Call

Answering present to the roll call were Committeeman Lois, Deputy Mayor Hamilton and Mayor Felice. Committeeman Choi and Committeewoman Ewald arrived during Executive Session.

Committeewoman Ewald participated via zoom.

Executive Session

**RESOLUTION 2023-P-14
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. Any matter which would, if the information was released, impair a right to receive federal funds: Nash Field Trail
 - b. Collective Bargaining Agreement: PBA
 - c. Contract Negotiations: Health Department Services
 - d. Contract Negotiations: Qualite
 - e. Contract Negotiations: Developers Agreement Amendment
 - f. Potential Acquisition of Property
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.

Deputy Mayor Hamilton moved to adopt Resolution 2023-P-14 to enter Executive Session at 7:01 PM. Committeeman Lois seconded the motion.

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

The Township Committee returned to Public Session at 7:34 PM.

Mayor Felice led the Flag Salute.

Mayor's Statement

Mayor Felice addressed the anniversary of the events of 9-11-01. She thanked Steve Simonfay, owner of Simonfay Landscaping, for donating services to maintain the Township's 9-11 Memorial. A moment of silence was held in honor of the victims of the 9-11 terror attacks.

Mayor Felice said that September is Suicide Prevention Awareness Month. The Annual Out of the Darkness Walk was unfortunately canceled due to weather, however it still serves to draw attention to mental health issues.

Mayor Felice said that September is also Childhood Cancer Awareness Month, and she encouraged residents to support research and offer comfort.

Hearing of Citizens

The Clerk indicated that no written comments were received.

Mayor Felice opened the Hearing of Citizens.

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

Reports

Engineering

Mr. Shehady said that a memorandum will be prepared by Mr. Ruschke to recommend the reduction of the performance bond for Arbor Green. Mr. Ruschke stated that a CO has been issued for the project and it is appropriate at this time to reduce the bond.

Mr. Shehady said that FEMA was indicated a need for some ordinance updates. Mr. Ruschke said that the flood hazard area ordinance is dated, and updates are needed. He is working with the DEP to review their model ordinance and tailor it to Chatham Township. Having such an ordinance in place is required, and it is necessary for residents to be able to get flood insurance. Mr. Ruschke said he hopes that an ordinance can be introduced in October. Mr. Ruschke further noted that the ordinance serves to address what can be done in a flood plain, and FEMA would not want to offer flood insurance to a structure that would be vulnerable to substantial flooding.

Mr. Ruschke said that the tree ordinance is under review by the DEP for guidance on how it can be updated to conform with the State's model ordinance. Mr. Ruschke said that there are some deviations that may need to be addressed. The DEP has also begun to regulate salt piles on private property, and said that it would primarily apply to commercial properties.

Committeewoman Ewald asked about the sidewalk at The Enclave and if there is anything that can be done to make it safer. Mr. Ruschke said that the developer was not required by the Planning Board to install curbing, and the sidewalk does meet code. Mr. Choi asked if there are regulations on where in the right-of-way the sidewalk should be. Mr. Ruschke said that as long as it is wide enough for two people to walk by, it just has to be in the right-of-way. There were DEP requirements on this particular property, and the Planning Board had required that it be macadam rather than concrete.

Administration

Mr. Shehady said that the management company for the Hickory Square Shopping Center submitted a request for an exemption to the noise ordinance so that the parking lot could be repaved at night. Mr. Shehady said that he does not believe the repaving would be a public health and safety threat that the requestor has presented, and he deferred to the Township Committee for their thoughts. Mayor Felice said that she thinks that the paving should conform with the current regulations and be done in the daytime. Committeeman Lois opined that it should be allowed to be done at night so as not to inconvenience shoppers. He also noted that the shopping center works as a barrier between the parking lot and the apartment complex. Mr. Ruschke said that when the parking lot was previously repaved at night, it was permitted as part of Planning Board approval process that involved public notice. Committeeman Choi suggested

a hybrid approach. Mayor Felice noted that she has received complaints regarding paving projects even when notice was provided and there were press releases. Deputy Mayor Hamilton said that there can be some consideration given. Mr. King suggested that a specific plan be submitted by the management company for review. Mr. Shehady said that the Township Committee would need to set any parameters for an exemption, and Deputy Mayor Hamilton expressed concern about a blanket exemption. Committeewoman Ewald expressed concern about limiting access to the parking lot during regular business hours, but more information is needed to consider the request. She also indicated a desire to avoid hindering the businesses. Committeeman Lois noted that there are often trucks making deliveries to the site which creates noise. Mr. Shehady said that he will ask the management company to submit a plan for a hybrid approach for the Township Committee to review.

Mr. Shehady said that a DPW employee is retiring after 43 years of service. A resolution will be on the next agenda to accept the retirement, and it was suggested that the Township Committee honor the employee upon his retirement.

The next agenda will also include a resolution for an indemnity/hold harmless agreement with the PBA for Food Truck Festival being held on at the Colony Pool property. An agreement may also be needed with the vendor that is helping to run the event. Mr. Shehady said that the event may include a road closure.

Mr. Shehady reported that a WPC Foreman position was posted and there was an applicant. An appointment is anticipated to be approved by resolution at the next meeting.

Mr. Shehady reported that an ordinance will be needed to formally create a Local Emergency Management Council.

The Fire Official has submitted his resignation as he has taken a fulltime position elsewhere, and a resolution will be needed to formally accept the resignation.

Clerk

The Clerk indicated that a memorandum was circulated recommending that an ordinance be considered to enact late fees for limo/livery licenses that are not renewed by February 1st. Committeewoman Ewald asked about the number of licensees and where their operations are located. Mr. LaConte indicated that there are three licensees, all of which operate from residential properties. He also said that licenses should be renewed in January, and this year there was one that waited until August to renew. The intent of the late fee would be to encourage more timely renewal of licenses. The consensus of the Committee was for an ordinance to be considered for introduction at the next meeting.

Mr. Shehady stated that he and Mr. LaConte have been investigating options to have an online portal for pet license applications.

Construction

Mr. Shehady said that the zoning permit application was recently updated.

Finance

Mr. Shehady reported that the process for planning the 2024 Budget will begin in October.

Mr. Lois asked about interest rates on investments. Mr. Shehady said he will get more information on that.

Police

Deputy Mayor Hamilton asked about an increase in traffic tickets being issued. Mr. Shehady said he will reach out to Chief Miller for more information. Committeewoman Ewald asked if there could also be comment from the Chief if there are any troubling trends.

Public Works

Mr. Shehady said that there are some items ready for auction. He noted that efforts are being made to handle sale of surplus equipment on a more frequent basis rather than waiting for a larger, less often auction. The upcoming auction may include sale of old phones.

Recreation

Mr. Shehady said that the turf field at Shunpike Field is beyond its useful life, and quotes are being obtained for a new field. He hopes to have a recommendation for approval at the next meeting. Mayor Felice noted that the field condition presents a safety issue. Mr. Shehady noted that redoing the field has been on the 2024 Capital Plan and there is a hope to start work as soon as possible. The quotes being sought are through co-ops.

Committeeman Lois said that memberships to and revenue from Colony Pool were down this year. Mr. Shehady said that he can get a category breakdown of the membership. Committeeman Lois advocated for starting earlier with plans for the next season.

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 8:29 PM. Committeeman Choi seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk