

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
SEPTEMBER 23, 2021**

Mayor Ewald called the Regular Meeting of the Township Committee of the Township of Chatham to order at 6:30 P.M.

Adequate Notice of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both *The Chatham Courier* and the *Morris County Daily Record* on January 8, 2021, June 11, 2021 and August 13, 2021; notice was posted on the front door and the bulletin board in the main hallway of the Municipal Building on January 8, 2021, June 11, 2021 and August 13, 2021; and notice was filed with the Township Clerk on January 8, 2021, June 11, 2021 and August 13, 2021.

Roll Call

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

Executive Session

**RESOLUTION 2021-P-19
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 – Township of Chatham v. Kronos Holdings LLC and SL Chatham II, LLC-Condemnation Action Docket No. MRS-L-789-21
 - b. Potential Litigation
 - 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 Felice moved to adopt Resolution 2021-P-19 to enter Executive Session at 6:33 PM. Committeewoman Fondaco seconded the motion.

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

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

Mayor Ewald led the Flag Salute.

Approval of Agenda

Deputy Mayor Abbott moved to approve the Agenda. Committeewoman Felice seconded the motion, which carried unanimously.

Proclamations

Honoring Dot Stillinger

Mayor Ewald read aloud the attached proclamation honoring Dot Stillinger on her retirement from active service on the Chatham Township Environmental Commission. Mayor Ewald also commented on Mrs. Stillinger's service to the Township.

Deputy Mayor Abbott commented on her years serving on the Environmental Commission with Mrs. Stillinger.

Committeewoman Fondaco commented on Mrs. Stillinger's passion for the environment.

Mrs. Stillinger commented on the philosophies that drive the Environmental Commission. She stated that CTEC volunteers have a reputation for environmental protectionism. Mrs. Stillinger also provided some history of the Environmental Commission.

Hispanic Heritage Month

Mayor Ewald read aloud the attached proclamation for Hispanic Heritage Month. Mayor Ewald also noted that she has Puerto Rican ancestry, and her Puerto Rican ancestors include members of the military and several professions.

National Fire Prevention Week

Mayor Ewald read aloud the attached proclamation for Fire Prevention Week. Joe Sodano of the Green Village Fire Department and Richard Gentles of the Chatham Township Fire Department were present to accept the proclamation.

Mayor Ewald read aloud a portion of a memorandum from Township Fire Official Chris Shay regarding a recent fire on Susan Drive, and pictures from the fire were shared via Zoom.

Presentations

NJASCOP Accreditation

Harry Delgado, the Accreditation Program Director of the New Jersey State Association of Chiefs of Police, was present to present to the Chatham Township Police Department (CTPD) a Certificate of Accreditation. Mr. Delgado commented on the excellent work, professionalism, and high standards of the CTPD.

Chief Miller, Lt. Slayton and Lt. Hayworth were present to accept the Certificate of Accreditation.

Mayor Ewald thanked the CTPD for their hard work on achieving accreditation for the second time. Mayor Ewald also thanked the CTPD for their work that led to the recent conviction and sentencing of a perpetrator who committed three home burglaries and car thefts in Chatham Township, and she commended Detective Muta Blanford and all officers who worked on the case.

Green Village Fire Department

Joe Sodano of the Green Village Fire Department (GVFD) stated that Fire Prevention Week kicks off with Fireman Sunday at the Green Village United Methodist Church. On Saturday, September 25th there will be a flea market at the Green Village Firehouse. An Ice Cream Social will be hosted by the GVFD on October 3rd. On November 11th, the GVFD will host their Annual Veterans Day Observance. The Annual Christmas Tree Lighting Ceremony will be held on December 6th. Mr. Sodano said that the GVFD will celebrate its Centennial on May 14, 2022. He also commented on the recent fire on Susan Drive. Mr. Sodano further reported that there will be a celebration of the GVFD Auxiliary Centennial in November 2022. He promoted regular replacement of batteries in smoke detectors. Mr. Sodano also noted that the new sign at the Green Village Firehouse was donated by Bailey and Taz Brower.

Committeeman Hamilton said that the Christmas Tree Lighting is a fun event for children. Mayor Ewald noted that the events are listed on the GVFD website.

Administrator Hoffmann noted that the two fire departments are always looking for more volunteers.

Reports

Committeewoman Felice reported that the Colony Pool Advisory Committee will be sending out a membership survey to obtain feedback from the 2021 season. The feedback will be analyzed so that a presentation can be made to the Township Committee regarding plans for the 2022 season.

Committeeman Hamilton reported that an in-person Book Sale was held at the Library of the Chathams and over \$25,000 was raised. He further reported that there was a car theft in the Township this week and reminded residents to lock their cars.

Committeewoman Fondaco reported that the Art League of the Chathams will be holding a reception at the Municipal Building on October 17th from 2:00 PM to 4:00 PM. There is also a solo show in the Lundt-Glover Gallery. Committeewoman Fondaco further reported that the Diversity Committee is planning an event at the Municipal Building on October 23rd called The Faces of Chatham. The Diversity Committee will also have a booth at the Fishawack Festival. Committeewoman Fondaco further reported that the Town & Country Garden Club planted chrysanthemums at the Veterans Memorial at the Green Village Green. The plants were donated by the Creekside Farm. The Chatham Township Historical Society will be hosting a presentation via Zoom on September 26th about The Women of Chatham Township.

Deputy Mayor Abbott reported that she met with Senior Center Director Julie Reich. She also reported on the activities offered by the Senior Center. Deputy Mayor Abbott further reported that Fall Sports have begun. She also commented on the Spotted Lantern Fly.

Mayor Ewald reported that the Madison-Chatham Coalition met, and a presentation about drug trends will be given by the Madison and Chatham Police Departments on October 25th. Mayor Ewald also provided an update on COVID vaccination rates.

The Township Clerk reported that a Mail-In Ballot Drop Box has been installed at the Municipal Building. He also reported that Early Voting will be available for this General Election. There will be an Early Voting location in Madison on Walnut Street.

Administrator Hoffmann offered condolences to Township Planner Frank Banisch whose mother recently passed away. He also reported that the Township received 7 RFQs for Master Plan Updates. The Township has 60 days to review the proposals and either award a contract or reject the bids. Administrator Hoffmann further reported that there have been parking issues on streets near the Chatham High School. He encouraged students to park in legal parking areas. Administrator Hoffmann further stated that eligible copies of house plans have been returned to homeowners.

Hearing of Citizens

The Township Clerk indicated that there were not any written comments received.

Mayor Ewald opened the Hearing of Citizens.

1. Dot Stillinger, Noe Avenue, asked why the proposed Watershed Protection Ordinance has a limit for 5 acres. Mayor Ewald stated that will be addressed by Engineer Ruschke during Introduction of Ordinances. Administrator Hoffmann stated that the correct figure is 5,000 square feet.
2. Maureen Kelly, Mountain Avenue, thanked Mrs. Stillinger for her many years of service to the Chatham Township Environmental Commission. Mrs. Kelly stated that the Environmental Commission will look to Mrs. Stillinger's great example moving forward.

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

Public Hearing/Final Adoption of Ordinances

ORDINANCE 2021-20
ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW
JERSEY, AMENDING CHAPTER 3 OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP TITLED “POLICE REGULATIONS” TO A NEW SECTION 3-15 TITLED
“PLANTING, CULTIVATING OR GROWING OF BAMBOO AND/OR JAPANESE
KNOTWEED PLANTS”

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

Section 1. Chapter 3 of the Revised General Ordinances of the Township titled “Police Regulations” is hereby amended to add a new Section 3-15 titled “Planting, Cultivating or Growing of Bamboo and/or Japanese Knotweed Plants”

Section 2. Section 3-15.1 titled “Purpose” is added as follows:

§3-15.1 Purpose

This chapter is adopted to control the planting, cultivating or growing of bamboo and/or Japanese knotweed in the Township of Chatham; and to require barriers to prevent the spread of existing bamboo and/or Japanese knotweed into other areas of the Township.

Section 3. Section 3-15.2 titled Regulation of Planting, Growing or Cultivating of Bamboo and Japanese Knotweed is added as follows:

§3-15.2 Regulation of Planting, Growing or Cultivating of Bamboo and Japanese Knotweed

Subject to certain exemptions set forth in this chapter, no persons, or other property owners or tenants, shall plant, cultivate, or cause to grow any bamboo and/or Japanese knotweed on any lot or parcel of ground in the Township of Chatham, subject to the following exceptions:

- A. The root system of such bamboo plants and/or Japanese knotweed plants is entirely contained within an above-ground-level planter, barrel, or other vessel of such design, material, and location as to entirely prevent the spread of growth of the bamboo and/or Japanese knotweed plants' root system beyond the container in which it is planted; or
- B. The root system is contained within a properly constructed and maintained barrier system.
- C. Whether planted or growing in a container, as described herein, all bamboo plants and Japanese knotweed plants shall be located, trimmed and maintained so that no part of the plant shall be closer than 10 feet to any property line.

Section 4. Section 3-15.3 titled Exemptions is added as follows:

§3-15.3 Exemptions

This chapter shall not apply to any land owner or possessor who, prior to the effective date of this chapter, has planted or caused to grow any bamboo and/or Japanese knotweed on any property within the Township limits unless the Code Enforcement Official determines, on his own or upon complaint from any abutting or nearby property owner, that any portion of such bamboo and/or Japanese knotweed has been allowed to grow upon, extend roots across, or extend branches, stalks or leaves over any public way or any private property not owned by or in the possession of such land owner or any possessor of said land.

Section 5. Section 3.15.4 titled Complaint Notice, Order for Removal, Compliance is added as follows:

§3-15.4 Complaint Notice, Order for Removal, Compliance

Whenever a complaint is received by the Township regarding the encroachment of any bamboo plant, Japanese knotweed plant or root, or whenever the Township, on its own observations and inspections, determines that there is an encroachment of bamboo plants, Japanese knotweed plants or roots on to the property of another land owner, or tenant in possession of the property, or both, the Township shall cause notice to be served, which notice shall be substantially as follows:

- A. The notice shall be mailed by certified mail, return receipt requested, properly addressed and with sufficient postage, and also by first-class mail. Notice by certified mail shall be deemed complete

on the date of personal delivery, or the date the certified mail is marked refused or unclaimed or otherwise undeliverable by the United States Post Office, when the first-class mail was not returned.

- B. The notice shall specify the nature of the violation.
- C. The notice shall state that the violation must be corrected within 30 days from the date of the received or returned mailing.
- D. The notice shall state specifically what must be done by the responsible party to correct the violation.

Section 6. Section 3.15.5 titled Violations & Penalties is added as follows:

§3-15.4 Violations & Penalties

- A. Any person determined by any court of competent jurisdiction to have violated this chapter shall be subject to pay a fine of not less than \$50 per day, nor more than \$125 per day, or each day the violation existed after the date for removal as set forth in the notice which was sent to violator, and received by the violator. Each day of a continuing violation shall constitute a separate offense, for which an additional fine can be levied. The per-day fine will be in addition to a penalty for failure to comply with the Bamboo and/or Japanese Knotweed Ordinance. This fine can be up to the maximum penalty set by the State of New Jersey.
- B. If the violation is not remedied within the time set forth in the aforesaid notice, the Township is hereby authorized to remove or have removed any encroaching bamboo and/or Japanese knotweed and to take all reasonable steps to eradicate the regrowth of the bamboo and/or Japanese knotweed on the public rights-of-way, including sidewalks, and to restore such land to its normal condition, prior to such removal and eradication.
- C. The cost of the corrective action together with any civil penalties, legal fees and other costs shall be recoverable from the responsible party.

Section 7. Section 3-15.6 titled “Effective Date” is added as follows:

§3-15.6 Effective Date. This Ordinance shall take effect on January 1, 2022.

Administrator Hoffmann stated that this ordinance was introduced at his request. He stated that planting bamboo and Japanese knotweed are not prohibited. However, the plants would need to be contained on the property of the person planting them rather than being allowed to spread onto neighboring properties. He also stated that the ordinance would not take effect until January 1, 2022 so that there can be an education period.

Mayor Ewald opened the Public Hearing on Ordinance 2021-20.

- 1. Peter Tripp, Van Houton Avenue, spoke in favor of Ordinance 2021-20. He noted that the ordinance is designed to apply to situations where bamboo has become a problem. Mr. Tripp also described problems he has had with bamboo spreading from a neighboring property onto his. Mr. Tripp also addressed proposed legislation that was referenced at the last Township Committee meeting. He stated that it took seven years for the legislation to be voted upon by the Assembly, and the State Senate would still need to vote. Mr. Tripp also stated that the legislation does not address the issues faced by Chatham Township.

Seeing no further public comment, Mayor Ewald closed the Public Hearing.

Committeewoman Fondaco moved to adopt Ordinance 2021-20. Deputy Mayor Abbott seconded the motion.

Committeeman Hamilton asked where in the ordinance it states that the ordinance would only be enforced if there is a complaint. Administrator Hoffmann stated that Section 3.15.4 addresses complaints of encroachment of bamboo and Japanese knotweed. Mayor Ewald addressed the exemption section of the ordinance. Committeeman Hamilton noted that the Code Enforcement Official would be able to enforce the ordinance without a complaint. Administrator Hoffmann stated that the intent is to enforce the ordinance based on complaints from residents. He also stated that the Code Enforcement Officials are reactive, and the goal is to achieve compliance rather than to go to Municipal Court.

Committeeman Hamilton asked why the Township cannot let a resident know that bamboo is encroaching on a neighbor's yard without the ordinance. Deputy Mayor Abbott said that it is a matter of magnitude and discussed the invasive nature of certain plants. She also said that bamboo roots can crack sewer lines and foundations.

Mr. Tripp was invited to further describe the bamboo problem in an easement in his neighborhood. He noted that when he moved in, the bamboo had obstructed access to a manhole in the easement.

Committeeman Hamilton asked why the ordinance is necessary rather than letting neighbors sue each other as a legal remedy. He also said that he does not want Township officials to be involved in disputes between neighbors. Administrator Hoffmann stated that the Township Code does not have any provision allowing Municipal Officials to assist residents with this kind of issue.

Attorney Cruz said that the ordinance does not state that it would only be enforced if there was a complaint, and the Township needs to be able to enforce its own ordinances. He also stated that as a practical matter, Zoning Officers and Construction Code Officials react to complaints rather than actively seeking violations. Attorney Cruz further stated that common law rights would be resolved in Superior Court, while the ordinance would allow for disputes to be resolved in Municipal Court. Attorney Cruz further stated that Administrator Hoffmann explained a very practical approach.

Committeewoman Felice stated that residents have a right to sue their neighbors. She also stated that she is leaning toward not wanting the ordinance to be adopted. Committeewoman Felice said she would rather residents be liable for damages due to encroachment and have to pay legal fees to remedy such matters.

Mayor Ewald stated the ordinance will allow the Township to move the matter of encroaching bamboo in the right direction without neighbors having to resort to lawsuits.

Committeeman Hamilton asked what would happen if someone buys a property that already has bamboo. Attorney Cruz said that the ordinance addresses encroachment of bamboo moving forward.

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

Ordinance 2021-21

ORDINANCE 2021-21

AN ORDINANCE RELEASING, EXTINGUISHING AND VACATING ALL OF THE TOWNSHIP OF CHATHAM'S RIGHT, TITLE AND INTEREST IN AND TO THAT UNIMPROVED SANITARY SEWER EASEMENT LOCATED ON 51 RUNNYMEDE ROAD, BLOCK 48.10, LOT 34 AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CHATHAM

WHEREAS, there exists in the Township of Chatham, Morris County, New Jersey, an unimproved sanitary sewer easement located on 51 Runnymede Road, Block 48.01, Lot 34, as shown on the Official Tax Map of the Township of Chatham ("Property"); and

WHEREAS, the owner of the Property requested that the unimproved sanitary sewer easement located on the Property be released, extinguished and vacated; and

WHEREAS, the Township Committee of the Township of Chatham determines that the unimproved sanitary sewer easement has not been utilized by the Township, is no longer needed for a public purpose and that the public interest will be better served by releasing, extinguishing and vacating the unimproved sanitary sewer easement; and

WHEREAS, N.J.S.A. 40:67-19 authorizes the Township to release, extinguish and vacate the rights of the public and the Township in the unimproved sanitary sewer easement.

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

SECTION 1. Pursuant to the authority vested in the Township Committee by N.J.S.A. 40:67-19, and subject to the conditions set forth below, the rights of the public and the Township to that unimproved sanitary sewer easement on the Property as highlighted in yellow on the attached "Boundary and Topographic Survey, Lot 34, Block 48.11, Township of Chatham, County of Morris, State of New

Jersey” prepared by David J. Von Streenburg, PLS, dated June 8, 2021, are released, extinguished and vacated.

SECTION 2. The unimproved sanitary sewer easement being vacated shall revert to and remain a part of Block 48.10, Lot 34.

SECTION 3. Pursuant to N.J.S.A. 48:2-13 defining public utilities and N.J.S.A. 48:5A-1, et seq. defining cable television companies, expressly reserved and excepted from this vacation are all the rights and privileges possessed by public utilities and cable television companies to maintain and repair their existing facilities adjacent to, over and under the unimproved sanitary sewer easement to be vacated.

SECTION 4. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Township Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

SECTION 5. The Township Clerk shall, within sixty (60) days of the effective date of this Ordinance, record a copy of this Ordinance certified by the Clerk under the seal of the Township, to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the County of Morris, in accordance with the provisions of N.J.S.A. 40:67-21.

SECTION 6. If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION 7. This Ordinance shall become effective upon the adoption and recording of this Ordinance with the Morris County Clerk’s Office.

Administrator Hoffmann explained that there is an unimproved stub of a sewer easement on the subject property. He also stated that the appearance of the easement on the subject property was probably an error on the tax map.

The Township Clerk noted that Notice was sent to the owners of all properties on which the easement is located.

Mayor Ewald opened the Public Hearing on Ordinance 2021-21.
Seeing no public comment, Mayor Ewald closed the Public Hearing.

Committeeman Hamilton moved to adopt Ordinance 2021-21. Deputy Mayor Abbott seconded the motion.

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

Introduction of Ordinances

Ordinance 2021-22

ORDINANCE 2021-22

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING WATERSHED PROTECTION ORDINANCE

BE IT ORDAINED by the Township Committee of the Township of Chatham as follows:

Section 1. Section 30-83.2 b. 2 (a) is to be amended to read as follows:

- (a) Stormwater Control System shall comply with the design standards set forth in subsection 30-64.3. To the extent that any requirements or controls herein are more stringent than the requirements or controls for the Township as set forth in subsection 30-64.3, as may be amended from time to time, the requirements and controls herein shall govern. Within the Great Swamp Watershed Overlay District, a Major Development shall mean any "development" that provides for ultimately disturbing five thousand (5,000) square feet or more of land.

Section 2. 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 3. 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 4. 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 5. 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 6. 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.

Engineer Ruschke explained that the only change in this ordinance is the last sentence of Section 1(a). The remainder of the paragraph already appears in the Township Code Book. Engineer Ruschke stated that the sentence is being added for clarification that a Major Development in the Great Swamp Watershed shall mean any "development" that provides for ultimately disturbing five thousand (5,000) square feet or more of land.

Deputy Mayor Abbott moved to introduce Ordinance 2021-22. Committeewoman Fondaco seconded the motion.

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

Public Hearing on Ordinance 2021-22 will be scheduled for October 28, 2021.

Consent Agenda

RESOLUTION 2021-241 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, ACKNOWLEDGING RECEIPT OF REPORTS

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

CFO – August
Animal Control – August

RESOLUTION 2021-242 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 September 9, 2021.

RESOLUTION 2021-243 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING EXECUTIVE SESSION MINUTES OF MEETINGS

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meeting held on September 9, 2021.

RESOLUTION 2021-244 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING AN AGREEMENT WITH HEALTHQUITY, INC. TO ADMINISTER EMPLOYEE FLEXIBLE SPENDING ACCOUNTS EFFECTIVE JANUARY 1, 2022

WHEREAS, as it applies to employee healthcare coverage, New Jersey P.L. 2011 c. 78 requires the Township of Chatham, County of Morris, State of New Jersey to establish a Premium Only Plan and a Flexible Spending Account for eligible employees pursuant to Section 125 of the Internal Revenue Code; and

WHEREAS, HealthEquity, Inc., is a company specializing in administering Section 125 benefits and can provide employees individual consultation and enrollment information on an ongoing basis and all servicing will be handled by same; and

WHEREAS, the Township Administrator and CFO have reviewed the requirements, and recommend HealthEquity, Inc., to be the Section 125 provider; and

WHEREAS, participation by the eligible employees in the plan is voluntary.

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

1. The Mayor and Clerk are hereby authorized to execute the required agreement and any related documents which may be necessary or appropriate to adopt the plan or maintain its compliance with applicable Federal, State, and Local Law
2. The Flexible Benefits Plan will have an effective date of January 1, 2022.
3. The Flexible Benefits Plan shall include a Dependent Care Flexible Spending Account, as permitted by law.
4. Current eligible employees may enroll in these plans during yearly Open Enrollment in October. New eligible employees will have a 60-day window from their hire date to enroll in these plans.
5. The maximum annual employee deduction for medical expenses Flexible Spending Account shall be the Internal Revenue Service (IRS) maximum of \$2,750 for the 2022 plan year.

RESOLUTION 2021-245

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPOINTING A PLUMBING SUB-CODE OFFICIAL.

BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, New Jersey that Ben B. Scotti is hereby appointed to serve as the Plumbing Sub-code Official for the Township of Chatham effective October 1, 2021 at a pro-rated annual compensation rate which is within the range outlined in Ordinance 2021-03.

RESOLUTION 2021-246

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPOINTING A PLUMBING INSPECTOR AND ALTERNATE SUB-CODE OFFICIAL

BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, New Jersey that Angelo Curiazza, Jr. is hereby appointed to serve as the Plumbing Inspector and Alternate Sub-code Official for the Township of Chatham effective October 1, 2021 at a pro-rated annual compensation rate which is within the range outlined in Ordinance 2021-03.

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

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

Hearing of Citizens

Mayor Ewald opened the Hearing of Citizens.

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

Committeeman Hamilton moved to adjourn at 9:19 PM. Committeewoman Felice seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk