

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE AGENDA
JUNE 25, 2020
June 23, 2020 Draft

IN ORDER TO COMPLY WITH THE EXECUTIVE ORDERS SIGNED BY THE GOVERNOR, AND IN AN EFFORT TO FOLLOW BEST PRACTICES RECOMMENDED BY THE CDC, THE TOWNSHIP OF CHATHAM WILL LIMIT THE PUBLIC FROM PHYSICALLY ATTENDING THE TOWNSHIP COMMITTEE MEETING TO BE HELD ON JUNE 25, 2020. PARTICIPATION FOR THIS MEETING WILL BE OFFERED ELECTONICALLY OR BY TELEPHONE FOR MEMBERS OF THE PUBLIC. THE MEETING WILL ALSO BE TELEVISED ON COMCAST 29 AND FIOS 26. TO VIRTUALLY ATTEND THIS MEETING, VISIT THE FOLLOWING WEBSITE OR ENTER THE FOLLOWING MEETING ID:

Please click the following to join the webinar: <https://us02web.zoom.us/j/83920260052>

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For Phone Users, to Raise Hand during Public Hearing, press *9.

Meeting Called to Order at 4:30 PM

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 June 12, 2020; notice was posted on the bulletin board in the main hallway of the Municipal Building on June 12, 2020; and notice was filed with the Township Clerk on June 12, 2020.

Flag Salute

Roll call

Approval of Agenda

Executive Session – Resolution 2020-P-16

1. 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

Return to Public Session at 5:30 PM

Reports:

Consent Agenda

1. Resolution 2020-147 Receipt of Reports
2. Resolution 2020-148 Approving Meeting Minutes
3. Resolution 2020-149 Approving Executive Session Minutes
4. Resolution 2020-150 Authorizing Grant Application for Noe Avenue Resurfacing
5. Resolution 2020-151 Awarding Contract for Police Third Party Scheduling Vendor
6. Resolution 2020-152 Awarding Contract to Gramco for A/V Upgrades
7. Resolution 2020-153 Authorizing Copier Lease
8. Resolution 2020-154 Authorizing Contract for E-Ticketing Software

*In accordance with the Open Public Meetings Act, items to be discussed in Executive Session will be made public as soon as known.

9. Resolution 2020-155 Amending 2020 Budget Clean Communities Grant
10. Resolution 2020-156 Accepting Green Acres Funds
11. Resolution 2020-157 Fire Sub-Code Official's Hours

Public Hearing/Final Adoption of Ordinances

1. Ordinance 2020-07 Bond Ordinance for Purchase of 76 Southern Blvd (Group Home)
 2. Ordinance 2020-08 Bond Ordinance for Purchase of 587 Fairmount Ave (Group Home)
 3. Ordinance 2020-09 Bond Ordinance for Improvements to Gibbons Place, Block 138 Lot 4 (Group Home)
 4. Ordinance 2020-10 Bond Ordinance for Purchase of 490 River Road, Block 62 Lot 70
 5. Ordinance 2020-11 Rezoning 344 Hillside Avenue, Block 67 Lot 17 and 17.01
 - a. Resolution 2020-146 Reasons Resolution
- Public Hearing on Ordinance 2020-11 will be continued at the July 9, 2020 meeting.

Directions for public participation in Public Hearings are listed above.

Introduction of Ordinances

1. Ordinance 2020-12 Authorizing Conveyance of a Portion Block 48.16, Lot 117.27 to Southern Boulevard Urban Renewal, LLC.

Resolutions

1. Resolution 2020-158 Authorizing the Township Attorney and Engineer to Appear before the Planning Board for a Review of the Subdivision of a Portion of Block 48.16, Lot 117.27

Hearing of Citizens/Petitions Note: This is an opportunity for any member of the public to be heard about issues which are not topics scheduled for Public Hearings tonight. Directions for public participation are listed above.

Adjourn

*In accordance with the Open Public Meetings Act, items to be discussed in Executive Session will be made public as soon as known.

ORDINANCE 2020-07

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR AFFORDABLE HOUSING PURPOSES IN, BY AND FOR THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$600,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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

Section 1. The Township of Chatham, in the County of Morris, State of New Jersey (the "Township") is hereby authorized to acquire real property in, by and for the Township for affordable housing purposes. Said improvement shall include real estate transaction expenses, site improvements and all work, materials and appurtenances necessary and suitable therefor. The property to be acquired has a street address of 76 Southern Boulevard and is designated as Block 69, Lot 15.03 on the Tax Assessment Map of the Township. The Mayor, Township Administrator, Township Clerk and Township Attorney are hereby authorized to take all actions and execute all documents necessary in connection with the acquisition of the real property.

Section 2. The sum of \$600,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$600,000, and (4) \$30,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$570,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$30,000 which is estimated to

be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$30,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purpose. The sum of \$30,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$570,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$570,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell

said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$570,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 12. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the

Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Introduced: April 23, 2020

Adopted:

Attest:

TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY

BY: _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2020-08

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR AFFORDABLE HOUSING PURPOSES IN, BY AND FOR THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$575,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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

Section 1. The Township of Chatham, in the County of Morris, State of New Jersey (the "Township") is hereby authorized to acquire real property in, by and for the Township for affordable housing purposes. Said improvement shall include real estate transaction expenses, site improvements and all work, materials and appurtenances necessary and suitable therefor. The property to be acquired has a street address of 587 Fairmount Avenue and is designated as Block 62.03, Lot 33 on the Tax Assessment Map of the Township. The Mayor, Township Administrator, Township Clerk and Township Attorney are hereby authorized to take all actions and execute all documents necessary in connection with the acquisition of the real property.

Section 2. The sum of \$575,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$575,000, and (4) \$28,750 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$546,250, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$30,000 which is estimated to

be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$28,750, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purpose. The sum of \$28,750 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$546,250 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$546,250 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell

said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$546,250 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 12. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the

Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Introduced: April 23, 2020

Adopted:

Attest:

TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY

BY: _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2020-09

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF IMPROVEMENTS TO MUNICIPAL PROPERTIES AND BUILDINGS IN, BY AND FOR THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$200,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Township of Chatham, in the County of Morris, State of New Jersey (the "Township") is hereby authorized to undertake improvements to municipal properties and buildings in, by and for the Township, including, but not limited to, improvement of municipal property located on Gibbons Place (designated as Block 138, Lot 4 on the Tax Assessment Map of the Township) for affordable housing purposes. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$200,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$200,000, and (4) \$10,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$190,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$35,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$10,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purpose. The sum of \$10,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$190,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$190,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$190,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 12. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Introduced: April 23, 2020

Adopted:

Attest:

TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY

BY: _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2020-10

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR AFFORDABLE HOUSING PURPOSES IN, BY AND FOR THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$680,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Township of Chatham, in the County of Morris, State of New Jersey (the "Township") is hereby authorized to acquire real property in, by and for the Township for affordable housing purposes. Said improvement shall include real estate transaction expenses and all work, materials and appurtenances necessary and suitable therefor. The property to be acquired has a street address of 490 River Road and is designated as Block 62, Lot 70 on the Tax Assessment Map of the Township. The Mayor, Township Administrator, Township Clerk and Township Attorney are hereby authorized to take all actions and execute all documents necessary in connection with the acquisition of the real property.

Section 2. The sum of \$680,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$680,000, and (4) \$34,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$646,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$30,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$34,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purpose. The sum of \$34,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$646,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$646,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$646,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 12. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Introduced: May 14, 2020

Adopted:
Attest:

TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY

BY: _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2020-11

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND SUBSECTION § 30-75.1 ‘ZONE DISTRICTS’ TO INCLUDE A NEW ‘R-3 AFFORDABLE HOUSING RESIDENCES DISTRICT (R-3 AH)’ OF SECTION 30-75 TITLED ‘ZONE DISTRICTS AND ENFOCEMENT’ OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM; TO AMEND SUBSECTION § 30-75.2 TITLED ‘MAP AND SCHEDULE’ OF SECTION 30-75 TITLED ‘ZONE DISTRICTS AND ENFORCEMENT’ OF CHAPTER XXX TITLED ‘LAND DEVELOPMENT’ OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM TO AMEND THE MAP BY DESIGNATING BLOCK 67, LOTS 17 AND 17.01, FRONTING ON HILLSIDE AVENUE, WITHIN THE R-3 AH ZONE; TO AMEND THE SCHEDULE BY ADDING A NEW ‘R-3 AFFORDABLE HOUSING RESIDENCE DISTRICT’; AND TO ADD NEW SUBSECTIONS § 30-79.1 TITLED ‘R-3 AFFORDABLE HOUSING RESIDENCE DISTRICT (R-3 AH) OF SECTION 30-79 TITLED ‘AFFORDABLE HOUSING’ OF CHAPTER XXX, TITLED ‘LAND DEVELOPMENT’ OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM’

WHEREAS, on March 12, 2020 the Township Committee of the Township of Chatham authorized an amendment to the Settlement Agreement with Fair Share Housing Center to provide for a portion of the Township’s affordable housing requirement to be satisfied by the construction of a number of group homes; and

WHEREAS, on May 18, 2020 the Planning Board of the Township of Chatham reviewed a request for a rezoning of Block 67 Lots 17 and 17.01 that would provide for creation of a site for a group home; and

WHEREAS, the Planning Board evaluated this request and recommended that the Township amend the Land Development Ordinance to create a new ‘R-3 Affordable Housing Residence District (R-3 AH) for Lots 17 and 17.01;

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. Amend the list of zones in Subsection § 30-75.1 ‘Zone Districts’ to include a new zone titled ‘R-3 Affordable Housing Residence District (R-3 AH)’

Section 2. Amend Subsection § 30-75.2 Titled 'Map and Schedule' "Appendix III Item 1: Zoning Map" to include Block 67, Lots 17 and 17.01 within a new zone titled ‘R-3 Affordable Housing Residence District (R-3 AH)’

Section 3. Amend Subsection § 30-75.2 Titled 'Map and Schedule' by revising the Schedule of Zoning Requirements to include bulk standards for the R-3 Affordable Housing Residence District (R-3 AH), provided all lots in the R-3 AH Zone shall be served with public water and sewer, as follows:

Zone	Primary Use	Maximum Stories	Height (feet)	Minimum Lot Area (square feet)	Maximum Depth of Meas'mts. (feet)	Minimum Lot Width		Minimum Yards (feet)			Side Yards Combined (I)	Maximum Lot Coverage	
						Street Line (feet)	Setback Line (feet)	Front	Rear	Side		Buildings	Buildings and Impervious Surfaces
R-3 AH	One-Family Dwellings												
## **	Conventional Lot	2 1/2	35	20,000(10)	200	90(7)	100	50(3) 30'	50	15	30%		SECTION 30-78.11

#- Sidewalks shall be required along the entire Hillside Avenue frontage

** - all slope areas of 20% or greater remaining after completion of the grading required for construction shall be included in conservation easements.

Section 4 Add New Subsection § 30-79.1 titled ‘R-3 Affordable Housing Residence District (R-3 AH) to read as follows:

Affordable housing in the R-3 AH Zone: At least 20% of the total number of lots created through subdivision within the R-3 AH Zone, shall be conveyed to either the Township of Chatham or a qualified group home developer or operator at the option of the Township for the construction of affordable housing in the form of a group home for persons with developmental disabilities. The lot is to be conveyed with a foundation pad ready for a ranch home, with utilities available in the street, a sidewalk which lot shall be conveyed to the group home developer or the Township of Chatham for \$1.

Section 5. The Township Clerk is 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 to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities. The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this Section 5 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 6. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Chatham for its review in accordance with the Municipal Land Use Law. As provided in N.J.S.A. 40:55D-26, the ordinance shall be referred to the Planning Board for a Master Plan inconsistency determination and within thirty-five (35) days after referral, the Planning Board shall issue a report determining whether the ordinance is inconsistent with the Township Master Plan.

Section 7. 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 8. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 9. This Ordinance shall take effect immediately upon: (i) 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 Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Introduced: May 29, 2020
Amended: June 11, 2020
Adopted:

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

Attest:

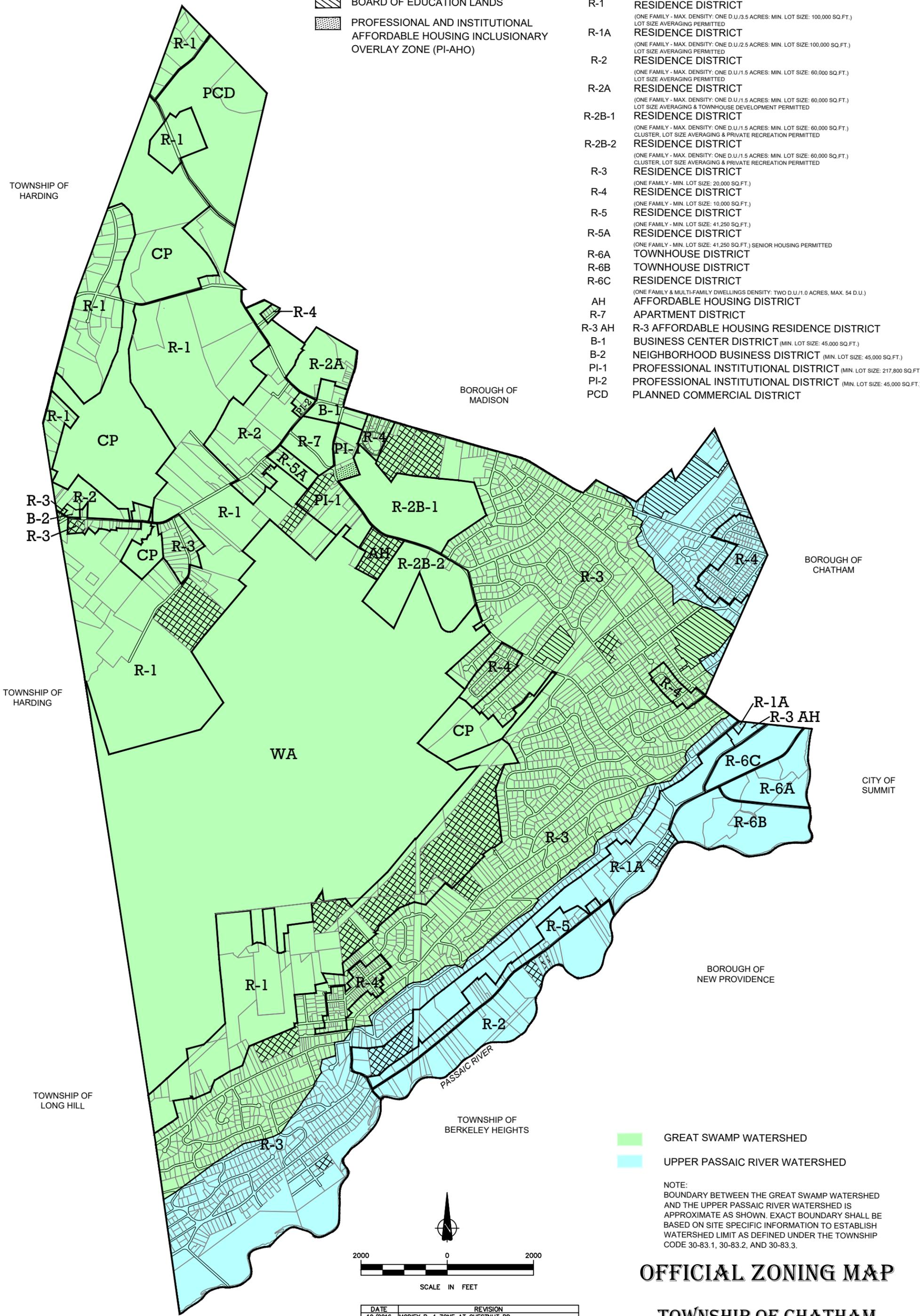
BY: _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

ZONING LEGEND

-  TOWNSHIP LANDS
-  BOARD OF EDUCATION LANDS
-  PROFESSIONAL AND INSTITUTIONAL AFFORDABLE HOUSING INCLUSIONARY OVERLAY ZONE (PI-AHO)

- CP COUNTY PARK
- WA WILDERNESS AREA DISTRICT
- R-1 RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./3.5 ACRES; MIN. LOT SIZE: 100,000 SQ.FT.)
LOT SIZE AVERAGING PERMITTED
- R-1A RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./2.5 ACRES; MIN. LOT SIZE: 100,000 SQ.FT.)
LOT SIZE AVERAGING PERMITTED
- R-2 RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./1.5 ACRES; MIN. LOT SIZE: 60,000 SQ.FT.)
LOT SIZE AVERAGING PERMITTED
- R-2A RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./1.5 ACRES; MIN. LOT SIZE: 60,000 SQ.FT.)
LOT SIZE AVERAGING & TOWNHOUSE DEVELOPMENT PERMITTED
- R-2B-1 RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./1.5 ACRES; MIN. LOT SIZE: 60,000 SQ.FT.)
CLUSTER, LOT SIZE AVERAGING & PRIVATE RECREATION PERMITTED
- R-2B-2 RESIDENCE DISTRICT
(ONE FAMILY - MAX. DENSITY: ONE D.U./1.5 ACRES; MIN. LOT SIZE: 60,000 SQ.FT.)
CLUSTER, LOT SIZE AVERAGING & PRIVATE RECREATION PERMITTED
- R-3 RESIDENCE DISTRICT
(ONE FAMILY - MIN. LOT SIZE: 20,000 SQ.FT.)
- R-4 RESIDENCE DISTRICT
(ONE FAMILY - MIN. LOT SIZE: 10,000 SQ.FT.)
- R-5 RESIDENCE DISTRICT
(ONE FAMILY - MIN. LOT SIZE: 41,250 SQ.FT.)
- R-5A RESIDENCE DISTRICT
(ONE FAMILY - MIN. LOT SIZE: 41,250 SQ.FT.) SENIOR HOUSING PERMITTED
- R-6A TOWNHOUSE DISTRICT
- R-6B TOWNHOUSE DISTRICT
- R-6C RESIDENCE DISTRICT
(ONE FAMILY & MULTI-FAMILY DWELLINGS DENSITY: TWO D.U./1.0 ACRES; MAX. 54 D.U.)
- AH AFFORDABLE HOUSING DISTRICT
- R-7 APARTMENT DISTRICT
- R-3 AH R-3 AFFORDABLE HOUSING RESIDENCE DISTRICT
- B-1 BUSINESS CENTER DISTRICT (MIN. LOT SIZE: 45,000 SQ.FT.)
- B-2 NEIGHBORHOOD BUSINESS DISTRICT (MIN. LOT SIZE: 45,000 SQ.FT.)
- PI-1 PROFESSIONAL INSTITUTIONAL DISTRICT (MIN. LOT SIZE: 217,800 SQ.FT.)
- PI-2 PROFESSIONAL INSTITUTIONAL DISTRICT (MIN. LOT SIZE: 45,000 SQ.FT.)
- PCD PLANNED COMMERCIAL DISTRICT



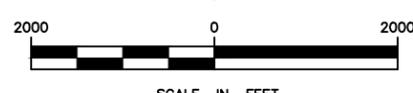
-  GREAT SWAMP WATERSHED
-  UPPER PASSAIC RIVER WATERSHED

NOTE:
BOUNDARY BETWEEN THE GREAT SWAMP WATERSHED AND THE UPPER PASSAIC RIVER WATERSHED IS APPROXIMATE AS SHOWN. EXACT BOUNDARY SHALL BE BASED ON SITE SPECIFIC INFORMATION TO ESTABLISH WATERSHED LIMIT AS DEFINED UNDER THE TOWNSHIP CODE 30-83.1, 30-83.2, AND 30-83.3.

OFFICIAL ZONING MAP

TOWNSHIP OF CHATHAM
MORRIS COUNTY, NEW JERSEY

MARCH 1999



SCALE IN FEET

DATE	REVISION
10/2016	MODIFY R-4 ZONE AT CHESTNUT RD.
5/2017	MODIFY R-2 ZONE AT BLOCK 144, LOT 33.
5/2017	REMOVE R-5 ZONE AT BLOCK 144, LOT 33.
5/2017	REMOVE PI-2 ZONE AT BLOCK 144, LOT 33.
11/2017	ADDED R-6C ZONE TO BLOCK 66, LOT 1
11/2017	OVERLAY DISTRICTS ADDED
11/2018	MODIFY R-3 ZONE AT BLOCK 139, LOTS 55, 56.02, & 60
10/2019	MODIFY R-1A ZONE AT BLOCK 67, LOTS 17 & 17.01 ADDED PI-AHO ZONE TO BLOCK 128, LOT 9
05/2020	ADD R-3 AH ZONE, MODIFY ZONE AT BLOCK 67, LOTS 17 & 17.01 TO R-3 AH ZONE.

ORDINANCE 2020-12

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY, AUTHORIZING THE CONVEYANCE OF A PORTION OF
CERTAIN REAL PROPERTY LOCATED ON SOUTHERN BOULEVARD SHOWN AS
BLOCK 48.16, LOT 117.27 ON THE TOWNSHIP TAX MAP AND COMMONLY
KNOWN AS THE SKATE PARK TO SOUTHERN BOULEVARD URBAN RENEWAL,
LLC**

WHEREAS, on December 13, 2018, the Township Committee of the Township of Chatham adopted Ordinance 2018-22 adopting a Redevelopment Plan for a 3.8 acre portion of Block 48.16, Lot 117.27 (“Redevelopment Area”) for the development of affordable housing units; and

WHEREAS, on December 16, 2019, the Planning Board of the Township of Chatham granted Southern Boulevard Urban Renewal, LLC, preliminary and final site plan approval to construct twenty-four (24) affordable housing units in the Redevelopment Area; and

WHEREAS, on December 16, 2019, the Planning Board also granted preliminary and final subdivision approval to Southern Boulevard Urban Renewal, LLC to subdivide Block 48.16, Lot 117.27 and create a new parcel to be conveyed to Southern Boulevard Urban Renewal, LLC; and

WHEREAS, it was the intent of the Township of Chatham to convey the new parcel to Southern Boulevard Urban Renewal, LLC; and

WHEREAS, since the adoption of the Redevelopment Plan and the grant of subdivision approval to Southern Boulevard Urban Renewal, LLC circumstances changed requiring that the Redevelopment Area be divided into two (2) areas, Part A consisting of 1.04 acres to be conveyed to Southern Boulevard Urban Renewal, LLC and Part B consisting of 2.76 acres to be retained by the Township for public purposes, including affordable housing; and

WHEREAS, this change required that the Redevelopment Plan be amended to separate the Redevelopment Area into two (2) parts; and

WHEREAS, on May 28, 2020, the Township Committee of the Township of Chatham adopted Ordinance 2020-04 amending the Redevelopment Plan to provide that the Redevelopment Area consists of Parts A and B as follows:

- a. Part A is an area of 1.04 acres to be conveyed to Southern Boulevard Urban Renewal, LLC to construct twenty-four (24) affordable housing units as approved by the Township Planning Board, and

- b. Part B is an area of 2.76 acres to be retained by the Township of Chatham for public purposes, including affordable housing.

WHEREAS, in accordance with the New Jersey Supreme Court's decision in South Burlington County NAACP v. Mount Laurel, 67 N.J. 151 (1975), the Township has a constitutional obligation to provide for affordable housing; and

WHEREAS, on December 13, 2018, the Township settled its Mount Laurel obligation by entering into a Settlement Agreement with the Fair Share Housing Center, Inc., which Agreement was amended on January 10, 2019 and March 12, 2020; and

WHEREAS, Southern Boulevard Urban Renewal, LLC is the designated redeveloper of the Redevelopment Area and qualifies as an urban renewal entity; and

WHEREAS, the Township desires to convey to Southern Boulevard Urban Renewal, LLC Part A of the Redevelopment Area to construct twenty-four (24) affordable housing units as approved by the Township Planning Board; and

WHEREAS, the Local Lands and Buildings Law at N.J.S.A. 40A:12-21(1) expressly authorizes a municipality to convey municipally-owned lands or buildings at private sale and for nominal consideration to "[a]ny duly incorporated urban renewal corporation organized pursuant to P.L. 1991, c.431 (c. 40A:20-1 et seq.) for the purpose of constructing housing for low or moderate income persons or families or persons with disabilities"; and

WHEREAS, the Township finds that conveying Part A to Southern Boulevard Urban Renewal, LLC will further the general health, safety and welfare of Township residents by assisting the Township to meet its constitutional obligation to provide a realistic opportunity for the development of affordable housing; and

WHEREAS, Part A is not otherwise needed for any other municipal purposes; and

WHEREAS, as authorized by N.J.S.A. 40A:12-21(1), the Township now wishes to convey, and Southern Boulevard Urban Renewal, LLC wishes to accept Part A for the development of twenty-four (24) affordable housing units.

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 WHEREAS clauses to this Ordinance are incorporated as if more fully set forth herein.

Section 2. Pursuant to N.J.S.A. 40A:12-21(1) and any other applicable laws, the Township is hereby authorized to convey Part A, designated as a portion of Block 48.16, Lot 117.27 as shown in the Amended Redevelopment Plan, to Southern Boulevard Urban Renewal, LLC for the amount of one (\$1.00) dollar for the purpose of building twenty-four (24) affordable

housing units to assist the Township in satisfying a part of the Township's affordable housing obligation subject to all applicable requirements of N.J.S.A. 40A:12-21 and the following conditions:

- a. That twenty-four (24) affordable housing units be constructed and deed restricted for a period of thirty (30) years from the initial occupancy;
- b. That the Property shall be deed restricted for low and moderate income qualified family rental units by a deed consistent with the form of deed restriction contained in the Uniform Housing Affordability Control regulations; and
- c. That the development of the Property shall meet all of the applicable requirements of the Council on Affordable Housing, including UHAC, and the Superior Court of New Jersey for affordable housing credit.

Section 3. That the Township Mayor, Administrator, Engineer and Attorney, and all other appropriate officers, employees, consultants and professionals, are hereby authorized and directed to prepare and execute any and all documents and instruments necessary, and undertake, or cause to be undertaken, any and all acts necessary, to effectuate the terms and purposes of this Ordinance.

Section 4. 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 5. This Ordinance shall take effect upon passage and publication as provided for by law.

Introduced:

TOWNSHIP OF CHATHAM, COUNTY OF
MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2020-146

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS OUTLINING THE REASONS FOR ENACTING ORDINANCE NO. 2020-11

WHEREAS, the Township Committee of the Township of Chatham referred ORDINANCE NO. 2020-11 (the “Ordinance”) to the Planning Board for statutory review pursuant to N.J.S.A. 40:55D-26; and

WHEREAS, the Planning Board determined that the Ordinance is inconsistent with the Land Use Plan (“LUP”) because the intensity of permitted development is 20,000 square feet per unit which is substantially greater than 100,000 square feet per unit as provided for in the LUP; and

WHEREAS, despite this inconsistency, the Planning Board found that the Ordinance, which requires that 20% of the total number of lots created will be conveyed to either the Township of Chatham or a qualified group home developer, advances the objective of the LUP to promote a balance of housing types for all segments of the population; and

WHEREAS, the Planning Board further found that the Ordinance advances the affordable housing objectives of the 2008 Housing Plan Element and Fair Share Plan (“HEFSP”) and assists Chatham Township in meeting its constitutionally mandated fair share obligation with the creation of a group home as required by the R-3 AH Zone standards; and

WHEREAS, having reviewed the May 28, 2020 Review Memorandum prepared by the Board Planner, Frank Banisch, P.P., as well as his testimony regarding same, the Planning Board recommended adoption of the Ordinance provided it was revised to expand the extent of the steep slope conservation easement to include all lots to be subdivided and to include all slope areas of 20% or greater remaining after completion of the grading required for construction, in said conservation easement; and

WHEREAS, the Township Committee concurs with the findings of the Planning Board that the Ordinance promotes a balance of housing types for all segments of the population in accordance with the LUP and provides affordable housing with a minimal impact on neighborhood character and community services in accordance with the HEFSP;

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

1. Pursuant to N.J.S.A. 40:55D-62, the Township Committee hereby sets forth its reasons, as stated above, for the adoption of Ordinance 2020-11 (a copy of which is attached hereto as **Exhibit A**), as it substantially advances objectives of the adopted Chatham Township Master Plan.
2. The reasons outlined in this Resolution are sufficient to enact said Ordinance despite any inconsistencies with the LUP and HEFSP and the Township Committee hereby adopts Ordinance 2020-11 for the reasons set forth herein.
3. This Resolution shall take effect immediately.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Michael Kelly, Mayor

Gregory J. LaConte, Clerk

I, Gregory J. LaConte, Township Clerk of the Township of Chatham in the County of Morris, New Jersey, hereby certify the foregoing to be a true complete copy of a resolution passed by the Township Committee of the Township of Chatham at a regular meeting held on June 25, 2020.

Date Issued: _____

Gregory J. LaConte, Township Clerk

RESOLUTION 2020-147

**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 – May
Police Department – May
Construction Official – May

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2020-148

**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 June 11, 2020, June 12, 2020 and June 19, 2020.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2020-149

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 meetings held on June 12, 2020 and June 19, 2020.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2020-150

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE NOE AVENUE RESURFACING PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Noe Avenue Resurfacing-00229 to the New Jersey Department of Transportation on behalf of the Township of Chatham

BE IR FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Chatham and that their signature constitutes the acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Michael Kelly, Mayor

Gregory J. LaConte, Clerk

I, Gregory J. LaConte, Township Clerk of the Township of Chatham in the County of Morris, New Jersey, hereby certify the foregoing to be a true complete copy of a resolution passed by the Township Committee of the Township of Chatham at a regular meeting held on June 25, 2020.

Date Issued: _____

Gregory J. LaConte, Township Clerk

RESOLUTION 2020-151

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING AN AGREEMENT WITH VISUAL COMPUTER SOLUTIONS, INC., FOR ADMINISTRATIVE SERVICES FOR POLICE ADDITIONAL DUTY

WHEREAS, the Township of Chatham on May 15, 2020 solicited quotes for the provision of administrative services related to extra duty police details including requests for service, scheduling of work, payroll, invoicing, financing accounts payable and collecting of payments; and

WHEREAS, responses for the Invitation to Quote were due by Thursday, June 11, 2020 by 4 p.m. and

WHEREAS, three (3) companies responded to the Invitation to Quote and all submitted complete proposals, and

WHEREAS, the Chief of Police and senior officers of the Department evaluated the three (3) proposals; and

WHEREAS, the Visual Computer Solutions (VCS) proposal provides the best value to the Township since it will integrate seamlessly with current Police Department Scheduling System (POSS) and the Township's payroll system; and

WHEREAS, the value of the annual cost of the service provided by VCS based on 2019 extra duty details is approximately \$22,500 which is below the July 1, 2020 public contracts bid threshold of \$44,000; and

WHEREAS, the VCS system can begin operation on July 1, 2020

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the Mayor is authorized to sign an agreement with VCS to provide administrative services related to extra duty police details with an effective start date of July 1, 2020.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2020-152

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE INSTALLATION AUDIO/VISUAL UPGRADES FOR TELEVISIONING TOWNSHIP COMMITTEE MEETINGS

WHEREAS, due to the COVID-19 Pandemic, Governor Murphy signed Assembly Emergency Bill 3850 which authorizes a public body to conduct a meeting and public business, cause a meeting to be open to the public, vote, and receive public comment by means of communication or other electronic equipment during a state of emergency, public health emergency, or state of local disaster emergency; and

WHEREAS, the Township Committee has continued to televise meetings while the public and some Township Officials participate in the meetings via the Zoom platform; and

WHEREAS, a price quotation was submitted by Gramco Business Communications 1149 Bloomfield Ave., Clifton, New Jersey 07012 for an amount not to exceed \$3,920.00 to install the necessary Audio/Visual upgrades to the telecommunications system; and

WHEREAS, the costs associated with these improvements may be eligible for future reimbursement by the Federal Emergency Management Agency (FEMA); and

WHEREAS, sufficient funds are available for this project in the 2020 Township Budget; and

WHEREAS, this project can be completed before the end of July 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, in the County of Morris, and State of New Jersey that Gramco Business Communications is authorized to and install the necessary Audio/Visual Upgrades in the Municipal Building as outlined in their proposal dated June 10, 2020.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

CERTIFICATION OF THE AVAILABILITY OF FUNDS

I herewith certify that as of June 25, 2020 sufficient funds are available in the 2020 Municipal Budget to carry out the purpose of this resolution.

Debra A. King
Chief Financial Officer

RESOLUTION 2020-153

AUTHORIZING THE EXECUTION OF A 60 MONTH LEASE AGREEMENT WITH ATLANTIC TOMORROW'S OFFICE AND MUNICIPAL CAPITAL FINANCE FOR COPIER MACHINES

WHEREAS, the Township of Chatham currently has four (4) copier machines from Konica Minolta that are currently leased and are now on a month to month contract; and

WHEREAS, The Township of Chatham is also authorized by law to request quotes and purchase goods or services from vendors under the Public Contracts Law; and

WHEREAS, Public Contracts Law 40A:11-4 requires that every contract awarded by the contracting agent for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

WHEREAS, based on the Township's analysis of copier options, the use of a lease through a state approved purchasing cooperative provides the best overall value to the Township; and

WHEREAS, The Township of Chatham received two (2) quotes through the cooperative related to replacing those copier machines that have come off of their sixty (60) month lease contract; and

WHEREAS, Atlantic Tomorrow's Office, with the lease available through Middlesex County Regional Educational Services Commission (MERSC) (now known as the Educational Services Commission of New Jersey) using the Municipal Capital Finance component, provided the overall best price for goods and services listed;

WHEREAS, entering into an agreement with Atlantic Tomorrow's Office would save the Township of Chatham approximately eleven thousand dollars (\$11,000) over the life of the sixty (60) month contracts;

WHEREAS, the Township of Chatham ("Township") desires to enter into an Agreement to lease Savin machines under the terms specifically set forth in a Lease Agreement by and between the Township and Atlantic Tomorrow's Office/Municipal Capital Finance;

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 Township hereby authorizes the execution of a Lease Agreement by and between the Township of Chatham and Atlantic Tomorrow's Office/Municipal Capital Finance pursuant to the terms for the lease of the copier machines specifically set forth in the Atlantic Tomorrow's Office/Municipal Capital Finance Lease Terms submitted.
2. The Mayor and Township Clerk, are authorized to sign the agreement on behalf of the Township.
3. Other officers, professionals and employees of the Township, as directed by the Township Administrator, are authorized to take the steps necessary to implement this Resolution.
4. The foregoing award is subject to the certification of availability of funds by the Chief Financial Officer of the Township.
5. This Resolution shall take effect on or after August 1, 2020.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2020-154

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING AN AGREEMENT WITH CSI TECHNOLOGY FOR THE ACQUISITION, INTSTALLATION AND USAGE OF ETICKETING TECHNOLOGY 2020

WHEREAS, the Township of Chatham in 2019 began evaluating the use of eTicketing technology and software; and

WHEREAS, previous evaluations showed that the Township did not have full coverage for cellphone service and data transmission as well as the upgraded Township technology infrastructure required to use this platform; and

WHEREAS, the Township's technology platform has been upgraded and cell phone service now reaches 100% of the Township's area, and

WHEREAS, eTicketing prevents handwriting and transcription errors, saves staff hours since tickets no longer have to be entered into two (2) different software systems for Police Officers and Municipal Court staff; and

WHEREAS, the Township's 2020 Capital Plan and Capital Ordinance 2020-06 includes funding for eTicketing for implementation; and

WHEREAS, the CSI Technology eTicketing software will work with the technology in the Township's current Police vehicles as well as those that are on order; and

WHEREAS, the CSI Technology eTicketing software is also used by three (3) other municipalities who participate in the Shared Municipal Court; and

WHEREAS, the eTicketing program can be implemented on or after July 1, 2020 depending on the availability of hardware, software, training and installation.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the Mayor is authorized to sign an agreement with CSI Technology Group as outlined in this resolution and their proposal dated October 14, 2019 which will be attached to this resolution and on file in the Township Clerk's Office

BE IT ALSO RESOLVED, that the anticipated first year cost of this project will be \$17,000 which is under the Public Contracts Law July 1, 2020 bid threshold of \$44,000.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2020-155

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2020 BUDGET.

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Chatham has received \$21,057.76 from the State of New Jersey Clean Communities Account Fund and wishes to amend its 2020 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$21,057.76 which is now available as a revenue from:

Miscellaneous Revenues – Section F: Special Items of General revenue – Public and Private Revenues Offset with Appropriations:

Clean Communities Program, and

BE IT FURTHER RESOLVED, that a like sum of \$21,057.76 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Clean Communities Program.

BE IT FURTHER RESOLVED, that the Township Clerk forward a copy of this resolution to the Director of Local Government Services.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2020-156

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, ACCEPTING GREEN ACRES FUNDS FROM THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Chatham has previously obtained a grant of \$3,482,057.01 from the State to fund the following project(s):

#1405-98-003 Chatham Open Space Acq; and

WHEREAS, the State and the Township of Chatham intend to increase Green Acres funding by \$467,253.00; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED BY THE Township Committee of the Township of Chatham in the County of Morris and State of New Jersey that:

1. The Mayor of the Township of Chatham is hereby authorized to execute an agreement and any amendment thereto with the State known as Chatham Open Space Acq. and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$3,949,310.01.
3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Michael J. Kelly, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2020-158

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP ATTORNEY AND ENGINEER TO APPEAR BEFORE THE PLANNING BOARD ON BEHALF OF THE TOWNSHIP FOR A REVIEW OF THE SUBDIVISION OF A PORTION OF BLOCK 48.16, LOT 117.27 AS SHOWN ON THE TOWNSHIP TAX MAP CONSISTENT WITH ORDINANCE 2020-04 AMENDING THE SKATE PARK REDEVELOPMENT PLAN TO ALLOW THE REDEVELOPMENT AREA TO BE SUBDIVIDED INTO PARTS A AND B AND FOR THE TOWNSHIP TO RETAIN PART B

WHEREAS, the Township of Chatham is the owner of Block 48.16, Lot 117.27 on Southern Boulevard (“Property”); and

WHEREAS, on December 13, 2018, the Township Committee adopted Ordinance 2018-22 (“Redevelopment Plan”) providing for the redevelopment of a portion of the Property for affordable housing units (“Redevelopment Area”); and

WHEREAS, on May 28, 2020, the Township Committee adopted Ordinance 2020-04 amending the Redevelopment Plan to allow for the division of the area identified in the Redevelopment Area into Part A to be conveyed to Southern Boulevard Urban Renewal, LLC for the construction of twenty-four (24) affordable housing units and Part B to be retained by the Township; and

WHEREAS, in order to effectuate the conveyance to Southern Boulevard Urban Renewal, LLC and for the Township to retain a portion of the Redevelopment Area, the Redevelopment Area has to be subdivided.

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

1. That the Township of Chatham Attorney and Engineer are hereby authorized to prepare the necessary request and plans to be filed with the Planning Board to subdivide the Redevelopment Area into Parts A and B consistent with Ordinance 2020-04.
2. That the review be conducted pursuant to Thornton v. Village of Ridgewood, 17 N.J. 499 (1955), because the provision of a 100% affordable housing development promotes a public purpose.
3. That this Resolution shall take effect immediately.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Michael J. Kelly, Mayor

RESOLUTION 2020-P-16

**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.

Adopted: June 25, 2020

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Michael J. Kelly, Mayor