

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
APRIL 11, 2019**

Mayor Selen called the Regular Meeting of the Township Committee of the Township of Chatham to order at 7:31 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, 2019; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 4, 2019; and notice was filed with the Township Clerk on January 4, 2019.

Mayor Selen asked Chatham High School Freshman Madeline Boland to lead the flag salute.

Roll Call

Answering present to the roll call were Committeewoman Ness, Committeewoman Swartz, Committeeman Ritter, Deputy Mayor Kelly and Mayor Selen.

Approval of Agenda

The agenda was approved as written.

Proclamation – Local Government Week

Mayor Selen read aloud the attached proclamation for Local Government Week.

Reports

Committeewoman Swartz reported that the Chatham Township Fire Department will be hosting their annual Easter Egg Hunt at the Southern Boulevard Firehouse on April 14th. She further reported that the Green Village Fire Department will be hosting a shred event on the morning of April 13th, and the cost is \$5 per bag. Committeewoman Swartz also reported that a local Girl Scout Troop raised money to send approximately 200 boxes of cookies to US troops in Afghanistan, and the postage is being covered by the Green Village Fire Department Auxiliary. Committeewoman Swartz also gave an update on a recent meeting with PSE&G regarding the maintenance of the electric transmission line right-of-way, and they have apologized for not properly noticing residents before the work began. Committeewoman Swartz provided information regarding PSE&G's plan to mitigate stormwater drainage. She also reported on work to be performed by JCP&L to remove hemlock trees by Cougar Field, and said that the trees were removed by Morris County.

Committeewoman Ness reported that the Environmental Commission hosted a Cleanup Day at the Green Village Pond Area. She thanked ShopRite, Chatham Disposal and the Department of Public Works for their donations and support. The Environmental Commission will also be holding a tree seedling giveaway event. Committeewoman Ness also provided an update on the recycling program. Committeewoman Ness also reported that Paul Anello is stepping down from the Chatham Joint Recreation Advisory Committee. Anyone interested in serving on the Recreation Advisory Committee can reach out to the Township Clerk or a Township Committee member for leadership form.

Committeeman Ritter asked about recycling fees charged to the Township. Administrator Hoffmann said that the expectation that the Township will be billed approximately \$29,000 for 2018, and that fee will increase to somewhere between \$40,000 and \$50,000 for 2019. Administrator Hoffmann noted that the fees were implemented because China is no longer accepting recyclables from the United States. Committeeman Ritter noted that the recycling program is a money-losing program. Administrator Hoffmann said that the Township will have to review the options for the recycling program.

Deputy Mayor Kelly reported that the contract with City Connections is being renewed for website maintenance, and the Communications Committee is working on website updates. He also reported that the franchise agreement with Comcast is up for renewal.

Administrator Hoffmann reported that the Township has received a AAA rating from Moody's, which attests to the Township's sound financial management. He noted that fewer than 5% of New Jersey municipalities have received a AAA rating, and this rating results in lower interest payments when the Township goes out to bond. Administrator Hoffmann further reported that the Township will be issuing an RFP for concession services at Colony Pool for 2019.

Administrator Hoffmann also reported that April is Community College Month. He said that he recently visited the County College of Morris, and he made a pitch for a partnership regarding internships. Notices for summer employment will be posted soon. Committeewoman Swartz asked about summer camp enrollment. Administrator Hoffmann said he will send the data to the Township Committee once he has a chance to look it up.

Mayor Selen acknowledged Dot Stillinger's leadership of the Environmental Commission and the Cleanup Day. He also noted the AAA rating. Mayor Selen also reported that Colony Pool membership registrations are now available.

Hearing of Citizens

Mayor Selen opened the Hearing of Citizens.

1. Christine Baird, 375 Fairmount Avenue, spoke in favor of a proposed sidewalk on Fairmount Avenue, and said that it will help children walk to school. She also suggested that work be done on the intersection of Fairmount Ave and Southern Boulevard to make it less dangerous.
2. Dan Miller, 465 Green Village Road, said that it is wrong to have zoning limitations. He said that the average selling price of a home in Green Village is lower than in other areas of Chatham Township, and additional zoning restrictions will lower resale value. Mr. Miller also commented on transparency, and said that time limits on the Hearing of Citizens will inhibit engagement with citizens.
3. Sejal Shah, 14 Tree Top Lane, asked about the results of a survey conducted by Committeeman Ritter about commuter options. Committeeman Ritter said that the results are being analyzed by TransOptions.
4. Madeline Boland, Fairmount Avenue, spoke in favor of having the proposed sidewalk installed on Fairmount Avenue, as there are a lot of school-age children residing on that stretch. Ms. Boland also said that the sidewalk would serve a recreational purpose, as it would allow people to more safely walk their dogs and to walk to the Red Brick Schoolhouse.
5. Christa Garubo, 369 Fairmount Ave, said that having a sidewalk would positively change their neighborhood. She noted the extent to which traffic backs up at the intersection of Fairmount Ave and Southern Boulevard, and the safety hazard which the traffic presents. Mrs. Garubo asked the Township to move forward with the sidewalk project. She also complimented Ms. Boland on addressing the Township Committee. Committeeman Ritter asked if the school bus that picks up Mrs. Garubo's children blocks oncoming traffic to create safer crossing. Mrs. Garubo said that the bus pulls over to the side, and sometimes traffic attempts to pass the bus. She also suggested the installation of a turning lane on the southbound lane of Fairmount Avenue.

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

Public Hearing/Final Adoption of Ordinances

Ordinance 2019-05

ORDINANCE 2019-05
AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, ESTABLISHING POOL MEMBERSHIP FEES FOR COLONY RECREATION CENTER COMMENCING 2019

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Section 20-1 of the Township Code is hereby amended to read as follows:

1. **20-1 POOL MEMBERSHIP FEES AT THE COLONY RECREATION CENTER.**

a. The following schedule of Colony Recreation Center Fees for Pool Membership is hereby established:

Chatham Township Resident Rates	
Family – includes parent(s) and children under 23 years old	\$500
Couple	\$385
Individual – 14 years and older	\$250
Senior Citizen – 62 or older	\$50
Senior Citizen couple – one must be 62 or older	\$100
Babysitter/nanny/parent helper (must accompany family member)	\$100
Adult twilight daily fee (4:30 P.M. until closing) (Township Residents only)	\$5
Non-Resident Rates	
Family – includes parent(s) and children under 23 years old	\$650
Couple	\$525
Individual – 14 years and older	\$300
Senior Citizen – 62 or older	\$50
Senior Citizen couple – one must be 62 or older	\$100
Babysitter/nanny/parent helper (must accompany family member)	\$150
Daily Guest – accompanied by Member	\$10

No refunds will be made after opening day.

b. *Reduced Fees for Emergency Response Organization Volunteers.* Active members of the Chatham Emergency Squad, Green Village Volunteer Fire Department, and Chatham Township Volunteer Fire Department, who are eligible for the Length of Service Award Program (LOSAP), shall be entitled to a fifty (50%) percent reduction in the fee for the appropriate pool membership category listed above.

2. The Township Administrator, in consultation with the Colony Recreation Center liaison, may authorize special promotional events and offer special discounts to promote Colony Recreation Center membership.

3. This ordinance shall take effect as provided by law.

Mayor Selen opened the Public Hearing on Ordinance 2019-05.

1. Dan Miller said that he did not see anything in the ordinance offering a discount for first responders or the disabled. Administrator Hoffmann said that a 50% discount for those first responders eligible for LOSAP is part of the ordinance. The ordinance as introduced does not offer a discount for the disabled, but Administrator Hoffmann said that an apparatus has been acquired to make the pool more accessible. Mr. Miller suggested that the disabled not be charged for Colony Pool.

Seeing no further comment, Mayor Selen closed the Public Hearing.

Committeewoman Swartz moved to adopt Ordinance 2019-05. Committeewoman Ness seconded the motion.

Roll call: Committeewoman Ness, Aye; Committeewoman Swartz, Aye; Committeeman Ritter, Aye; Deputy Mayor Kelly, Aye; Mayor Selen, Aye.

Ordinance 2019-06

ORDINANCE 2019-06
AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE PROVISIONS FOR THE FUNDING OF OPEN SPACE ACQUISITION

WHEREAS, the Township Committee of the Township of Chatham wishes to reduce the tax levy for the contribution to the Open Space Reserve as set forth at Chapter 2, Article VIII, Section 2-75, Open Space Trust Fund for the tax year 2019;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the Revised General Ordinances of the Township of Chatham, are amended to provide for modifications to Chapter II, Subsection 2-75.2, Funding of the Reserve for Open Space Acquisition, as follows:

1. 2-75.2 Funding of the Reserve for Open Space Acquisition.

The Reserve for Open Space Acquisition shall be funded through the dedication to the fund of an amount of one (\$.01) cent per one hundred (\$100.00) dollars of assessed valuation for the tax levy for the year 2019. The Reserve shall also be permitted to accept donations and testamentary bequests. The funds accumulated within the Reserve may be utilized for the acquisition of land, easements, or development rights in land within the Township, including use for active and passive recreation, the development and maintenance of municipal properties to be used for active and passive recreation, or as a down payment for the issuance of bonds for the same purposes at the discretion of the Township Committee. Any and all interest accruing on said funds shall be placed into the Reserve for Open Space Acquisition. Unless the Township Committee takes further action, the annual tax levy for the Reserve for Open Space Acquisition shall return to two (\$.02) cents per hundred (\$100.00) dollars of assessed valuation commencing with the tax levy for the year 2020.

2. All other provisions of Chapter II, Article VIII, Section 2-75, shall remain unchanged.

3. This ordinance shall take effect as provided by law.

Mayor Selen opened the Public Hearing on Ordinance 2019-06.

1. Dan Miller said that the Open Space Tax should be kept at \$0.02 per \$100 so that connections can be made between the existing open space properties.

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

Committeeman Ritter proposed that the Township Committee leave the tax a \$0.02 per \$100. He also said he spoke with the Open Space Committee Chairman, who supports leaving the tax at \$0.02 per \$100. Deputy Mayor Kelly said that not adopting this ordinance would cause a delay in the adoption of the 2019 Budget. Administrator Hoffmann said that the Budget would have to be amended and re-advertised. Committeewoman Ness asked what the impact would be on the overall tax rate. Mayor Selen said that he is against raising taxes. Committeeman Ritter encouraged fiscal prudence by having the tax remain at \$0.02. Deputy Mayor Kelly spoke in favor of lowering the tax to \$0.01. Administrator Hoffmann described the process for amending the Budget if necessary. Committeeman Ritter suggested having the tax only be lowered to \$0.015.

Committeeman Ritter moved to adopt Ordinance 2019-06. Deputy Mayor Kelly seconded the motion.

Roll call: Committeewoman Ness, Aye; Committeewoman Swartz, Aye; Committeeman Ritter, Nay; Deputy Mayor Kelly, Aye; Mayor Selen, Aye.

Introduction of Ordinances

Ordinance 2019-07

ORDINANCE 2019-07

ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, ACCEPTING DEED OF CONSERVATION EASEMENT FROM GOLDEN RIVER HOMES, LLC, FOR A CONSERVATION EASEMENT ON AND OVER LOT 16 IN BLOCK 61 AS SHOWN ON THE TOWNSHIP OF CHATHAM TAX MAP AND COMMONLY KNOWN AS 11 SUNSET DRIVE

WHEREAS, Golden River Homes, LLC, is the owner in fee of real property located at 11 Sunset Drive and designated on the Township of Chatham Tax Map as Lot 16, Block 61 (“Property”); and

WHEREAS, approval was granted to Golden River Homes, LLC, by the Township of Chatham Board of Adjustment to build a single family house with variances on the Property as memorialized by Resolution BOA17-61-16, adopted June 21, 2018, and Golden River Homes, LLC, agreed to subject a portion of the Property to a conservation easement in recognition of environmental values and consistent with the requirements and purposes of the Township Land Development Ordinance.

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

Section 1. The attached Deed of Conservation Easement is hereby accepted.

Section 2. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 3. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect according to law.

Attorney Cruz explained that the Board of Adjustment approved a variance application, and one of the conditions of approval was that a conservation easement be granted to the Township. He said that ordinance includes a description of the property.

Engineer Ruschke said that the variance was for steep slopes, and a portion of that area is being preserved. The lot is otherwise a normal lot in the R-3 Zone. Committeewoman Swartz asked about the variances, and if the variances only apply to the buildable area. Engineer Ruschke said that the variance applies to the proposed area of development. Committeewoman Swartz noted that this is an example of a builder being responsible and trying to do right by the Township.

Committeewoman Swartz moved to introduce Ordinance 2019-07. Committeewoman Ness seconded the motion.

Roll call: Committeewoman Ness, Aye; Committeewoman Swartz, Aye; Committeeman Ritter, Aye; Deputy Mayor Kelly, Aye; Mayor Selen, Aye.

Public Hearing on Ordinance 2019-07 will be scheduled for April 25, 2019.

Consent Agenda

RESOLUTION 2019-095

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 \$1,752,800.87 and the prior month’s payroll of \$436,849.81 Current Fund, \$47,242.21 Sewer No. 1, \$10,955.28 Sewer No. 2, and \$16,707.58 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of April 2019, in the amount of \$3,141,151.00 be paid.

RESOLUTION 2019-096

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 March 28, 2019.

RESOLUTION 2019-097

**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 March 28, 2019.

RESOLUTION 2019-098

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING TAX AND SEWER
LIEN**

WHEREAS, due to payment by property owner of the lien amount, a redemption of a tax and sewer lien is appropriate; and

WHEREAS, the Tax Collector has recommended the refund of such tax and sewer lien.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following refund be made as indicated:

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
84	11	Lienholder: Skyfall Capital, LLC 184 S. Livingston Ave Ste 9-152 Livingston, NJ 07039 Certificate #13-00005 Larkey, Robin & Tracy 104 Pine St	\$223,167.26 Certificate

RESOLUTION 2019-099

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING OVERPAYMENT OF
TAXES**

WHEREAS, an overpayment of property taxes has been made for the following properties; and

WHEREAS, the Tax Collector has recommended the refund of such overpayment,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following refunds be made:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
31	12	Caprarola, Joseph A. 70 Ormont Road Chatham Township, New Jersey 07929	\$3,040.95 1 st Quarter 2019 Overpayment of Taxes
65.03	5.01	Brickman, Lee D. 56 Canterbury Road Chatham Township, New Jersey 07928	\$356.97 3 rd Quarter 2019 Overpayment of Taxes

RESOLUTION 2019-100

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, NEW JERSEY, DESIGNATING A \$9,161,839 BOND
ANTICIPATION NOTE, DATED APRIL 9, 2019 AND PAYABLE APRIL 9, 2020, AS A
"QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE
INTERNAL REVENUE CODE OF 1986, AS AMENDED.**

WHEREAS, the Township of Chatham, in the County of Morris, New Jersey (the "Township"), intends to issue a \$9,161,839 Bond Anticipation Note, dated April 9, 2019 and payable April 9, 2020 (the "Note"); and

WHEREAS, the Township desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code");

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

SECTION 1. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) the Note is not a "private activity bond" as defined in the Code and (2) the Township and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2019.

SECTION 3. It is further determined and stated that the Township has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2019.

SECTION 4. The Township will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Township does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 5. The issuing officers of the Township are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2019 dated as of the date of delivery of the Note.

SECTION 6. This resolution shall take effect immediately upon its adoption.

RESOLUTION 2019-101

**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 Al Fisch is hereby appointed to serve as the Plumbing Sub-code Official for the Township of Chatham effective May 1, 2019 under a services contract. Billing shall be monthly for actual hours worked at a rate as set forth in the Salary Resolution.

RESOLUTION 2019-102

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP
ADMINISTRATOR TO INTERVIEW AND SELECT A TOWNSHIP DOCTOR AND
ALTERNATE DOCTOR**

WHEREAS, there are occasions when the Township requires the services of a doctor to conduct physicals so employees can return to work; and

WHEREAS, these services are not covered by the Morris County Joint Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, New Jersey that the Township Administrator is authorized to interview and select a Township Doctor and an Alternate Township Doctor to provide these services.

RESOLUTION 2019-103

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING A CONTRACT FOR WEBSITE DEVELOPMENT AND MAINTENANCE WITH
CITY CONNECTIONS**

WHEREAS, the Township of Chatham wishes to enter into an updated professional services agreement with our long-time partner City Connections, LLC for the development, storage and maintenance of the Township website; and

WHEREAS, the City Connections, LLC submitted a proposal for a contract period from December 17, 2018 to December 16, 2019; and

WHEREAS, the contract is in the amount of \$7,920.00.

NOW, THEREFORE, BE IT RESOLVED that the Township of Chatham hereby authorizes the entering of a contract with City Connections, LLC in the base amount of \$7,920.00 with additional services as outlined in their proposal for a one year term commencing December 17, 2018, and hereby authorizes the Mayor, Clerk and Township Administrator to execute all necessary documentation to effectuate the contract.

RESOLUTION 2019-104

**A RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
AUTHORIZING THE MAYOR, ADMINISTRATOR AND CLERK TO SIGN APPLICATIONS**

FOR DEVELOPMENT OF THE SKATE PARK A/K/A ARBOR GLEN AT CHATHAM FOR TWENTY-FOUR (24) LOW AND MODERATE INCOME RESIDENTIAL HOUSING UNITS

WHEREAS, the Township of Chatham is the owner of Lot 117.27, Block 48.16 as shown on the Township Tax Map ("Property"); and

WHEREAS, the Township designated a portion of the Property for the construction of twenty-four (24) low and moderate income residential units ("Development"); and

WHEREAS, the Township designated a portion of the Property as an area in need of non-condemnation redevelopment, adopted a Redevelopment Plan, and designated a Redeveloper; namely, Southern Boulevard Urban Renewal, LLC ("Southern Boulevard"); and

WHEREAS, Southern Boulevard, as the designated Redeveloper of a portion of the Property, will obtain all necessary approvals to construct the Development in accordance with law; and

WHEREAS, Southern Boulevard will periodically need to apply to governmental agencies or utilities for approvals or permits to build the Development; and

WHEREAS, these governmental agencies include but are not limited to: Township Planning Board, County of Morris Planning Board, Morris County Soil and Sediment Control, New Jersey Department of Environmental Protection and utilities including but not limited to: New Jersey American Water Company; and

WHEREAS, before those Applications are filed, the Township Administrator, Attorney and Engineer will review each Application; and

WHEREAS, the Township's consent is required before these Applications are filed, which consent shall be evidenced by the signature of the Mayor, Administrator or Clerk; and

WHEREAS, the Township's consent to the submission of an Application should not be construed as an approval of the plans as submitted and are subject to change, modification or revision based ultimately upon the approval of the Township Planning Board for the Development; and

WHEREAS, conditions imposed by any of these governmental agencies or utilities are subject to acceptance and approval by the Township and may require further change, modification or revision to the Application.

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

1. All of the above recitals are incorporated into this section as if set forth at length.
2. That the Mayor, Administrator and Clerk are hereby authorized to sign those Applications for development of a portion of the Property for twenty-four (24) low and moderate income residential units.
3. That any consent of the Township should not be construed as an approval of the plans as submitted and are subject to change, modification or revision based upon the ultimate approval of the Township Planning Board for the Development.
4. Conditions imposed by any governmental agency or utility are subject to acceptance and approval by the Township and may require a change, modification or revision to the application.
5. Southern Boulevard Urban Renewal, LLC, by the submission of an application to the Township for consent accepts the terms and conditions of this Resolution.
6. That a certified copy of the Resolution be forwarded by the Clerk to Southern Boulevard Urban Renewal, LLC.
7. This Resolution shall take effect immediately.

Committeewoman Swartz asked how many doctor visits the Township has had historically to warrant selection of a Township doctor. Administrator Hoffmann said he does not have the historical data, however this appointment would be to have employees examined to be sure they are ready to return to work following injuries.

Deputy Mayor Kelly asked about Resolution 2019-104. Attorney Cruz explained that it is related to affordable housing development at the Skate Park. This resolution was triggered by a wetlands permit application.

Deputy Mayor Kelly moved to approve the Consent Agenda. Committeewoman Ness seconded the motion.

Roll call: Committeewoman Ness, Aye; Committeewoman Swartz, Aye; Committeeman Ritter, Aye; Deputy Mayor Kelly, Aye; Mayor Selen, Aye.

Discussion

Lot Grading Fees

Engineer Ruschke explained proposed updates to the lot grading ordinances. Committeewoman Swartz asked how many demolitions occur that do not need a lot grading plan. Engineer Ruschke said that they will usually disturb enough land to warrant a lot grading plan. Engineer Ruschke also proposed that the review fee be raised to be consistent with the amount of time it takes to review a lot grading plan. He noted that the fee is consistent with the time spent on the review, and described the amount of time that goes into the review and inspections. Committeewoman Ness asked if as-built surveys are required to be submitted. Engineer Ruschke said that the fee would remain the same whether or not the foundation changes, but a foundation location survey is required when a new foundation is built. He also noted that he reviews the plans from a zoning perspective. Engineer Ruschke further noted that his proposed changes have not yet gone through legal review. He also addressed stormwater mitigation, and said that development reduces stormwater on neighboring properties.

Technology Advisory Committee

Mayor Selen said that he would like to form a committee to develop a technology master plan and to address cyber-threats. Committeeman Ritter asked what the purpose of the committee would be. Mayor Selen reiterated that it would be to develop a technology master plan and to address cyber-threats, and welcomed any additional thoughts. Committeeman Ritter asked what service this committee would provide that is not already handled by the Township's professional IT service vendors. Administrator Hoffmann said that he would like to see a master plan developed to ensure that Township resources are being spent wisely, and he would like to have input from technology professionals to assess future threats.

Committeewoman Swartz raised a concern that the proposed committee would not be held subject to the Open Public Meetings Act. Attorney Cruz explained that advisory committees are not subject to the Open Public Meetings Act. He also warned that cyber-security issues would be exempt from public discussion.

Committeewoman Ness commented that this committee could look into ways to reduce paperwork by automating forms.

Committeeman Ritter asked about the terms of appointments. Attorney Cruz said that the initial terms would be staggered, and they would subsequently be three year terms. Committeeman Ritter asked why they would be appointed by the Mayor instead of the full Township Committee. Attorney Cruz said that is a policy decision to be made by the Township Committee. Mayor Selen indicated that the office of Mayor can be filled by a different Township Committee member every year. The Township Clerk indicated that other advisory committees are appointed by the whole Township Committee. Committeewoman Ness opined that it would be best to have the whole Township Committee make the appointments.

Committeewoman Swartz asked about the term "master plan," and asked that it not be confused with the Master Plan regarding land use. Administrator Hoffmann said that this plan would provide a framework for protecting and using technology.

Committeewoman Swartz opined that the committee would be an additional layer of government. Mayor Selen said that it would be an additional level of engagement with resident volunteers, and noted that the committee would be advisory.

Committeeman Ritter asked about the appointment of a Township employee as a member of this committee and asked if they would be expected to serve as a volunteer.

Administrator Hoffmann suggested that the topic be revisited at a future meeting based on the input received.

Committeeman Ritter suggested that an advisory committee be created by resolution rather than by ordinance so that it will no longer exist after December 31st.

Fairmount Avenue Sidewalk Extension Project Grant

Administrator Hoffmann reported that the Township received a \$219,000 grant from the NJDOT for a Fairmount Avenue Sidewalk Extension Project, and the application had been for \$250,000. He said that the Township has two years to award a contract for the project. Administrator Hoffmann also said that it is a matching grant.

Engineer Ruschke said that it is not a 50/50 grant, and the Township usually requests 80% of the anticipated construction cost. He also noted that the work is anticipated to be performed in 2020.

Committeeman Ritter asked if the project could be scheduled for 2019. Administrator Hoffmann said that a budget amendment would be necessary, and perhaps the project could be bid in the late summer. Committeewoman Swartz said that the County would need to be consulted before any safety modifications are made to the intersection of Fairmount and Southern.

Committeewoman Swartz asked about potential drainage improvements during the sidewalk project, and special assessments for the property improvements.

Engineer Ruschke said that the project will ideally be a summer project so as to minimize traffic impact.

Committeewoman Swartz asked if pending sidewalk projects are disclosed during real estate transactions. Committeewoman Ness said that it is disclosed if the information is available.

Time Limits for Public Comment

Administrator Hoffmann said that he had asked why the three minute time limit was not being enforced after he first observed a Township Committee meeting. Committeeman Ritter said that the limit has not been enforced during his time on the Township Committee, and he opined that residents should be allowed to speak as long as they wish regardless of how late the meeting may run. Committeewoman Swartz added that non-residents have sometimes come from far away to address issues, and opined that it would be unfair to impose limits.

The Township Clerk noted that under the current bylaws, the Mayor has discretion to extend the time limits. He also noted that the bylaws prohibit new business after 11:00 PM and require meetings to end at midnight. Attorney Cruz suggested that the clause giving discretion to the Mayor be removed, with the goal being uniformity for all speakers. Committeeman Ritter suggested that the time limit be set at 5 minutes. Attorney Cruz also suggested that the 30 minute limit on Hearing of Citizens be removed. Administrator Hoffmann spoke in favor of treating all speakers consistently.

Attorney Cruz said that amended bylaws will be prepared for the next Township Committee meeting.

Hearing of Citizens/Petitions

Mayor Selen opened the Hearing of Citizens.

1. Dan Miller said that the Township Committee serves at the behest of the public. He suggested that mayoral discretion be preserved in the bylaws regarding Hearing of Citizens for when hot topic issues are being addressed. Mr. Miller also asked that the Township Committee remain engaged with residents during meeting, and he spoke in favor of maintaining transparency.
2. Christine Baird asked if there is any chance that the Township would not accept the grant for the Fairmount Avenue Sidewalk Extension Project. Attorney Cruz said that the Township has two years to carry out the grant or it would be forfeited. Committeewoman Swartz asked who has authority to decide to not act on the grant. Attorney Cruz said that authority rests with the Township Committee, and the

Township Committee would also need to make the requisite additional appropriations to carry out the project. Mrs. Baird asked if the funds could be used for improvements at the intersection. Attorney Cruz said that Township would be bound by the grant application. Engineer Ruschke said that a crosswalk would be installed. Committeeman Ritter suggested to Mrs. Baird that she and her neighbors who support the sidewalk project continue to speak in favor at Township Committee meetings.

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

Executive Session

**RESOLUTION 2019-P-05
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: In the Matter of the Township of Chatham for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan Docket No. MRS-L-1659-15
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 Swartz moved to adopt Resolution 2019-P-05 to enter Executive Session at 10:39 PM. Deputy Mayor Kelly seconded the motion.

Roll call: Committeewoman Ness, Aye; Committeewoman Swartz, Aye; Committeeman Ritter, Aye; Deputy Mayor Kelly, Aye; Mayor Selen, Aye.

The Township Committee returned from Executive Session and the meeting was adjourned at 12:00 AM.

Gregory J. LaConte
Municipal Clerk