

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
FEBRUARY 27, 2020**

Mayor Kelly called the Regular Meeting of the Township Committee of the Township of Chatham to order at 7:29 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 3, 2020; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 3, 2020; and notice was filed with the Township Clerk on January 3, 2020.

Mayor Kelly led the Flag Salute.

Roll Call

Answering present to the roll call were Committeewoman Ewald, Committeewoman Fondaco, Committeewoman Swartz, Deputy Mayor Ness and Mayor Kelly.

Approval of Agenda

Committeewoman Fondaco moved to approve the Agenda. Deputy Mayor Ness seconded the motion, which carried unanimously.

Reports

Committeewoman Fondaco reported that the single-use plastic bag ban goes into effect on Sunday, March 1st. She said that the Environmental Commission has informed all businesses in the Township, and a poster will be displayed at the point of purchase. Reusable bags will also be made available. Committeewoman Fondaco also noted that ShopRite will be able to charge \$0.10 per paper bag.

Committeewoman Swartz reported that the Senior Center is offering free tax preparation for Seniors. Appointments are necessary and will be available on Fridays from March 6th through April 10th.

Committeewoman Ewald highlighted the efforts of the Chatham Education Foundation to support the School District. She also reported that the Planning Board created a subcommittee to review the Master Plan for updates. Committeewoman Ewald further reported that the Madison-Chatham Coalition will be hosting a presentation by Madison Borough Detective Shannon regarding community drug trends on March 2nd at 7:00 PM. The Tri-Town 55+ Coalition has established community task forces about housing and transportation.

Deputy Mayor Ness reported that she attended the Senior Advisory Committee meeting, and having a joint committee for both of the Chathams is being investigated. She also reported on the various topics being discussed by the Senior Advisory Committee. Deputy Mayor Ness also reported that she visited Mrs. Spinner's 1st Grade Class and gave a presentation on the various forms of government. She further reported that March is Colorectal Cancer Awareness Month.

Administrator Hoffmann said that introduction of the 2020 Municipal Budget has been delayed because the State is changing the budget forms for the User Friendly Budget. He said that introduction of the Budget is expected in March. Administrator Hoffmann also addressed the cost to the Township of answering OPRA requests.

Mayor Kelly said that he attended a meeting about traffic issues in Morris County, at which the Park Avenue Corridor were discussed. The DOT will be asked to review the functionality of Route 24, and possible expansion and an additional interchange will be sought. Mayor Kelly said that the Township will bring to the attention of the County Engineer all traffic issues that exist in the Township. Paving of Shunpike Road from Loantaka Way to Southern Boulevard is on Morris County's schedule for the summer of 2020.

Introduction of Ordinances

ORDINANCE 2020-03

**AN ORDINANCE TO PROVIDE MINIMUM AND MAXIMUM RANGES FOR
COMPENSATION FOR CERTAIN POSITIONS OF EMPLOYMENT IN THE TOWNSHIP OF
CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, EFFECTIVE JANUARY 1, 2020**

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

Section 1. The following offices and positions of employment in the Township of Chatham in the County of Morris are hereby established and the persons occupying such offices and positions shall be compensated at the rates, or within the ranges, set forth below. Actual compensation, consistent with the salary ranges established herein, is established by Township Resolution.

| Office or Position of Employment | Minimum | Maximum |
|---|----------------|----------------|
| Member of Township Committee | 0.00 | 2,400 |
| Township Administrator | 100,000 | 190,000 |
| Township Clerk/Registrar | 40,000 | 75,000 |
| Deputy Clerk | 30,000 | 60,000 |
| Secretary Bd. Of Health | 4,500 | 11,000 |
| Chief Financial Officer/Treasurer | 45,000 | 125,000 |
| Qualified Purchasing Agent | 3,000 | 6,000 |
| Assistant Treasurer/HR Assistant/Escrow Account Manager | 35,000 | 60,000 |
| Administrative Assistant (Administration & Police Department incl. Records Clerk) | 35,000 | 60,000 |
| Accounts Payable/Payroll Clerk | 35,000 | 60,000 |
| Chief of Police | 125,000 | 170,000 |
| Emergency Management Coordinator | 2,500 | 10,000 |
| Public Works Manager | 100,000 | 135,000 |
| Public Works Administrative Assistant/Recycling Coordinator | 35,000 | 60,000 |
| Licensed Sewer Plant Operator | 100,000 | 135,000 |
| Tax Collector/Utility Collector | 60,000 | 85,000 |
| Ass't. Tax & Utility Collector | 35,000 | 60,000 |
| Tax Assessor (Part-time) | 25,000 | 40,000 |
| Ass't. Assessor (Part-time) | 25,000 | 40,000 |
| Planning Board Secretary | \$250 per | meeting |
| Zoning Board Secretary | \$250 per | meeting |
| Secretary Environmental Commission | \$150 per | meeting |
| Construction Office Control Person/Board Manager | 40,000 | 64,000 |
| Construction Office Administrative Assistant | 35,000 | 60,000 |
| Construction Official/Building Sub-code Official/Inspector | 60,000 | 120,000 |

| | | |
|---|--------|--------|
| Zoning officer/Deputy Zoning Officer (PT) | 2,500 | 15,000 |
| Fire Sub-code Official/Inspector | 10,000 | 20,500 |
| Fire Prevention Official/Inspector | 10,000 | 20,000 |
| Video Producer Governmental Access Channels | 5,000 | 11,000 |
| Plumbing Sub-code Official/Inspector | 20,000 | 30,000 |
| Electrical Sub-code Official | 15,000 | 20,000 |

Seasonal and Hourly Positions

| | | |
|--|----------|----------|
| Special Law Enforcement Officer III (SLEO III) – hourly rate | 25.00 | 40.00 |
| Pool Manager | 15,000 | 25,000 |
| Assistant Pool Manager | 6,000 | 22,000 |
| Swim Team Coach | 1,500 | 3,500 |
| Swim Team Ass't. Coach | 500 | 1,500 |
| Lifeguards | 10.30 HR | 18.00 HR |
| Gate Attendants | 10.30 HR | 18.00 HR |
| Laborer | 10.30 HR | 18.00 HR |
| Crossing Guards | 11.00 HR | 30.00 HR |
| Clerk Typist PT/Floater | 11.00 HR | 17.50 HR |
| Building Inspector | 20.00 HR | 45.00 HR |

Section 2. Overtime for eligible employees shall be at the rate of straight time for hours exceeding 35 per week and one and one-half times employee's regular rate of pay for hours exceeding 40 per week.

Section 3. Employees covered by a collective bargaining agreement shall be entitled to compensation as provided in their respective agreements.

Section 4. Salaries provided herein shall be effective January 1, 2020, for those employed with the Township as of the adoption date of the ordinance.

Section 5. When required by law, the Township shall pay at least the minimum wage established for the State of New Jersey.

Section 6. This ordinance shall take effect upon publication as provided by the law.

Deputy Mayor Ness moved to introduce Ordinance 2020-02. Committeewoman Ewald seconded the motion.

Administrator Hoffmann said that the Salary Ordinance covers the administrative staff, and it sets the range for the salaries. He said that the actual salaries will be set by resolution after the ordinance is adopted.

Roll call: Committeewoman Ewald, Aye; Committeewoman Fondaco, Aye; Committeewoman Swartz, Aye; Deputy Mayor Ness, Aye; Mayor Kelly, Aye.

Public Hearing for Ordinance 2020-03 will be scheduled for March 12, 2020.

Consent Agenda

**RESOLUTION 2020-069
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 – January
Construction Official – January
Police Department – January

RESOLUTION 2020-070
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING MINUTES OF MEETINGS

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meetings held on February 13, 2020, February 20, 2020 and February 24, 2020.

RESOLUTION 2020-071
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 February 13, 2020, February 23, 2020 and February 24, 2020.

RESOLUTION 2020-072
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING THE LIST OF VOLUNTEERS ELIGIBLE FOR LOSAP

WHEREAS, the Township of Chatham has received a list of volunteers eligible for LOSAP from the Green Village Volunteer Fire Department, the Chatham Township Volunteer Fire Department and the Chatham Emergency Squad; and

WHEREAS, the Township Committee has reviewed the list from each emergency service organization;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the volunteers on the attached certified lists are hereby approved as being eligible for LOSAP.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each emergency service organization for a 30-day posting.

RESOLUTION 2020-073
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPOINTING MEMBER TO THE CHATHAM TOWNSHIP ENVIRONMENTAL
COMMISSION

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following appointment be made effective immediately:

| <u>Chatham Township Environmental Commission</u> | <u>Term Expires</u> |
|--|---------------------|
| Doris Rhee (Alt. 1) | December 31, 2020 |

RESOLUTION 2020-074
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A SETTLEMENT OF THE
TAX APPEAL OF MITUL J. PATEL

WHEREAS, Mitul J. Patel (“Taxpayer”), the owner of Block 139, Lot 16 on the Township of Chatham’s Tax Assessment Maps, commonly known as 11 Loantaka Lane South (“Property”), filed appeals of their 2017 tax assessment in the Tax Court of New Jersey, Docket No.: 000666-2017; and

WHEREAS, the Township Committee of the Township of Chatham, County of Morris, State of New Jersey met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor Special Tax Appeal Attorneys; and

WHEREAS, the Property was assessed at \$1,234,900 for the year under appeal; and

WHEREAS, the Property was purchased in December of 2015 for \$1,100,000; and

WHEREAS, the improvements on the Property have since been demolished, with construction of a new home on the Property having commenced; and

WHEREAS, the taxpayer has not filed an appeal of the property tax assessments for the 2018 or 2019 tax years, which assessments were \$881,300 and \$981,200, respectively; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated which reduces the total tax assessment levied upon the Property for 2017; and

WHEREAS, the 2017 total tax assessment, based upon said reduction, will be \$1,143,900 instead of \$1,243,900 for the Property; and

WHEREAS, Taxpayer has agreed that any refunds due shall be without interest provided the tax refund is paid within 60 days of the date of entry of the Tax Court Judgment; and

WHEREAS, the Township Committee leaves the allocation between land and improvements of the aforesaid tax assessment reduction to the Township of Chatham's Tax Assessor's discretion with the direction that the same be set so as to be most beneficial to the Township; and

WHEREAS, the aforesaid reduction has no general application to other properties within the Township of Chatham as a result of the aforesaid specific fact situation; and

WHEREAS, the Township Committee makes this settlement with Taxpayer without prejudice to its dealing with any other Chatham Township's taxpayers' request for tax assessment reduction; and

WHEREAS, the Mayor and Township Committee have reviewed a copy of the proposed Stipulation of Settlement, which is annexed hereto and incorporated herein by this reference.

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

1. The Township of Chatham's Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$1,143,900 total tax assessment for the 2017 Tax Year for Block 139, Lot 16, which is most beneficial to the Township of Chatham and advise the Township Attorney of that allocation.
2. The Special Tax Appeal Attorney is authorized to execute a Stipulation of Settlement relative to the tax appeal of Mitul J. Patel ("Taxpayer") Docket No.: 000666-2017, which reduces the total tax assessment on Block 139, Lot 16 from \$1,243,900 to a total tax assessment of \$1,143,900 for the 2017 Tax Year; and which further provides that any refunds due shall be without interest provided the tax refund is paid within 60 days of the date of entry of the Tax Court Judgment.
3. The settlement outlined above shall be without prejudice to the Township of Chatham's dealings with any other Township taxpayers' request for tax assessment reductions.

Committeewoman Swartz addressed Resolution 2020-072 which approves the list of volunteers eligible for LOSAP, and noted how important it is to have volunteers willing to serve as firefighters and EMTs.. She stated that Chatham residents should be proud of those volunteers. Mayor Kelly noted that there is a constant need for additional volunteers, and anyone interested can reach out to either of the fire departments or the Chatham Emergency Squad.

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

Roll call: Committeewoman Ewald, Aye; Committeewoman Fondaco, Aye; Committeewoman Swartz, Aye; Deputy Mayor Ness, Aye; Mayor Kelly, Aye.

Presentation – Affordable Housing Updates, Including Site or Sites Selection

Mayor Kelly stated that the Township Committee has reached an agreement in principle on a plan to meet the Township's Third Round Housing Obligation. The agreement will include up to six sites, including 62 family rental units at a site on River Road located between 476 and 490 River Road near the Cardinal Hill Apartments. Mayor Kelly noted that some of the affordable units would be offered with a 90-day preference for veterans. There will also be up to three group homes for a total of 12 bedrooms scattered throughout the Township at sites to be determined. The Arbor Green Development, which will include 24 affordable units, has already been approved. The Settlement Agreement also includes credits for the extension of affordable controls on the 72 owner-occupied Vernon Grove Condominiums. There are also 8 surplus credits carried forward from the Second Round, and bonus credits for including rental units in the plan. The proposed agreement has a strict 120 schedule for compliance, leading to a full compliance hearing in mid-June. Mayor Kelly said that the agreement also includes a long-range construction schedule. He also said that the framework of the plan was developed in two mediation sessions between the Township and the Fair Share Housing Center, and the mediator was the Court-appointed Special Master. The plan will be presented to Judge Gaus for approval at a hearing on March 13th. Mayor Kelly said that the Township Committee has made this agreement public so as to give the public an opportunity to give comment.

Hearing of Citizens

Mayor Kelly opened the Hearing of Citizens.

1. Peter Nigro, 475 River Road, said that he lives directly across the street from the proposed site for Affordable Housing. He said that he does not understand why the Township would choose that site, and opined that the Dixiedale site would have less impact on homeowners. Mr. Nigro theorized that the Affordable Housing will affect property values and would have a traffic impact.
2. Rich Ferrara, 20 Evergreen Road, asked if the land to be used for Affordable Housing is currently owned by the Township. Mayor Kelly confirmed that the Township is the current owner of the property. Mr. Ferrara asked who would collect the rental income on the Affordable Housing rental units. Mayor Kelly said that the rental income would go to the builder/operator. Mr. Ferrara asked if the Township will incur any of the building costs. Mayor Kelly said that the Township would be responsible for some of the costs. Mr. Ferrara asked why the Township would not collect the rental fees. Mayor Kelly explained that municipalities in New Jersey have a Constitutional obligation for Affordable Housing, and he explained the mechanisms that municipalities have available. Mayor Kelly noted that with inclusionary zoning, there would be 4 units to every 1 affordable unit. He also said that the Township Committee opted for the municipally-sponsored 100% affordable development so as to avoid the development of an extra 800 units, which comes at a financial cost to the Township. Mr. Ferrara asked who the developer will be. Mayor Kelly said that the Township has been working with two developers, however a contract has not yet been signed. Mr. Ferrara asked what the outstanding costs to the Township will be, and Mayor Kelly said that information is not yet known.
3. Sean Leonard, 192 Meyersville Road, pointed out that there will be further rounds of Affordable Housing. He also addressed the costs to the Township for the Affordable Housing program, noting the impact on schools with the extra development. Mr. Leonard also said that a multi-site solution would be more equitable, however the River Road option is less costly than the Meyersville Road option. Deputy Mayor Ness addressed the anticipated tax revenue from the Dixiedale development, and Administrator Hoffmann said that Dixiedale is anticipated to be a significant source of tax revenue. Mayor Kelly noted how property taxes are split between the Township, Morris County and the School District. Mr. Leonard said that his analysis of the costs were in regard to the land cost, and he also noted that there will be costs to the School District based on the number of new students generated from the new units.

Administrator Hoffmann commented on grant funding that the State will be making available for Affordable Housing projects.

4. Nicole Hagner, 396 River Road, asked if the single-use plastic bag ban will be in effect soon, and if there will be an enforcement mechanism. Mayor Kelly said that the ordinance will be in effect soon, and the Health Department will be responsible for enforcement. Ms. Hagner asked about the decision to use the River Road site for Affordable Housing, and said that she does not understand why the site was ever proposed. Mayor Kelly said that the Township Committee had moved away from the River Road site so as to be able to address the threefold challenge of Affordable Housing, Municipal Building upgrades and Police Department Headquarters upgrades as part of one overall strategy. Mayor Kelly also addressed the issue of making sewer service available to the Affordable Housing development on River Road. Ms. Hagner asked if sewer service will be made available to other properties on River Road free of charge. Mayor Kelly said that if a sewer line was extended along River Road, then making it available to other property owners would have been an option. However, there would have been a cost to those property owners. Ms. Hagner said that the Township had opted not to extend sewers on River Road so as to inhibit development. Ms. Hagner also said that the Affordable Housing is being proposed to be developed on the most sensitive slopes in the Township, which the Township has previously

sought to protect from development. She also asked if any accommodations are going to be made for the residents who already live in that neighborhood.

5. Susan Leonard, 192 Meyersville Road, said that in the twenty years she has lived in the Township, there was never before an issue that she felt the need to address with the Township Committee. She also said that she and her husband thoroughly researched Chatham Township before moving here. Mrs. Leonard also said that the decisions being made about Affordable Housing have been unfair. She also said that a group of residents from various neighborhoods met over the weekend, and the consensus of those who attended was a desire for the Affordable Housing to be spread throughout the Township. Mrs. Leonard warned that in Round Four, the Township might need to look at the Municipal Building site again. She also said that there had been a breakdown in communication between the Township Committee and the public, which has resulted in trust issues. Committeewoman Ewald said that the ideas presented by the public have been taken into consideration, and she noted the threat of builders remedy lawsuits. Deputy Mayor Ness noted that the Township was supposed to have picked a site by July 2019, and time has run out for a selection. She also said that there is not sufficient funding available for a multi-site solution.
6. Dan Miller, 465 Green Village Road, said that the decisions that had been made in 2018 were done without public involvement. Mr. Miller asked if the Planning Board or Township Committee would have allowed a 60+ unit development on River Road if a developer had submitted a land use application. Mayor Kelly said that the Township is trying to meet a Court-mandated obligation, which is a different sort of scenario. Mr. Miller asked if a development would have been approved if it were not part of an Affordable Housing mandate. Mayor Kelly noted that the neighboring Cardinal Hill Apartments complex has 120 units. Deputy Mayor Ness noted that the Planning Board recently approved the Dixiedale application. Mr. Miller asked if the Township's steep slope ordinances have any meaning. Committeewoman Swartz said that the Township is under Court mandate to meet the Affordable Housing obligation. She also noted the potential costs to the Township for some of the alternatives to address Affordable Housing. Mr. Miller noted that there will be more Affordable Housing needed in the future, and he suggested that the Township's business district be designated as a full business district. Mr. Miller also suggested that eminent domain be used to work toward a multi-site solution.
7. Amlie Lambert, 24 Long Hill Lane, thanked the Township Committee for saving the Skate Park.
8. Mike Oien, 3 Hillcrest Avenue, said that he is a proponent of a multi-site solution. He asked if the current plan allows the Township the option to move toward a multi-site solution. Mayor Kelly said that the Township is seeking sites for group homes. Mr. Oien asked if the Township has the option to reduce the number of units on River Road. Mayor Kelly said the agreement is for 60-62 units at River Road. He said that the plan will be presented to the Judge, and there is not time available to start from scratch again. Deputy Mayor Ness said that there are not properties available for a multi-site solution, and the Township looked at multiple sites. Mr. Oien discussed the costs of development. He also addressed the transparency of the Township's planning process. Committeewoman Ewald noted that the Township was operating under tight time constraints to choose a site that was under municipal control. Mr. Oien said that it is not apparent to residents that the Township Committee did their best because the public has not been aware of the constraints. Deputy Mayor Ness said that there are certain aspects of property acquisition that cannot be discussed during the negotiation phase.
9. Gerry Nigro, 475 River Road, said that she lives across the street from the River Road Affordable Housing site, and she is afraid that the Affordable Housing will affect her property value. Mrs. Nigro also said that she had been assured by Mr. Hoffmann that there would not be any development in her neighborhood.
10. Jane Devlin, 420 River Road, said that a lot of residents have said that they want to be heard. She also said that the public needs to be willing to listen to what the Township

Committee has to say. Mrs. Devlin also said that she does not think that the Township Committee has been treated fairly.

11. Jackie Ferrito, 449 River Road, said that she just moved in 15 months ago, and was not pleased to learn about the proposed development. She asked what can be done to have the building set as far back as possible. Mrs. Ferrito also said that she drove through the Cardinal Hill Apartments recently, and had previously been unaware that the Apartments were there. Mrs. Ferrito said she would like for the Affordable Housing to have a long driveway and have the woods preserved as much as possible.

Mayor Kelly said that the Affordable Housing will have half as many units as the Cardinal Hill Apartments, and would be set back as far as possible. He also said that the tree buffer will be preserved as much as possible. Mayor Kelly further indicated that the design phase has not yet begun.

Mrs. Ferrito asked how the lot compares in size to Cardinal Hill. Mayor Kelly said that it is a smaller lot.

Mayor Kelly noted that an earlier speaker criticized the Township Committee for not having more information available at this time, and he stated that it was thought better to go public with that information which is available rather than waiting for complete information and being accused of being not transparent.

Mrs. Ferrito asked how many residents are anticipated at the River Road Affordable Housing. Mayor Kelly said there is a State formula regarding number of bedrooms. He also said that most of the single-bedroom units will be in group homes, with the River Road site being mostly two-bedroom and three-bedroom units.

Deputy Mayor Ness said that there will be a Planning Board process before the actual development is approved. She also said that it is the Township's desire to minimize the impact of this development.

Committeewoman Swartz noted that she has served on the Planning Board, and developments are scrutinized. She encouraged residents to attend Planning Board meetings when applications are presented.

12. Frank Plantemoli, 436 River Road, said he lives 1/4-mile from the Affordable housing site. He says that he has counted on the Township Committee to do the right thing, and he is one of the residents impacted by the Affordable Housing Development. Mr. Plantemoli noted that his wife is the President of the Board of Health, and she had not been informed that the River Road site was under consideration again. Mr. Plantemoli asked the Township Committee members how they would feel if the Affordable Housing was going to be in their neighborhoods.
13. Matt Kahn, 2 Country Club Drive, offered his sympathies for the residents of River Road affected by the proposed Affordable Housing, and he said he hopes that property values are not affected. Mr. Kahn asked about the time frame for identification of the Group Home sites. Mayor Kelly said that the timetable allows the Township to come into compliance in mid-June. He also said that the Township has already begun reaching out to owners of potential sites. Mr. Kahn asked what would happen if the Township is unable to identify sites by the deadline. Mayor Kelly said that the proposed agreement has benchmarks that must be met, and the Court has run out of patience with the Township's delays. He also said that he does not expect that the Township could get another extension. Mr. Kahn asked if there is a backup plan if the 12 units cannot be identified on time. Committeewoman Swartz said that she does not anticipate that there will be difficulty in identifying a site, and Deputy Mayor Ness noted that the process has already begun, and she addressed the need for Group Homes for people with special needs. She also addressed the various factors that went into the decision. Mr. Kahn also addressed equitable distribution, and what the incremental cost would be to scale the River Road site to 42 units and build 20 at the Municipal Building site. Mayor Kelly said the impact of that alternative will be investigated.

14. Elaine Davis, 822 River Road, said that at a recent Township Committee meeting, Deputy Mayor Ness had made reference to a recent traffic study. Mrs. Davis asked if the traffic study was conducted by Morris County or if reference was being made to a Traffic Impact Assessment conducted by Dynamic Traffic of Chester. Deputy Mayor Ness said that she was referencing a traffic study conducted by the Chatham Township Police Department, which was done at the request of Morris County. Mrs. Davis said that Deputy Mayor Ness described Chatham as a pass-through community with a lot of traffic from out-of-town, and said that the question remained unanswered about traffic studies pertaining to Affordable Housing. Mrs. Davis said that she examined the traffic study conducted by the Traffic Impact Assessment conducted by Dynamic Traffic, and the date of the study was close to Thanksgiving which may have skewed the data. Mrs. Davis also shared data regarding traffic accidents on River Road.
15. Allan Aprea, 24 Chestnut Road, said that he has lived in Chatham since 1964, and this is the first time he felt compelled to attend a public meeting. Mr. Aprea said that he is glad the decision to use the Municipal Building site for Affordable Housing was revisited, however the problem seems to have simply been moved to another location. He said that there appears to have been an obfuscation of facts leading to the decisions regarding Affordable Housing, however he supports having Affordable Housing and increased diversity. Mr. Aprea said that the Affordable Housing should be spread equitably around the Township. He also addressed traffic problems in the Township. Mr. Aprea said that he hopes the next round of Affordable Housing will be more transparent.
16. Erin Burgo, 21 Candace Lane, said that suggestions were made to move the Police Department to Meyersville Road, and asked why that will not be done. Mayor Kelly said that there are costs that prevent moving the Police Department to Meyersville Road, and the concept was not well received by the majority of people who spoke about the matter. Mrs. Burgo said that if the Police Department was moved, then more Affordable Housing could be built on Southern Boulevard. She also asked if money will be spent on the Skate Park on its current location. Deputy Mayor Ness said that current plans allow the Skate Park to remain in its current location. Mrs. Burgo said that it does not seem fair to save the Skate Park and build Affordable Housing on Meyersville Road. Deputy Mayor Ness noted that the Skate Park may need to be used for Affordable Housing in the next round. Mayor Kelly addressed the amendment to the wetlands buffer, which affects how many Affordable Housing units could be built at that site. Mrs. Burgo asked how many units could be built on Southern Boulevard, and what the cost per household would be. Committeewoman Ewald said that beyond the cost, there is also the issue of the construction schedule, and the Court would not allow the extension of the schedule.
17. Christina Mott, 22 Nicholson Drive, said that a development fee ordinance was adopted in 2008, however fees were never collected and consequently the Township does not have enough money to fund the multi-site solution that members of the public have requested. Mrs. Mott asked what action is being delayed by the extension to June 19th. Attorney Cruz said that the schedule calls for a compliance hearing at the end of June, by which time the Township needs to be able to demonstrate control of the property and readiness to move forward with the development. He said that the Compliance Period is what has been extended until June. Attorney Cruz said that there will also be a period for developers to go through the Planning Board process. He further explained that at the Compliance Hearing, the Judge will be deciding if the Township's plan is fair to low- and moderate-income families. Mrs. Mott asked if compliance includes the detailed planning discussions. Attorney Cruz said that the Planning Board approvals are not needed by June. However, the Planning Board will need to have a hearing for the Housing Element and Fair Share Plan.
18. Mike Movsoovich, 3 Sycamore Drive, said that people have focused on have smaller clusters of units spread around the Township, however there a lot of challenges to do that. Mr. Movsoovich asked if spreading the Affordable Housing around several sites is the best option. He also commented that property taxes should be reduced for those

landowners whose property values are affected by Affordable Housing. Mr. Movsoovich also commented on the blocking of lanes on busy roads by landscaper trucks, and asked the Township Committee to consider an ordinance to disallow such traffic disruptions.

Attorney Cruz said that the current plan, if approved by the Court, would bring the Township into compliance through July 2025, and the plan essentially covers a 25 year period. He also noted that the time between the present and July 2025 offers an opportunity for State Legislators to be contacted to encourage them to come up with a legislative solution to Affordable Housing that will apply consistently to all municipalities.

Deputy Mayor Ness noted that there has been a lesson learned that the planning process needs to begin much sooner than it did in Chatham Township for the Third Round.

19. Nicole Hagner asked why the Township cannot have a flexible agreement to potentially reduce the number of Affordable Housing units on River Road. Mayor Kelly said that the scoring for tax credits is based on the number of units, and the reduction in units could have a substantial cost to the Township. Ms. Hagner asked if a referendum could be held to determine how much to spend on Affordable Housing. She also noted the speed with which the Arbor Green application was changed. Deputy Mayor Ness noted that the developer was willing to build more units at the Skate Park, and the Township negotiated to lower that number. Ms. Hagner asked about building more Affordable Housing units on Southern Boulevard. Mayor Kelly noted the wetlands buffer that restrains how many units can be built at the site.
20. Mike Oien said that the loss of State funding is not a big factor. He also asked why the Township has until mid-June to buy property for Group Homes but not to buy property for the 64 units. Mayor Kelly said that the land for the 64 units will require a lot more preparation, whereas the Group Homes are a much simpler option. Mr. Oien commented on the costs of moving the Police Department to Meyersville Road so as to open up space for more units on Southern Boulevard. He also opined that a multi-site solution would not be cost much more than the current proposal. Mr. Oien also asked for more public input in the process. Administrator Hoffmann commented on the tax credits, and said that they apply to the overall cost, not just the construction cost. He said that the numbers will be presented to the public at a future meeting. Committeewoman Ewald noted that the tax credit is not an interest rate.
21. Dan Miller said that the sewer capacity reserve for Green Village was taken away, limiting the area to having only septic systems. He also stated that the development fee ordinance is a burden on residents. Mr. Miller also addressed the potential impact that the Affordable Housing will have on property values on River Road, and suggested that tax breaks be granted to those property owners who are impacted. Mayor Kelly said that the Township is committed to minimizing the impact of the affordable housing development. He also said that the Township Committee is cognizant of the concerns that Mr. Miller raised. Mayor Kelly further said that if a property value decreases, he has confidence that the Tax Assessor will make the appropriate adjustments to the property's tax assessment.
22. Peter Nigro said he is not sure how much thought went into the potential traffic impact that the 62 units will have on River Road. He noted that new traffic lights might be needed, and pointed out that the proposed development would only have one point of ingress/egress. He also asked why the 30-acres on Hillside Avenue cannot be used.
23. Dennis Williams, 414 River Road, suggested that the Township Committee begin the process over and find a different site. He said that the Affordable Housing units are unwanted on River Road.
24. Smitha Raghuvver, 30 Candace Lane, asked about the potential impact of the Affordable Housing on the School District and if a study was conducted. Mayor

Kelly said that a study was performed. He said that the School District recently conducted a study that projected a decline in enrollment, noting that this study did not factor in the Affordable Housing. Mrs. Raghuveer asked if the new elementary students would attend Southern Boulevard School. Mayor Kelly said that the School District would make decisions regarding districting. Deputy Mayor Ness noted that there is currently only one student living in Rose Valle. Mayor Kelly said that the School District's study is posted on their website. Mrs. Raghuveer asked if other towns had been surveyed. Committeewoman Swartz said that other municipalities were looked at when studies were conducted.

25. Willa Carlson, 471 River Road, said that there are currently flooding issues on River Road due to drainage from the ridge. She also said that the Passaic Avenue Bridge leading into New Providence is sometimes closed due to road flooding. Mrs. Carlson said that the development of the Affordable Housing units will increase the amount of drainage onto River Road. She also said that the Master Plan states that there should not be a conflict with the general welfare of neighboring municipalities. Committeewoman Swartz noted that the Passaic Avenue Bridge is going to be replaced this spring. Mrs. Carlson asked why wetlands trump steep slopes in terms of environmental protection. Mayor Kelly said that the Township had the same question, and stated that the State will sooner allow development of Affordable Housing on a steep slope than on wetlands. He also noted the Township's commitment to minimize the impact of the proposed development. Mrs. Carlson said that the removal of trees at the site will result in significantly increased drainage. Mrs. Carlson also addressed traffic concerns on River Road, and asked how traffic issues will be alleviated. Mrs. Carlson further stated that she read in the Master Plan about the environmental protections that the Township should be taking, including the enacting of regulations that prohibit development of steep slopes.
26. Paul Carlson, 471 River Road, commented on the amount of truck traffic on River Road, noting that truck drivers are ignoring the weight limit and are avoiding traffic lights on Springfield Ave in New Providence. Mr. Carlson asked if the Police Department can increase enforcement and reduce the number of trucks, and noted a conversation he had with an officer.
27. Diana Clark, 803 River Road, said that she has been a US Citizen for 44 years and a Chatham resident for 20 years. Mrs. Clerk noted that she owns a modest house, and she plans to live there for the rest of her life. Mrs. Clark further commented on traffic concerns at the intersection of Fairmount Avenue and River Road, and said that she was told by the Police Chief that a traffic light would lead to more accidents. Mrs. Clark also asked about the tax credits in relation to the number of units. Mayor Kelly said that the 9% tax credits are desirable to help finance the development, and there is a scoring system for the applications. He said that the Township will get a lower score for fewer units. Mrs. Clark said that it is a distraction to discuss the stress of school impacts from Affordable Housing, and she noted that development will be happening regardless of the Affordable Housing.
28. Mike Oien said that he is bothered by the Township's defense of the Dixiedale development. He stated that there are 37 students from Chatham Glen. Mr. Oien discussed the real estate value of those units and the corresponding financial support for the School District. He also said that there will not be a significant impact on the School District from the Dixiedale development and the Affordable Housing. Mr. Oien asked why Dixiedale is a good deal, and said he thinks it was a bad deal. Mayor Kelly disagreed, stating that it was a good deal. He also said that the property could have had 17 single-family homes, which he thinks would be a bad deal. He also described the process by which the zoning was changed for Dixiedale, and said that the set-aside is higher than what would normally be required. Mr. Oien also alleged that the Township gave away the Dixiedale property. Committeewoman Swartz pointed out that Dixiedale was private property being sold in a private transaction, and noted that the Chatham Glen condominiums used to be part of the Dixiedale property. Committeewoman Swartz noted that the seller of the Dixiedale property sought to mitigate the potential development of the site. Mr. Oien asked why the Dixiedale developer did not satisfy the Affordable Housing component on-site. He

also alleged that the developer was let off the hook. Mayor Kelly said that the developer is building more Affordable Housing units than they are required to do. Mr. Oien said that the Dixiedale site could have been further developed.

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

Committeewoman Swartz moved to adjourn at 10:43 PM. Mayor Kelly seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk