

**MINUTES  
TOWNSHIP COMMITTEE  
REGULAR MEETING  
JUNE 27, 2019**

Mayor Selen called the Regular Meeting of the Township Committee of the Township of Chatham to order at 7:35 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 new Township Police Officers Brian E. Kelly and Colm E. Dougherty to lead the flag salute.

Mayor Selen said that a US Navy sailor from New Jersey was recently killed in Afghanistan. He asked for a moment of silence.

**Roll Call**

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

**Approval of Agenda**

Committeewoman Ness asked that Resolution 2019-131 be removed from the Consent Agenda for separate discussion.

Deputy Mayor Kelly moved to approve the agenda as amended. Committeewoman Swartz seconded the motion, which carried unanimously.

**Oaths of Office**

Mayor Selen read a bio for Officer Brian E. Kelly. The oath of office for Officer Kelly was administered by Mayor Selen.

Mayor Selen read a bio for Officer Colm E. Dougherty. The oath of office for Officer Dougherty was administered by Mayor Selen.

**Reports**

Committeewoman Swartz reported that Rob Walton from JCP&L has stepped down, and the new district representative is present to address the Township Committee. She also reported that she has been in touch with PSE&G's district representative regarding structures being built under the monopoles, and she has asked that appropriate screening be planted. Regarding restroom facilities at Shunpike Field, Committeewoman Swartz reported that coaches have access to the keys to unlock the rest facilities. Committeewoman Swartz also addressed "pocket-parks," particularly the park at Shunpike Field, which has fallen into disrepair. Committeewoman Swartz said that the park will be cleaned up.

Committeewoman Ness reported that she and Amy Mason of the Environmental Commission met with an energy aggregator to find ways to save residents money. She also addressed the porto-potty issue at Shunpike Field, and said they will be cleaned twice a week.

Committeewoman Ness also reported that two of the Colony Tennis Courts will be lined for pickle ball. She also reported that a meeting will be held with representatives from the School District to discuss the shared responsibility for maintenance of the Colony Tennis Courts. The Communications Committee has also met, and Chief Miller will be moving forward with the new Police Department website. Communications protocols are also being reviewed.

Deputy Mayor Kelly addressed the potential relocation of the Skate Park, and said that the Township is trying to determine if the equipment is in good enough condition to be relocated.

He also said that DPW Director Rich Young has reached out to the original manufacturer of the equipment, and the equipment has reached the final years of its anticipated life expectancy. Committeewoman Swartz noted that there are a lot of vendors who attend the League of Municipalities Conference who may be able to make recommendations on new skate park equipment. Committeewoman Ness asked about recent damage at the Skate Park. Administrator Hoffmann said that the center piece had some damage, and that piece is closed until repairs are made and safety is restored. He noted that the remainder of the Skate Park is still open.

Engineer Ruschke reported that he received a call from the DOT's consultant for the Safe Routes to School grant, and a public hearing is required. He said that he would coordinate the public hearing.

Administrator Hoffmann said that the Township had applied for a grant for sidewalk repairs on Fairmount Ave from Runnymede was denied. He said that he and Engineer Ruschke will take a look at that stretch of Fairmount, as there are some properties needing repairs to existing sidewalks. Administrator Hoffmann also addressed the resolution for Colony Pool refunds. Administrator Hoffmann also addressed personal attacks on former Township employees, and said that accusations should not be levied against those who are not present to defend themselves. He also addressed acts of vandalism at the restrooms at Shunpike Field. Administrator Hoffmann further reported that the Court Administrator for the Joint Municipal Court is retiring, and the member municipalities are participating in the candidate interview process. He also said that intern Cara McCaffrey finished her recycling internship, and did an excellent job. Administrator Hoffmann said that the work performed by Ms. McCaffrey brought to light the 86 specific tasks performed by the Department of Public Works during the course of the year. The Department of Public Works is also preparing a map of parks, easements and other areas of the Township that they are responsible for maintaining. Administrator Hoffmann said that local businesses and community groups will be given the opportunity to maintain some of these areas and have signs posted noting the sponsorship. Administrator Hoffmann also said that he and Engineer Ruschke met at Colony Pool this evening, and he noted that the snack bar is being very well run.

Mayor Selen recognized the presence of former Chatham Borough Council President Len Resto and Bernards Township Mayor Carol Bianchi.

Mrs. Bianchi introduced herself in her capacity as the new Regional External Affairs Consultant. She invited the Township officials to reach out to her with any issues.

### **Presentation – Chatham Township Environmental Commission**

Jessica Romeo of the Environmental Commission and former Chatham Borough Council President Len Resto gave a presentation about single-use plastics. Mrs. Romeo said that an alliance of municipalities has been working together to address single-use plastics. She also gave various statistics regarding plastic bags, and noted how micro-plastics wind up in drinking water. Mrs. Romeo also said that many plastics are not accepted for recycling, and noted that recycling is a cost to taxpayers. Mr. Resto described the damage that plastic bags cause at recycling treatment plants. He also said that China is not accepting recyclables from the United States at the same rate as in prior years. Mrs. Romeo addressed the pros and cons of having an ordinance banning plastic bags. She also presented the results of a survey conducted among business and residents about use of plastics. Mrs. Romeo said that implementation of an ordinance banning plastic bags would take six to nine months, and Mr. Resto said that the time frame would include an education process.

Committeewoman Ness noted that people can also choose to opt out of using a plastic bag, and noted that businesses are already changing their practices. Committeewoman Swartz said that an ordinance is not necessary if both individuals and businesses are already changing their behaviors voluntarily. Committeewoman Swartz also asked that education efforts be taken prior to resorting to legislation. Deputy Mayor Kelly said there should be a balance of education and legislation, and addressed the amount of plastic bags that are cleaned out of the woods during the Environmental Commission's cleanup events.

Administrator Hoffmann asked if the Environmental Commission could help with having a bag collection receptacle at the Municipal Building.

## **Hearing of Citizens**

Mayor Selen opened the Hearing of Citizens.

1. Sam Kelliher asked about the possible locations for the relocation of the Skate Park. He said that the skate boarding community would like for the new park to be the same size as the existing Skate Park. Mr. Kelliher also suggested that the new park could be funded partially by hosting regional competitions. He also said that a concrete park, although more expensive to build, would be cheaper to maintain.
2. Cara Feeser, 3 Falmouth Road, said that she met with Administrator Hoffmann to discuss field maintenance options. She said that she a rescue-treatment was agreed upon, which would bring the weeds under control. Once the weeds are under control, organic methods will be used.
3. Maureen Kelly, 67 Mountain Avenue, spoke in favor of banning plastic bags. She said that plastic bags are worse than recreational use of marijuana, noting that the Township Committee passed legislation to prohibit sale of marijuana.
4. Jennifer McNally, 19 Ferndale Road, said she was pleased to hear about pickle ball lines at the Colony Tennis Courts. She asked if any of the Township Committee members have visited the Colony Tennis Courts recently to see the condition of the courts. Committeewoman Ness said that she has been there. She also said that a meeting will be held with representatives of the School District to discuss shared maintenance of the courts. Mrs. McNally said it would be more fiscally conservative to install pickle ball lines after the courts are resurfaced. Committeewoman Ness noted that the pickle ball lines would be temporary, and the Chatham High School Tennis Team expressed that they do not want extra lines on the courts during their season. Mrs. McNally also asked about the resolution for financial consulting services. Attorney Cruz said that the services are in relation to a PILOT for the redevelopment of the Skate Park. Mrs. McNally asked if the developer will participate in funding the relocation the Skate Park. Attorney Cruz said that the Skate Park redevelopment is currently before the Planning Board. Deputy Mayor Kelly noted that the Planning Board has an upcoming meeting to discuss the application. Mrs. McNally asked if there are police reports regarding vandalism at Shunpike Field. Administrator Hoffmann said he will check with the Police Department.
5. Paul Krieg, 91 Meyersville Road, said he was pleasantly surprised that recreation fields were being discussed. He said it is a sign that the quality of life in the Township is getting worse due to neglect of infrastructure. Mr. Krieg discussed maintenance issues at the recreation facilities. He also noted that spending millions of dollars on recreation facilities and then not spending money on adequate staffing to maintain them is short sighted. Mr. Krieg also said that quality of life attracts more new residents than does a low tax rate. He also suggested that the Municipal Building site would be a good location for relocating the Skate Park.
6. Ted L'Estrange, a resident of upstate New York, addressed genocide and organ harvesting in China.

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

## **Public Hearing/Final Adoption of Ordinances**

Ordinance 2019-10

**ORDINANCE 2019-10**  
**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, AMENDING**  
**CHAPTER XXX, TITLED “LAND DEVELOPMENT”, SUBSECTION 30-96.20, TITLED “LOT**  
**GRADING PLANS” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF**  
**CHATHAM.**

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

Section 1. Chapter XXX, Article 7, Section 30-96.20 titled “Lot Grading Plans”, is hereby repealed.

Section 2. Chapter XXX, Article 7, Section 30-96.20 shall be replaced as follows:

**30-96.20 Lot Grading Plans.**

- a. *Applicability.* In order to provide against the adverse consequences of uncontrolled surface water drainage and to prevent soil erosion and control sediment deposition associated with land disturbance including but not limited to construction activities, a lot grading plan shall be submitted and approved prior to the issuance of a construction/zoning permit for the following activities:
  1. The erection of any new structure, any addition, repair or renovation to an existing structure involving an extension of the foundation of the existing structure, any of which is not shown upon an approved site plan; or
  2. Any of the following activities:
    - (a) Land disturbance, except for the purposes of sod replacement, greater than one thousand (1,000) square feet; or
    - (b) Land disturbance of less than one thousand (1,000) square feet if the project affects any critical areas; or
    - (c) Land disturbance within five (5) feet of the property line that impacts drainage.
  3. The demolition of a structure if the land disturbance beyond the footprint of the structure exceeds 1,000 square feet (excluding the square feet of the structure).
- b. *Waiver.*
  1. The Township Construction Official may grant a waiver from the requirements of this subsection with respect to an addition to a single-family dwelling if the Township Construction Official determines that the addition involves less than one thousand (1,000) square feet of impervious coverage, does not affect any steep slopes or critical areas, and does not require any significant changes in the existing grading of the lot. Any such determination shall be made upon the basis of the construction plans and such further information as may be requested from the owner of the property by the Township Construction Official.
- c. *Lot Grading Plan Details.* A lot grading plan showing the proposed final grading of the lot shall be reviewed and approved by the Township Engineer in accordance with the provisions of this subsection and more specifically as follows:
  1. The lot grading plan shall be approved by the Township Engineer prior to the issuance of a construction permit. Initially, said approval shall constitute authorization only to construct the foundation of the building. The lot grading plan shall be accompanied by architectural plans showing the height of the building in order to allow determination of compliance with the height limit established by this chapter, in accordance with the procedure set forth in this subsection. The first floor elevation of the building shown on the lot grading plan shall be within eighteen (18) inches of the first floor elevation shown on any grading plan, which was part of an approved subdivision plat.
  2. Drywells, if required, shall be installed at the same time as the building foundation is being constructed. Upon construction of the foundation and drywells, and prior to framing or other further construction, the applicant shall submit an "as-built" foundation survey confirming that the first floor elevation of the building is within the eighteen (18) inches of the first floor elevation as shown on said approved subdivision plat. If the property is not the subject of a grading plan on an approved subdivision plat, the "as-built" foundation survey shall confirm that the first floor elevation is located within eighteen (18) inches of the elevation as shown on the lot grading plan. The foundation survey shall also illustrate the “as-built” location of the drywells. An engineer’s certification that the drywell has been installed in accordance with NJDEP BMP manual must be provided with the foundation survey. Any exceptions shall be noted in the Engineer’s certification. No further construction shall be authorized unless the "as-built" elevation drawings indicate that the height of the building satisfies the height limit established by this chapter and that the drywells will function properly.
  3. Following approval by the Township Engineer of the "as-built" foundation survey, and upon framing to the ridge of the roof, but prior to any sheathing or other construction, "as-built" elevation drawings of the building shall be submitted. No further construction shall be authorized unless the "as-built" elevation drawings indicate that the height of the building satisfies the height limit established by this chapter.
  4. The plan shall be prepared by a professional engineer licensed in New Jersey and shall be drawn to a scale of not less than one (1) inch equals thirty (30) feet, but may be supplemented

by a key map of smaller scale, and shall be prepared in sufficient detail to show the following:

- (a) The existing surface drainage pattern as it affects the subject property and all abutting land; Existing drainage areas of stormwater runoff onto the subject lot shall be fully illustrated on the Lot Grading Plan.
- (b) The elevation of the street at each limit of the frontage of the subject property and a permanent feature such as a manhole rim or set corner or similar structure;
- (c) The location of any existing streams, wetlands, wetland buffers, watercourses, riparian buffers ponds, storm sewers or drainage facilities which relate to drainage of surface waters from or to the subject property;
- (d) Any proposed storm sewers, ditches or other drainage facilities which will receive surface waters from or to the subject property;
- (e) The proposed location of all surface and subsurface structures for which a construction permit is being sought;
- (f) The elevation of the finished garage floor, top of foundation, first floor of the structure, and top of finished roof ridge proposed for the subject property, and the proposed lowest elevation within fifteen (15) feet of the proposed structure;
- (g) The proposed location of all roof leader drains, driveways, dry wells, underdrains, utility lines below ground and any individual sewage disposal system; All underground structures and piping either proposed or existing shall be illustrated on the lot grading plan.
- (h) The outer limits of all areas in which any grading or filling is proposed on the subject property;
- (i) Any proposed changes in the existing surface drainage pattern which will result from the construction proposed for the subject property including any proposed changes on abutting lands;
- (j) All existing trees with trunks exceeding five (5) inches in diameter measured at a point four (4) feet above the existing ground level, which trees are located within the outer limits of the areas mentioned in paragraph (h) above as well as within ten (10) feet of the outer limits of any such areas.
- (k) Topography reflecting contours at two (2) foot intervals and identifying slopes in the following ranges: Less than 15%, 15% to 20%, 20% to 25%, and 25% and greater. Land disturbances shall conform to the requirements of the steep slopes (subsection 30-96.24) of this chapter.
- (l) Top of wall and toe of wall elevations of all proposed retaining walls shall be clearly delineated at regular intervals on the plan. Retaining walls shall conform to the requirements of the walls and fences (subsection 30-96.15) of this chapter.
- (m) A letter of Interpretation (LOI) from the New Jersey Department of Environmental Protection (NJDEP) shall be obtained if wetlands or wetlands buffer are present on the subject property
- (n) Appropriate storm drainage facilities shall be provided for protection of downstream properties.
- (o) Any proposed building or structure or attendant protective measures will not impede the flow of surface water through any watercourse. Only a nominal increase in water surface elevation and velocities will be allowed due to construction.
- (p) Any proposed vehicular facilities including roads, drives or parking areas, shall be so designed that any land disturbances shall not cause erosion. Both the vertical and horizontal alignment of vehicular facilities shall be so designed that hazardous circulation conditions will not be created.
- (q) Any fill placed on the lot shall be properly stabilized and, when found necessary depending upon existing slopes and soil types, supported by retaining walls or other appropriate structures as approved by the Township Engineer.
- (r) All cuts shall be supported by retaining walls or other appropriate retaining structures when, depending upon the nature of the soil characteristics, such structures are found necessary in order to prevent erosion.
- (s) Upon installation of roofing material on a structure, temporary gutters and downspouts should be immediately installed and connected to the drywells.
- (t) For all lots with proposed disturbance of a steep slope area greater than one thousand (1,000) square feet. The lot grading plan shall also include, but not be limited to, mapping/quantification of steep slope areas and mapping/quantification of steep slope disturbance. The design standards for disturbance of steep slopes shall be pursuant to the following standards:
  - (1) Proposed disturbance of soil shall be executed in a manner that will not cause soil erosion.
  - (2) Provision shall be made for any structure or protective measures that proposed slopes may require for the protection of the public safety, including but not limited to retaining walls, guide rails, headwalls and fences.

- (3) Sequencing of construction so that the total area of steep slopes disturbed at one time is one thousand (1,000) square feet or, if approved by the Township, minimized to the maximum extent possible. Detailed plans must be submitted to illustrate compliance with this requirement.
  - (4) Installation of secondary soil erosion and sediment control (SESC) measures as necessary to act as additional protection of downstream properties in the case of possible breach or failure of primary SESC measures.
  - (5) Where practical, temporary sedimentation basins should be constructed.
  - (6) Snow fencing should be installed at the proposed limit of disturbance to prevent further disturbance.
  - (7) All silt fence shall be “super” silt fence as defined in standards for SESC in New Jersey as promulgated by the NJDA State Soil Conservation Committee.
- d. *Fees.* Four (4) copies of each required lot grading plan shall be filed with the Township Construction Official, together with an application fee as determined below:
1. One thousand (\$1,000.00) dollars for a lot grading plan that involves a new or substantially improved principal structure.
  2. Four hundred (\$400.00) dollars for an addition to an existing structure, accessory structure or land disturbance of over one thousand (1,000) square feet.
  3. An additional application fee, in an equal amount to the original must be submitted for each revised plan as determined by the Township Engineer. This fee is to cover the costs of the review of the plan by the Township Engineer of the submitted plans
  4. In addition to standard lot grading fees, all applications proposing to disturb steep slopes shall also pay an inspection fee for Township officials to monitor construction activities. The initial inspection fee shall be twenty-five (\$0.25) cents per square foot of steep slope disturbance. Any violations of the approved lot grading plan may result in additional inspection fees being imposed.
  5. *Additional Inspections.* In the event that more than one (1) inspection of a property are required to be made by the Township Engineer either by reason of a provision for temporary measures to prevent adverse effects upon abutting lands or by reason of a failure to comply with an approved lot grading plan, then the owner of the property shall pay to the Township an inspection fee for each additional inspection. Inspection fee shall be calculated in accordance with contractual prevailing rates with the Township’s professionals. All fees for any such additional inspections shall be paid to the Township prior to the issuance of a certificate of occupancy for the new structure or within 30 days upon the Township’s receipt of the costs incurred.
  6. Engineering and legal costs incurred by the Township in addressing or resolving violations of this chapter shall be paid to the Township by the applicant in accordance with contractual prevailing rates with the Township. Payment of costs shall be made within 30 days upon the Township’s receipt of the costs incurred.
- e. *Review by Township Engineer.* The lot grading plan shall be filed with the Construction Official and shall be reviewed by the Zoning Officer for zoning compliance. Upon the filing of a lot grading plan, the receipt of the required fee, and completion of Zoning Officer review, the Township Construction Official shall submit three (3) copies of the plan to the Township Engineer.
- f. *Subsurface Sewage Disposal System.* In the event that the property subject of the lot grading plan will be served by an individual subsurface sewage disposal system, then a complete plan for the system as approved by the Township Board of Health shall be submitted to the Township Engineer along with the proposed lot grading plan. In reviewing the proposed lot grading plan, the Township Engineer shall consider not only the impacts which the lot grading plan may have upon the proper functioning of the individual subsurface sewage disposal system but also any surface drainage impacts which the system, especially a system with a mound disposal field, may have upon surface drainage on the subject property and abutting lands.
- g. *Standards for Approval.* The Township Engineer shall not approve a lot grading plan or revised plan unless the Township Engineer determines that the plan is designed to control surface waters in a manner that will minimize the adverse effects of such waters upon the subject property and abutting lands. In addition, a lot grading plan shall not be approved unless the following conditions are met:
1. Driveway grades shall not exceed fifteen (15%) percent, except that under unusual conditions and for short distances the Township Engineer may approve grades not exceeding eighteen (18%) percent, provided the average centerline grade of the driveway does not exceed fifteen (15%) percent.
  2. There shall be no change in existing grade that raises the elevation of the lot within five (5) feet of a property line. Furthermore, there shall be no change in existing grade, which raises any portion of the lot within fifteen (15) feet of a property line to an elevation that is more than four (4) feet above the existing ground level at the property line. Any new grade shall be at an even slope with the toe of the slope at the ground level which exists at five (5) feet inside the property line, provided, however, that, when necessary, swales shall be created in order to control surface waters in a manner that will protect abutting lands. Retaining walls

- shall not exceed six (6) feet in height provided that for each six (6) inches in height above the pre- or post- construction grade at the toe of the wall, a retaining wall shall be set back one (1) foot from the property line to which it is adjacent. Distances from property lines shall be measured at right angles to straight portions and radial to curved portions.
3. Grades steeper than 1 (vertical) to 3 (horizontal) should be avoided. In cases where these grades are unavoidable, provisions for soil stabilization, access and maintenance of those areas must be provided to the Township Engineer for approval.
  4. An area of at least ten (10) feet in width around the foundation of any building shall be graded downward, away from the foundation, in accordance with the requirements of the New Jersey Uniform Construction Code.
  5. The lot grading plan complies with the terms and conditions of any Development Permit issued with respect to the lot pursuant to the provisions of Article 10 (Section 30-113, et seq.).
  6. Roof runoff from any roofed area shall be in accordance with the New Jersey Uniform Construction Code.
  7. On-Site Storm Water Management. The applicant shall establish adequate measures for on-site storm water management, including BMPs, meeting the following requirements:
    - (a) The peak rate of the runoff from the site following completion of the development shall be reduced to fifty (50%) percent and seventy-five (75%) percent of the predevelopment rates for the 2-year and 10-year storms, respectively. The post-development peak rate of runoff for the 100-year storm shall not exceed that which existed prior to development. Every practicable effort shall be made to minimize any increase in volume and to maintain and/or improve the quality of runoff which existed prior to development. Stormwater runoff rates and volumes are to be computed in accordance with Chapter 5 of New Jersey Department of Environmental Protection's Stormwater Best Management Practices Manual.
    - (b) Maximum use shall be made of presently existing stormwater runoff control devices, mechanisms or areas such as existing berms, terraces, grass waterways, favorable hydrologic soils, swamps, swales, watercourses, woodlands, floodplains, as well as any proposed retention structures.
    - (c) The plans shall avoid the concentration of flow and shall provide for dissipation of velocities at all concentrated discharge points.
    - (d) For calculating runoff and controls, the applicant may use the Soil Conservation Service Method or the Rational Method depending upon which is more appropriate in the particular instance. Computations shall cover the 2-, 10-, and 100-year storm frequencies.
    - (e) All outfalls are to be designed in a manner to retard velocities at the outfall and provide stream channel protection.
    - (f) Due consideration shall be given to the relationship of the subject property to the natural or established drainage pattern of the watershed(s) of which it is a part. Surface water runoff shall not be transferred from one watershed to another.
    - (g) The use of conservation restrictions is encouraged.
    - (h) All water carrying structures and/or retention areas shall be completed and stabilized prior to diversion of water to them.
    - (i) Innovative stormwater runoff control and recharge devices, such as rooftop storage, drywells, cisterns, roof drain infiltration trenches, and rain gardens are encouraged provided they are accompanied by detailed engineering plans and performance capabilities.
    - (j) Design and construction of drywells shall comply with New Jersey Department of Environmental Protection's Stormwater Best Management Practices Manual.
    - (k) Nonstructural stormwater management strategies as are set forth in N.J.A.C. 7:8-1 et seq. shall be incorporated into the stormwater management plan whenever possible.
    - (l) Chatham Township's Standard soil erosion and sediment control notes shall be included in text form on the plan.
  8. The lot grading plan shall comply with New Jersey's soil erosion and sediment control standards.
  9. If the lot grading plan contains a structural retaining wall, a copy of the structural calculations, signed and sealed by an engineer or architect licensed in the State of New Jersey shall accompany the plans. All structural retaining walls must conform to the requirements of subsection 30-96.15.
  10. For increases of impervious cover greater than 1,000 s.f. the minimum design and performance standards for groundwater recharge shall be as follows:
    - [a] Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain one hundred (100%) percent of the average annual preconstruction groundwater recharge volume for the site; or
    - [b] Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from preconstruction to post-construction for the 2-year storm is infiltrated.

11. The lot grading plan shall fully comply with the Township of Chatham's present ordinance Chapter XXII - Tree Management. If applicable, a tree permit must be obtained.
  12. The lot grading plan shall fully comply with the Township of Chatham's present ordinance Chapter XIX Streets and Sidewalks. As applicable, a road opening permit must be obtained for work within the municipal right-of-way.
- h. *Completion of Review.* The Township Engineer shall approve or disapprove a lot grading plan or revised plan forwarded by the Construction Official within twenty (20) business days after the plan or revised plan is submitted to him. If additional information is needed to completely evaluate the impact of the application, the Township Engineer shall notify the applicant. From the date the Township Engineer sends such notification until the date of response from the applicant, the time for completion of review of the application is tolled. The Township Engineer shall furnish a written statement of the reasons for disapproval. If the Township Engineer's written statement does not, in the opinion of the applicant, address their concerns, a review by the Township Administrator will be conducted to resolve any remaining issues concerning the application.
  - j. *Temporary Measures.* Whenever the Township Engineer considers it necessary or appropriate, he may require that a lot grading plan include temporary measures to be taken during the performance of any construction work to prevent adverse effects upon abutting lands.
  - k. *Violations.* The failure of an owner of property to comply with an approved lot grading plan for such property, including any temporary measures to be taken during the performance of construction work, shall constitute a use of the subject property in violation of this chapter. If a notice of violation is issued the applicant shall submit an amended lot grading plan within ten (10) days of the notice. Failure to resubmit an amended lot grading plan within the specified timeframe shall result in an immediate stop work order and void the lot grading plan approval. The amended plan shall identify the cause of the violation and revise the lot grading plan accordingly to prevent a reoccurrence of the violation. The amended plan shall be resubmitted regardless of the extent of the change required. The issuance of an amended plan shall void prior approvals.
  - l. *"As-built" Certification.* A Certification by the applicant's engineer, based on field inspections, and as necessary, laboratory tests, that the site is in full compliance with the approved Lot Grading Plan and that permanent soil stabilization, including soil preparation, acceptable top soil and proper vegetative cover including compaction of fill meeting New Jersey Soil Erosion and Sediment Control Standards must be provided prior to final grading inspection. Any exceptions to the requirements of the approved lot grading plan shall be included in the certification.
  - m. *Adverse Conditions.* In the event that the Township Engineer determines that current conditions do not permit the completion of work to effectuate full compliance with a lot grading plan, The Township Engineer shall so state in the engineer's report and shall also set forth the following:
    1. All work remaining to be performed in order to effectuate full compliance with the lot grading plan;
    2. The estimated cost of each phase of the work to be performed, and;
    3. The date by which all remaining work shall be completed.
  - n. *Performance Bond.* Notwithstanding any other provision of this chapter, the Zoning Officer may issue an occupancy/zoning permit prior to full compliance with a lot grading plan if the Zoning Officer received written evidence of the existence of a cash performance bond in the amount of the estimated cost effecting full compliance with the plan as determined by the Township Engineer, and if the Zoning Officer receives a written statement from any contract-purchaser requesting the issuance of a certificate of occupancy pursuant to the provisions of this section.  
If a certificate of occupancy is issued for a property prior to full compliance with a lot grading plan and full compliance is not affected by the date set forth in the report of the Township Engineer, then continued occupancy of such property after such date shall constitute a use of such property in violation of this chapter.
  - o. *Notice to Proceed.* All SESC measures (silt fence, tracking pad, and all other approved measures.) shall be installed prior to the start of any land disturbance. SESC measures must be inspected by a Township Representative and a Notice to Proceed issued before the next phase of construction may commence.
  - p. *Inspections.* Neither an occupancy/zoning permit nor a certificate of occupancy shall be issued for any property which is the subject of a lot grading plan until the applicant's engineer certifies in writing that the property conforms to the lot grading plan. The Township Engineer shall make an inspection and issue a report within five (5) days after notification from the Construction Official of an application for a certificate of occupancy.
  - q. *Penalties for Violations.* Any person who shall violate any provision of this section shall, upon conviction, be liable to the penalty stated in Chapter I, Section 1-5. Each day that a violation is permitted to exist or continue to occur shall constitute a separate offense.

Section 3. 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 4. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Attorney Cruz said that the Planning Board has conducted a Master Plan consistency review, and has determined that Ordinance 2019-10 is not inconsistent with the Master Plan. The Township Clerk noted that the Planning Board's memorandum was previously circulated to the Township Committee.

Mayor Selen opened the Public Hearing on Ordinance 2019-10. Seeing none, Mayor Selen closed the Public Hearing.

Deputy Mayor Kelly moved to adopt Ordinance 2019-10. Committeewoman Ness seconded the motion.

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

Ordinance 2019-11

**ORDINANCE 2019-11**  
**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, AND NEW AUTOMOTIVE VEHICLES AND NEW FIRE ENGINES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,850,000 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 make various public improvements and to acquire new additional or replacement equipment and machinery, and new automotive vehicles and new fire engines, including original apparatus and equipment, in, by and for said Township, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. 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 the making of such improvements is not a current expense of said Township.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A Acquisition of new additional or replacement equipment and machinery and new automotive vehicles, including original apparatus and equipment, for the use of the Department of Public Works, including, but not limited to, (i) a tandem dump truck, (ii) a pickup truck and (iii) a lawn mower.

Appropriation and Estimated Cost	\$ 300,000
Down Payment Appropriated	\$ 15,000
Bonds and Notes Authorized	\$ 285,000
Period of Usefulness	5 years

B. Undertaking of improvements to various roads, as set forth on a list prepared or to be prepared by the Township Engineer and placed on file with the Township Clerk and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon

approval by the Township Committee, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 300,000
Down Payment Appropriated	\$ 15,000
Bonds and Notes Authorized	\$ 285,000
Period of Usefulness	10 years

C. Funding the Township's portion of the cost of the installation of field lighting at Nash Field, including related drainage improvements. The Township anticipates receiving additional funding for the project from contributions from the Chatham Athletic Foundation and the Baseball Club of Chatham.

Appropriation and Estimated Cost	\$ 150,000
Down Payment Appropriated	\$ 7,500
Bonds and Notes Authorized	\$ 142,500
Period of Usefulness	15 years

D. Acquisition of new fire engines, including original apparatus and equipment, for the use of the Township Fire Department.

Appropriation and Estimated Cost	\$1,100,000
Down Payment Appropriated	\$ 55,000
Bonds and Notes Authorized	\$1,045,000
Period of Usefulness	10 years

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Aggregate Appropriation and Estimated Cost	\$1,850,000
Aggregate Down Payment Appropriated	\$ 92,500
Aggregate Amount of Bonds and Notes Authorized	\$1,757,500

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$50,000 which is estimated to be necessary to finance the cost of such purposes, 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 6. It is hereby determined and stated that moneys exceeding \$92,500, 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 purposes. The sum of \$92,500 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$1,757,500 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 8. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$1,757,500 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 9. 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 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 9.59 years computed from the date of said bonds.

Section 11. 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 \$1,757,500 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 12. Any funds received from 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 purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. 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 14. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 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 15. 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 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Administrator Hoffmann noted the capital items covered by Ordinance 2019-11.

Mayor Selen opened the Public Hearing on Ordinance 2019-11.  
Seeing none, Mayor Selen closed the Public Hearing.

Committeewoman Swartz moved to adopt Ordinance 2019-11. Deputy Mayor Kelly seconded the motion.

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

#### Ordinance 2019-12

#### **ORDINANCE 2019-12**

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER IV, TITLED "GENERAL LICENSING" TO ADD A NEW CHAPTER IVA, TITLED "DO NOT KNOCK/DO NOT DROP OFF REGISTRY" AND AMENDING SECTION 4-1 TITLED "LICENSING OF PEDDLERS, SOLICITORS AND CANVASSERS", SUBSECTION 4-1.20 TITLED "EXEMPT PERSONS" TO BE CONSISTENT WITH THE DO NOT KNOCK/DO NOT DROP OFF REGISTRY**

**BE IT ORDAINED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that Chapter IV is amended to add a new Chapter IVA, titled "Do Not Knock/Do Not Drop Off Registry" as follows:

**Section 1.** Chapter IV, titled "General Licensing", of the Revised General Ordinances is amended to add a new Chapter IVA, titled "Do Not Knock/Do Not Drop Off Registry" as follows:

#### **4A-1 DO NOT KNOCK/DO NOT DROP OFF REGISTRY.**

##### **4A-1.1 Definitions**

As used in this section:

*Canvasser* shall mean any person, other than a peddler and solicitor, traveling by foot or vehicle of any kind, who distributes printed matter or any other thing from house to house or who calls in person upon the occupants of houses seeking contributions or anything of value.

*Peddler* shall mean any person, other than a solicitor or canvasser, traveling by foot or vehicle of any kind, who conveys or transports goods, articles or property of any kind or description for the purpose of offering for sale, selling and delivering the same to customers or offering to render immediate services of any kind or description. The term peddler shall include the words “hawker” and “huckster”, but excludes any person under contract with a school or the Township.

*Person* shall include the singular and the plural and shall mean any individual, firm, partnership, corporation, association, club, society or other organization.

*Solicitor* shall mean any person, traveling by foot or vehicle of any kind, who sells or offers to sell goods, articles or property of any kind or description by sample or otherwise for future delivery, or who offers to render services at some time in the future, with or without accepting payment or partial payment for the same.

*Township* shall mean the Township of Chatham in the County of Morris, New Jersey.

#### **4A-1.2 Preparation of Do Not Knock/Do Not Drop Off Registry**

The Township Clerk shall prepare and maintain a list of those residents who notify the Clerk by completing a form that no peddling, soliciting and canvassing, nor the placement of literature, leaflets, pamphlets, advertisements, circulars, samples, door hangers or other written material (other than those requested by the resident) is permitted at their premises. Upon the adoption of Chapter IVA of the Revised General Ordinances of the Township of Chatham, the Clerk shall publicize its adoption and shall prepare the required form which shall be available on the Township's website or at the Clerk's Office during normal business hours, Mondays through Fridays from 8:30 A.M. to 4:30 P.M., except legal holidays.

#### **4A-1.3 Submission of the Registry to Chief of Police**

The Clerk shall submit the Do Not Knock/Do Not Drop Off Registry to the Chief of Police as the Registry is updated and the Registry shall be distributed to applicants seeking a license to peddle, solicit or canvass pursuant to the provisions of Chapter IV of the Revised General Ordinances of the Township.

#### **4A-1.4 Effect of Registry**

- a. Do Not Knock - peddlers, solicitors, and canvassers shall not peddle, solicit or canvass on the premises of those residents on the Do Not Knock/Do Not Drop Off Registry.
- b. Do Not Drop Off - peddlers, solicitors, and canvassers shall not place literature, leaflets, pamphlets, advertisements, circulars, samples, door hangers or other written material (other than those requested by the resident) on the premises of those residents on the Do Not Knock/Do Not Drop Off Registry.

#### **4A-1.5 Updating the Registry**

- a. The Clerk shall update the Registry as registrations are received by the Clerk to add properties or delete properties. However, once a premises is registered with the Clerk, the property may only be removed from the Registry by the property owner submitting a written request to the Clerk or as a result of a sale of the property.
- b. The Registry shall consist solely of the premises addresses and shall include no further identifying information concerning the ownership of each property.

#### **4A-1.6 Notice for Display**

- a. Those who have requested to be listed on the Township's Registry may procure from the Clerk's office a notice for display on the premises on the Registry stating that the premises is on the Township's Do Not Knock/Do Not Drop Off Registry. The notice for display shall be substantially as follows:

These premises are listed on the Township of Chatham Do Not Knock/Do Not Drop Off Registry. You may not enter these premises to peddle, solicit or

canvass on behalf of any person or organization. Those engaged in the delivery of goods to premises of persons previously ordering or entitled to receive such goods, charitable, educational, non-profit organizations, political, religious organizations are exempt and may be permitted.

- b. The first notice for display for a particular premises shall be provided free of charge and shall be picked-up in person from the Clerk's Office during regular business hours. If a replacement notice is required, there shall be a fee of \$5.00, which shall be payable to the Clerk's Office.
- c. The failure of an owner or occupant of premises listed on the Registry to have a Notice displayed on the premises shall not serve as a defense because it is the sole responsibility of the canvasser, peddler or solicitor to obtain the current Registry from the Clerk prior to canvassing, peddling or soliciting.

#### **4A-1.7 Exempt Persons**

The following persons are expressly exempted from the provisions of Chapter IVA:

- a. Any person who, as part of a regular course of business, is engaged in the delivery of goods to the premises of persons previously ordering or entitled to receive such goods.
- b. Any person who, as a member of any public, civic, charitable, educational or non-profit organization, is engaged in any fund-raising or other activity of such organization.
- c. Any officer, employee, agent or representative of any public, charitable, educational or non-profit organization.
- d. Any honorably discharged veteran who holds a license issued by the Clerk of Morris County pursuant to N.J.S.A. 45:24-9.
- e. Any exempt member of a volunteer fire department holding an exemption certificate as provided in N.J.S.A. 45:24-9.
- f. Any member, officer, employee, agent or representative of a religious or political organization, including candidates, engaged in any door-to-door canvassing on behalf of or for such organization or candidate.

#### **4A-1.8 Enforcement**

The Police Department shall enforce this Ordinance. However, this does not preclude an owner or occupant of premises listed on the Registry from filing an appropriate Summons with the Municipal Court Administrator nor does it preclude an owner or occupant of premises listed on the Registry from filing any other appropriate legal action.

#### **4A-1.9 Penalties**

- a. Any person violating any of the provisions of this Chapter IVA shall be liable upon conviction to the penalty stated in Chapter I, Section 1-5.
- b. Any peddler, solicitor or canvasser violating any of the provisions of this Chapter IVA is subject to revocation of that license pursuant to the revocation procedures set forth in Chapter IV.

**Section 2.** Chapter IV, titled "General Licensing", Section 4-1 titled "Licensing of Peddlers, Solicitors and Canvassers, Subsection 4-1.20 titled "Exempt Persons" is amended to be consistent with the exemptions to Section 4A-1.7, titled "Exempt Persons" as follows:

- a. Any person who, as part of a regular course of business, is engaged in the delivery of goods to the premises of persons previously ordering or entitled to receive such goods.
- b. Any person who, as a member of any public, civic, charitable, educational or non-profit organization, is engaged in any fund-raising or other activity of such organization.
- c. Any officer, employee, agent or representative of any public, charitable, educational or non-profit organization.

- d. Any honorably discharged veteran who holds a license issued by the Clerk of Morris County pursuant to N.J.S.A. 45:24-9.
- e. Any exempt member of a volunteer fire department holding an exemption certificate as provided in N.J.S.A. 45:24-9.
- f. Any member, officer, employee, agent or representative of a religious or political organization, who is engaged in any door-to-door canvassing on behalf of or for such organization.

**Section 3.** If any article, section, sub-section, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

**Section 4.** This Ordinance shall take effect upon final adoption and publication according to law.

Attorney Cruz said that this ordinance allows the creation of a registry of properties that do not want solicitors, canvassers and peddlers to knock on their door or drop off materials.

Committeewoman Swartz asked about the form. Attorney Cruz said that the content of the form is addressed in the ordinance. Committeewoman Swartz asked if the registration will extend beyond the sale of a property. Attorney Cruz said that properties will be removed from the list either when a property owner submits a written request for removal, or when a property is sold.

Mayor Selen opened the Public Hearing on Ordinance 2019-12. Seeing none, Mayor Selen closed the Public Hearing.

Committeewoman Ness moved to adopt Ordinance 2019-12. Deputy Mayor Kelly seconded the motion.

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

Ordinance 2019-13

**ORDINANCE 2019-13**

**BOND ORDINANCE TO AUTHORIZE THE REMOVAL OF UNDERGROUND STORAGE TANKS AND INSTALLATION OF ABOVE-GROUND STORAGE TANKS AT THE WATER POLLUTION CONTROL PLANT IN, BY AND FOR THE SEWER UTILITY OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$325,000 TO PAY THE COST THEREOF, 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 the removal of underground storage tanks and installation of above-ground storage tanks at the Water Pollution Control Plant in, by and for the Sewer Utility of the Township. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$325,000 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 by this ordinance. No down payment is required for this bond ordinance pursuant to the provisions of N.J.S.A. 40A:2-11(c) and 40A:2-7(h). 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 \$325,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$325,000, and (5) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$25,000 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 the Sewer Utility would have been self-liquidating, as defined in Section 47(a) of the Local Bond Law, during the fiscal year beginning January 1, 2018, had there been included in the interest and debt redemption charges for such year an amount equal to interest for one year at the rate of four and one half percentum (4½%) per annum on said bonds or notes, and the amount of the first installment of serial bonds legally issuable to finance such purpose plus an amount for charges as aforesaid with respect to all bonds and notes authorized but not issued for such Sewer Utility.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$325,000 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 \$325,000 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 \$325,000, but said \$325,000 shall be deducted from gross debt pursuant to Section 44(c) of the Local Bond Law and that the issuance of the bonds and notes authorized by this ordinance is permitted by an exception to the debt limitations prescribed by the Local Bond Law as provided in Sections 47(a) and 7(h) of the 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 limitations as to rate or amount.

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

Administrator Hoffmann said that this ordinance is to bring an underground storage tank into compliance, and is funded through the Township's sewer utility.

Committeewoman Swartz asked the public to be mindful of what gets flushed so as not to damage the sewer plant.

Mayor Selen opened the Public Hearing on Ordinance 2019-13.  
Seeing none, Mayor Selen closed the Public Hearing.

Committeewoman Ness moved to adopt Ordinance 2019-13. Deputy Mayor Kelly seconded the motion.

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

**Consent Agenda**

**RESOLUTION 2019-123  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
AUTHORIZING CANCELLATION OF CHECK FOR REFUND OF OVERPAYMENT OF  
TAXES**

**WHEREAS**, the Tax Collector has determined that overpayments exist on properties within the Township of Chatham, and

**WHEREAS**, the Tax Collector has researched the properties to determine who is entitled to the refund of the overpaid taxes and such research has determined that the following amounts should be canceled to the Township of Chatham,

**WHEREAS**, the Municipal Auditors have determined that the monies for taxes resulting in these overpayments are held in Tax Overpayment and a listing of these accounts is on file in the Tax Collector's office.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Tax Collector in conjunction with the Chief Finance Officer that the following credits be canceled and credit put into the Township of Chatham's Fund Balance:

<u>Year</u>	<u>Amount</u>
2011	\$ 1,925.37
2012	11,919.42
2013	573.63
2014	9,468.71
2015	4,693.74
2016	131.93
Total	<u>\$ 28,712.80</u>

**RESOLUTION 2019-133  
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
- Construction Official – April, May
- Tax Collector – May
- Police Department – April, May

**RESOLUTION 2019-134  
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 June 13, 2019.

**RESOLUTION 2019-135  
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 June 13, 2019.

**RESOLUTION 2019-136  
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:

<b>BLOCK</b>	<b>LOT</b>	<b>NAME &amp; ADDRESS</b>	<b>AMOUNT</b>
65.02	2.01	FLYNT, JENNIFER ERIN 9 STEEP HOLLOW HATTIESBURG, MS 39402  Property Location: 8E Sentinel Court	\$1,231.30 3 <sup>rd</sup> Quarter 2017  Overpayment of Taxes

**RESOLUTION 2019-137  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
APPOINTING MEMBER TO THE CHATHAM JOINT RECREATION ADVISORY  
COMMITTEE**

**WHEREAS**, a vacancy exists on the Chatham Joint Recreation Advisory Committee due to the resignation of a member; and

**WHEREAS**, the Mayor has selected an individual to fill the remainder of the unexpired term; and

**WHEREAS**, appointments to the Chatham Joint Recreation Advisory Committee are made by the Mayor with the consent of the Township Committee.

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

**Member**

**Term Expires**

Sharon Roche

December 31, 2019 – Filling Unexpired Term

**RESOLUTION 2019-138  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN  
THE COUNTY OF MORRIS, NEW JERSEY, REGARDING THE RENEWAL OF ALCOHOLIC  
BEVERAGE LICENSES IN THE TOWNSHIP OF CHATHAM FOR THE FISCAL YEAR  
BEGINNING JULY 1, 2019**

**WHEREAS**, an application for the renewal of an Alcoholic Beverage License in the Township of Chatham for the fiscal year beginning July 1, 2019 has been made by N and M Chatham Inc., Chattam Wine & Liquor LLC, CB Chatham LLC and Fairmount Country Club

**WHEREAS**, the applicants have complied with all the requirements of “An Act for the Manufacture, Distribution and Sale of Alcoholic Beverages”, known as the “Alcoholic Beverage Act and Amendments and Supplements thereto”, as well as the Ordinance of the Township of Chatham entitled “An Ordinance to Regulate the Sale and Distribution of Alcoholic Beverages”, as amended, including the submission of the appropriate license fees, and no objections to the renewal of said licenses have been received.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Clerk be and hereby is authorized to deliver the plenary retail distribution license as issued by the New Jersey Division of Alcoholic Beverage Control for the fiscal year beginning July 1, 2019, as follows:

To N and M Chatham Inc., trading as the Hickory Wine Cellar, for premises situated at 641 Shunpike Road, Chatham, New Jersey (Lic. No. 1405-44-003-008).

**BE IT FURTHER RESOLVED** that the Township Clerk be and hereby is authorized and directed to issue and deliver a plenary retail distribution license for the fiscal year beginning July 1, 2019, as follows:

To Chattam Wine & Liquor LLC., trading as Buy Rite Liquor, for premises situated at 650 Shunpike Road, Unit 1A Chatham, New Jersey (Lic. No. 1405-44-004-007).

**BE IT FURTHER RESOLVED** that the Township Clerk be and hereby is authorized and directed to issue and deliver a plenary retail consumption license for the fiscal year beginning July 1, 2019, as follows:

To Fairmount Country Club, Inc., a private club for members only, for premises situated at 400 Southern Boulevard, Chatham Township, New Jersey (License # 1405-33-001-002).

**BE IT FURTHER RESOLVED** that the Township Clerk be and hereby is authorized and directed to issue and deliver a plenary retail consumption license for the fiscal year beginning July 1, 2019, as follows:

To CB Chatham LLC, for premises situated at 522 Southern Boulevard, Chatham Township, New Jersey (Lic. No. 1405-33-002-009).

**BE IT FURTHER RESOLVED** that a copy of this Resolution certified by the Township Clerk be forwarded to the Division of Alcoholic Beverage Control and the State Department of Taxation and Finance, Newark, New Jersey, for their information and guidance.

**RESOLUTION 2019-140**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM**  
**AUTHORIZING A REQUEST FOR QUALIFICATIONS (RFQ) OR REQUEST FOR**  
**PROPOSAL (RFP) FOR 2019-2020 SNOW PLOWING SERVICES**

**BE IT RESOLVED**, by the Township Committee of the Township of Chatham that authorization is given to solicit quotes or prepare an RFP for Snow Plowing Services for the 2019-2020 season.

**RESOLUTION 2019-141**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM**  
**AUTHORIZING NOTICE OF INTENT TO AWARD CONTRACT UNDER A NATIONAL**  
**COOPERATIVE PURCHASING AGREEMENT – PURCHASE OF FIRE EQUIPMENT**  
**(TRUCKS)**

**WHEREAS**, the Township of Chatham intends to participate in the National Cooperative Purchasing Alliance – Region 14 Education Service Center contract for the purchase of two (2) pieces of fire equipment for the Chatham Township Volunteer Fire Department; and,

**WHEREAS**, information regarding the contract may be found on the NCPA website at: [www.ncpa.us](http://www.ncpa.us) ; and,

**WHEREAS**, it is the intent of the Township of Chatham to make a contract award pursuant to the proposal submitted in response to the NCPA-Region 14 Education Service Center Request for Proposals.

**WHEREAS**, the Township of Chatham is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

**NOW THEREFORE BE IT RESOLVED**, that the Township Committee authorizes the Township Clerk to take the appropriate action and post this notice to conform with the Township and Cooperative Purchasing agreement requirements

**RESOLUTION 2019-142**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,**  
**COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING AN AGREEMENT WITH**  
**PHOENIX ADVISORS, LLC FOR FINANCIAL CONSULTING SERVICES**

**WHEREAS**, the Township of Chatham has received a proposal from Phoenix Advisors LLC for financial consulting services regarding a proposed Payment in Lieu of Taxes for the redevelopment of the Skate Park.

**NOW THEREFORE, BE IT RESOLVED** that the Township of Chatham does hereby accept the proposal from Phoenix Advisors, LLC, and the Mayor and Township Clerk are authorized to execute the agreement for financial consulting services.

**BE IT FURTHER RESOLVED** that payments for services rendered by Phoenix Advisors for this contract will be from the developer's escrow fund for this redevelopment, Escrow Account 80145

**RESOLUTION 2019-143**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN**  
**THE COUNTY OF MORRIS, STATE OF NEW JERSEY,**  
**REFUNDING PRORATED COLONY POOL MEMBERSHIP FEE**

**WHEREAS**, a registration fee was paid for a Colony Pool Membership; and

**WHEREAS**, a prorated refund of the registration fee has been requested;

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

<u>NAME &amp; ADDRESS</u>	<u>AMOUNT</u>
Kasie Amalfitano 148 Lafayette Avenue Chatham, NJ 07928	\$490.00
Jamie Mills 44 Weston Ave, Apt-Unit FL 1 Chatham, NJ 07928	\$490.00

**RESOLUTION 2019-144**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2019 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 \$23,354.63 from the State of New Jersey Clean Communities Account Fund and wishes to amend its 2019 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 2019 in the sum of \$23,354.63 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 \$23,354.63 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.

**RESOLUTION 2019-145**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2019 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 \$30,400.00 from New Jersey American Water for the final paving of Parkview Road in order to restore same after a water main replacement project and wishes to amend its 2019 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 2019 in the sum of \$30,400.00 which will be available as a revenue from:

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

**NJAW Grant for Parkview Road Restoration, and**

**BE IT FURTHER RESOLVED**, that a like sum of \$30,400.00 be and the same is hereby appropriated under the caption of:

**Public and Private Programs Offset by Revenues:**

**NJAW Grant for Parkview Road Restoration.**

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

**RESOLUTION 2019-146**  
**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2019 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 will receive \$545,000 NJDOT Safe Routes to School Program for Shunpike Road Sidewalk Replacement Project and wishes to amend its 2019 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 2019 in the sum of \$545,000 which will be available as a revenue from:

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

**NJDOT Safe Routes to School Program for Shunpike Road Sidewalk Replacement Project, and**

**BE IT FURTHER RESOLVED**, that a like sum of \$545,000 be and the same is hereby appropriated under the caption of:

**Public and Private Programs Offset by Revenues:**

NJDOT Safe Routes to School Program for Shunpike Road Sidewalk Replacement Project.

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

**RESOLUTION 2019-147**  
**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2019 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 will receive \$115,081 NJDOT Federal Aid Highway Program for Shunpike Road Sidewalk-Falmouth Road to Pine Street Project and wishes to amend its 2019 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 2019 in the sum of \$115,081 which will be available as a revenue from:

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

**NJDOT Federal Aid Highway Program for Shunpike Road Sidewalk-Falmouth Road to Pine Street Project, and**

**BE IT FURTHER RESOLVED**, that a like sum of \$115,081 be and the same is hereby appropriated under the caption of:

**Public and Private Programs Offset by Revenues:**

NJDOT Federal Aid Highway Program for Shunpike Road Sidewalk-Falmouth Road to Pine Street Project.

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

Regarding the request for proposals for snow plowing services, Committeewoman Swartz noted that most of the snow plowing will still be performed by the Public Works department. The Township Clerk noted that the contractor would only be called in when there is 4+ inches of snow.

Deputy Mayor Kelly noted the purchase of a fire truck, which is being funded by the bond ordinance.

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

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

**RESOLUTION 2019-131**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM**  
**AUTHORIZING AGREEMENT WITH TRU-GREEN FOR FERTILIZATION AND**  
**MAINTENANCE OF LAWNS AND FIELDS**

**WHEREAS**, the Township solicited four (4) proposals for weed control and maintenance of the municipally owned lawns and fields; and

**WHEREAS**, three (3) proposals were submitted to the Township; and

**WHEREAS**, the proposal from Tru-Green in the amount not to exceed \$11,000 was the best overall value; and

**WHEREAS**, the effective period of the agreement will be until December 31, 2019.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chatham formally accepts the proposal from Tru-Green for weed control and maintenance of fields and lawns in the amount not to exceed \$11,000.00.

Administrator Hoffmann gave a report on the updated information received just prior to the last Township Committee meeting. He also reported on the analysis of the proposals that were received for lawn maintenance. Administrator Hoffmann said that a one-time intervention to handle weed removal has been recommended, and a long-term program can be sought after the intervention.

Committeewoman Ness asked about how meeting a lesser weed burden would impact the cost of the program. Administrator Hoffmann said that it will cost more to have an organic program if the weed content is higher than 5%. He also said that reducing the weed content through an organic method would be significantly more expensive.

The costs of the lawn maintenance options were discussed. The need for aeration and costs thereof was also discussed. The costs of organic care compared to conventional care were also discussed. Administrator Hoffmann also stressed the need for decisions to be made in a timely manner. Committeewoman Swartz spoke in favor of moving forward with the recommendation made by Administrator Hoffmann.

Mayor Selen invited Mrs. Feeser to address the matter. Mrs. Feeser said that fertilization is needed, and the TruGreen method will include a weed control component. She also said that a fertilizer should be applied in August, and an organic fertilizer is preferable.

Committeewoman Ness asked if anything should be done to improve conditions at Esternay Field. Attorney Cruz said that the question at hand should be dealt with.

Mayor Selen asked if the matter should be tabled.

Committeewoman Swartz moved to adopt Resolution 2019-131. Committeewoman Ness seconded the motion.

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

**Hearing of Citizens/Petitions**

Mayor Selen opened the Hearing of Citizens.

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

**Executive Session**

**RESOLUTION 2019-P-10**

**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
  - b. Personnel Matters: Police Department
  - c. Personnel Matter: Department of Public Works
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-09 to enter Executive Session at 10:22 PM. Committeewoman Ness seconded the motion.

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

The Township Clerk announced that formal action following the Executive Session is anticipated.

The Township Committee returned from Executive Session at 11:25 PM.

**RESOLUTION 2019-148**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING MICHAEL E. DUFFY TO THE PUBLIC WORKS DEPARTMENT**

**BE IT RESOLVED** by the Township Committee of the Township of Chatham that Michael E. Duffy is hereby appointed to the Department of Public Works effective July 1, 2019 with terms and conditions of employment as governed by the collective bargaining agreement in effect between the Township and Teamsters Local #866 at a starting salary in accordance with Serviceman Grade III Step 6.

Committeewoman Swartz moved to adopt Resolution 2019-148. Committeewoman Ness seconded the motion.

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

**RESOLUTION 2019-149**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING ROGER CASALE TO THE PUBLIC WORKS DEPARTMENT**

**BE IT RESOLVED** by the Township Committee of the Township of Chatham that Roger Casale is hereby appointed to the Department of Public Works effective July 16, 2019

with terms and conditions of employment as governed by the collective bargaining agreement in effect between the Township and Teamsters Local #866 at a starting salary in accordance with Serviceman Grade III Step 1.

Committeewoman Swartz moved to adopt Resolution 2019-149. Mayor Selen seconded the motion.

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

**RESOLUTION 2019-150**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING CONDITIONAL OFFER OF EMPLOYMENT TO ANTHONY CAMPANELLI FOR THE POSITION OF PATROLMAN IN THE CHATHAM TOWNSHIP POLICE DEPARTMENT**

**BE IT RESOLVED**, by the Township Committee of the Township of Chatham that a conditional offer of employment is hereby extended to Anthony Campanelli with an appointment date of Tuesday, July 16, 2019 pending successful completion of all required checks. The terms and conditions of employment shall be as found in the Collective Bargaining Agreement in effect between the Township of Chatham and PBA Local 170.

Committeewoman Ness moved to adopt Resolution 2019-150. Committeewoman Swartz seconded the motion.

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

**RESOLUTION 2019-151**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING ANTHONY LoPORTO TO THE POSITION OF SERGEANT IN THE CHATHAM TOWNSHIP POLICE DEPARTMENT**

**BE IT RESOLVED**, by the Township Committee of the Township of Chatham that Anthony LoPorto is hereby appointed Sergeant in the Chatham Township Police Department, effective July 16, 2019. The terms and conditions shall be as found in the Collective Bargaining Agreement in effect between the Township of Chatham and PBA Local 170.

Committeewoman Swartz moved to adopt Resolution 2019-151. Deputy Mayor Kelly seconded the motion.

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

Deputy Mayor Kelly moved to adjourn at 11:29 PM. Committeewoman Ness seconded the motion, which carried unanimously.

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Gregory J. LaConte  
Municipal Clerk