

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
AUGUST 16, 2018**

Deputy Mayor Swartz called the Regular Meeting of the Township Committee of the Township of Chatham to order at 7:33 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 5, 2018; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 5, 2018; and notice was filed with the Township Clerk on January 5, 2018.

Deputy Mayor Swartz led the flag salute.

Roll Call

Answering present to the roll call were Committeeman Selen, Committeeman Kelly, Committeeman Sullivan and Deputy Mayor Swartz. Mayor Ritter was absent. Committeeman Selen participated by conference call.

Approval of Agenda

Committeeman Kelly moved to approve the agenda as amended. Committeeman Sullivan seconded the motion, which carried unanimously.

Public Hearing/Final Adoption of Ordinances

Ordinance 2018-17

ORDINANCE 2018-17

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS PUBLIC IMPROVEMENTS 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 \$550,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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

Section 1. The Township of Chatham, in the County of Morris, State of New Jersey (the "Township") is hereby authorized to undertake the following public improvements in, by and for the Sewer Utility of the Township: (A) upgrading of electrical systems at the Northside and Southside Sanitary Sewer Pump Stations; and (B) removal of underground storage tanks and installation of above-ground storage tanks at the Water Pollution Control Plant. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$550,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

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 \$550,000, and (4) \$27,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$523,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$50,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$27,000, appropriated for down payments on capital improvements or for the capital improvement fund in Sewer Utility budgets heretofore adopted for said Township, are now available to finance said purpose. The sum of \$27,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$523,000 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 \$523,000 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 \$523,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from 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 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 12. 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 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. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Administrator Ciccarone noted that the public hearing was conducted at the July 16th meeting, and the vote is being held at this meeting as there were not enough members of the Township Committee present to conduct the vote. He also noted that Committeeman Selen, who is participating electronically, was present at the public hearing. Mr. Robertson noted that Mr. Selen was reached at the phone number he had provided, and was positively identified.

Committeeman Sullivan moved to adopt Ordinance 2018-17. Committeeman Kelly seconded the motion.

Roll call: Committeeman Selen, Aye; Committeeman Kelly, Aye; Committeeman Sullivan, Aye; Deputy Mayor Swartz, Aye; Mayor Ritter, Absent.

Following the adoption of the ordinance, Committeeman Selen left the meeting.

Resolutions

RESOLUTION 2018-152

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM HONORING STEVEN HENNELLY FOR HIS YEARS OF FAITHFUL AND DEDICATED SERVICE TO THE RESIDENTS OF CHATHAM TOWNSHIP

WHEREAS, Steven Hennelly has recently retired after thirty one years of loyal and dedicated professional law enforcement service to the Township; and

WHEREAS, Steven Hennelly, began his employment with the Township as a Patrolman in 1987 and throughout his career filled many positions including Detective, Juvenile Officer and Public Information Officer; and

WHEREAS, Steven Hennelly was promoted to the rank of Sergeant in 2005 and Lieutenant in 2009 where he compiled an extensive array of accomplishments, was responsible for supervising the daily operations of the Patrol Division and was also responsible for all Internal Affairs matters; and

WHEREAS, Steven Hennelly was promoted to the position of Chief of Police in February 2013 and served admirably in that position for the past 5 ½ years during which time the Township of Chatham received national recognition as one of the safest communities in the country and the Department achieved accreditation through the New Jersey Association of Chiefs of Police; and

WHEREAS, Steven Hennelly received numerous personal awards including Life Saving, Meritorious Service, Community Service, and Exceptional Duty, was a strong advocate for Community Policing and was dedicated to the highest standards of police professionalism, serving as a mentor to many Department Members assisting their career development.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that we hereby, recognize, and extend our deep appreciation to **Chief Steven Hennelly**, upon the occasion of his retirement, for his many contributions to our community, and to extend to him and his family Ann Marie, Jessica and Matthew our best wishes for success and happiness in the future.

Deputy Mayor Swartz read aloud the resolution honoring Chief Hennelly upon his retirement.

Committeeman Sullivan moved to adopt Resolution 2018-152. Committeeman Kelly seconded the motion.

Roll call: Committeeman Selen, Absent; Committeeman Kelly, Aye; Committeeman Sullivan, Aye; Deputy Mayor Swartz, Aye; Mayor Ritter, Absent.

Chief Hennelly gave a speech on his years of service.

Lt. Miller also commented on Chief Hennelly's career, and presented with Chief Hennelly with his retirement badge and a shadowbox of his awards.

At 7:50 PM, the Township Committee took a recess for a reception in honor of Chief Hennelly. The Township Committee returned to public session at 8:13 PM.

Reports

Committeeman Kelly reported that the Community Garden will be having their first annual Harvest Festival on Sunday, September 16th. He also reported that Public Works have been working around recent weather conditions. Crosswalks have been repainted, and athletic fields have had the lines put down for fall sports.

Administrator Ciccarone reported that registration for the Stay-cation program at Colony Pool kicked off this week. For \$150, a family can join Colony Pool for the last two weeks of the season

Deputy Mayor Swartz reported that on September 8th the Sustainability Fair will be held in conjunction with the Chatham Borough Farmers Market. She also noted the recent passing of Rockaway Township Mayor Michael Dachisen.

JCP&L Report

Mr. Rob Walton reported on JCP&L’s Reliability Plus program which has been submitted to the BPU for approval. In December 2017 the BPU created a rate mechanism to encourage utility companies to invest in infrastructure and to recoup the costs on a four year basis rather than the normal 10-12 year period. The benefits that Chatham Township would see will include enhanced vegetative management, replacement of circuit breakers with automatically-closing circuit breakers, and circuit breakers that would tie in with the distribution control center. JCP&L will also be conducting substation upgrades which will benefit the Township. The vegetative management will include removal of overhang in Zone 2. Ash trees are being targeted due to emerald ash borer infestations.

Deputy Mayor Swartz asked about the percentage of power outages that are caused by tree limbs. Mr. Walton said that under normal weather conditions, tree limbs account for 25% to 50% of outages, and over 90% during storms. Mr. Walton also said that they are hoping to receive BPU approval in the fall and begin the project in January.

Committeeman Kelly asked about trees marked by red ribbons, and said that they appear to be in clusters. Mr. Walton said that the marked trees are in areas where JCP&L is currently working, and areas that are served by other substations will be dealt with at another time.

Deputy Mayor Swartz asked about the cost of converting to underground utilities. Mr. Walton said that Massachusetts recently did a study which estimated a cost of \$2.2 million per mile, and the BPU recently issued a report estimating \$3 million per mile.

Mr. Walton addressed the cost increase to be incurred by customers for the Reliability Plus project. An average customer will see an increase of \$0.26 per month, but this rider would end after 2019.

Hearing of Citizens

Deputy Mayor Swartz opened the Hearing of Citizens.

1. Frank Sharp, 26 Dale Drive, said that on Father’s Day there was a sewage backup in his basement. He noted that the Township responded quickly and cleared a blockage in the line. Mr. Sharp also said that he hired Servepro to clean his basement. He asked that the Township assist him with the costs of the repairs to the damage caused by the sewer backup. Administrator Ciccarone said that the Township has put in an insurance claim through the Municipal Joint Insurance Fund, and he is working to help Mr. Sharp on this matter.

Seeing no further public comment, Deputy Mayor Swartz closed the Hearing of Citizens.

Consent Agenda

RESOLUTION 2018-132

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING PAYMENT OF BILLS, PAYROLLS, SCHOOL TAXES AND COUNTY TAXES

BE IT RESOLVED that bills in the total amount of \$1,024,718.92 and the prior month’s payroll of \$492,693.22 Current Fund, \$45,844.83 Sewer No. 1, \$10,470.66 Sewer No. 2, and \$61,240.79 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of August 2018, in the amount of \$3,141,155.00 be paid.

BE IT FURTHER RESOLVED that taxes due to the County of Morris, for the Third Quarter of 2018, in the amount of \$2,282,666.67 be paid.

RESOLUTION 2018-133

**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 – July
- Construction Official – July
- Police Department – July

**RESOLUTION 2018-134
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 July 19, 2018.

**RESOLUTION 2018-135
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 July 19, 2018.

**RESOLUTION 2018-136
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 Chief Financial Officer has recommended the refund of such overpayment, **NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following refunds be made:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
48.05	12	Van Houten, JE & ED c/o Skoloff & Wolfe, PC. 293 Eisenhower Parkway Livingston, New Jersey 07039 Property Address- 19 Thornley Drive	\$2,476.75 (2010) 2,557.19 (2011) <u>2,603.60 (2012)</u> <u>\$ 7,637.54</u> State Tax Court Judgment

**RESOLUTION 2018-137
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF
MORRIS, STATE OF NEW JERSEY, RELEASING DEVELOPER ESCROW ACCOUNT
AND/OR PERFORMANCE BOND BALANCES**

WHEREAS, developers are required to deposit monies with the Township for the purposes of offsetting Township professional costs to review plans or to inspect approved development and for the purpose of ensuring the satisfactory completion of public or private improvements; and

WHEREAS, these deposited monies, following all necessary withdrawals to cover Township expenses or costs, may be released upon satisfactory completion of work, receipt of review board decisions, or completion of guaranteed work, upon passage of a Township resolution authorizing such release.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following guarantee amount or account balances, with interest adjustments as prescribed by state and local laws, may be released to the depositor of record:

<u>NAME</u>	<u>Project</u>	<u>A/C NUMBER</u>	<u>AMOUNT</u>
Joseph Iossa 54 Main Street Madison, NJ 07940	BOA 12-130-26 27 Lake Drive	7761692966	\$3.50

RESOLUTION 2018-138
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
REFUNDING CONSTRUCTION PERMIT FEE

WHEREAS, the Township Committee has considered the request submitted by the Construction Official with regard to the fee that was paid for a construction permit that was submitted to the Township; and

WHEREAS, the project for which the permit was issued was cancelled; and

WHEREAS, the fee collected for the permit was \$378.00; and

WHEREAS, twenty percent (20%) of the total charge was for plan review, and is therefore being deducted from the refund;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following amount be refunded to the depositor of record:

<u>NAME</u>	<u>PERMIT #</u>	<u>AMOUNT</u>
Air Group LLC 1 Prince Road Whippany, NJ 07981	18-0443	\$302.40

RESOLUTION 2018-139
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING FIRE DEPARTMENT MEMBERSHIPS

WHEREAS, the Township of Chatham has designated the Green Village Volunteer Fire Department and the Chatham Township Volunteer Fire Department as the official fire companies for the Township; and

WHEREAS, members of both departments are eligible for membership in N.J. State Firemen's Association as provided by applicable law; and

WHEREAS, in order to become members of the association, the Township is required to certify that each applicant is an active member of the respective Fire Department;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the following named individual has been admitted to active membership in the respective department as approved by the Township Committee.

<u>NAME</u>	<u>FIRE DEPARTMENT</u>
John D. Robertson	Chatham Township Fire Department

RESOLUTION 2018-140
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY,
REFUNDING SEWER LIEN

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

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

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

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
63	1.01	Lienholder: Christiana T.C. C&E1/First PO Box 5021 Philadelphia, PA 19111-5021 Certificate #17-00002 Williams, Magalys 677 River Rd.	\$ 10,070.48 – Certificate <u>1,800.00 – Premium</u> 11,870.48 – Total
83	1	Lienholder: US Bank Cust. For PC7 Firsttrust 50 South 16 th Street Philadelphia, PA 19102 Certificate #17-00006	\$1,835.72 – Certificate <u>1,000.00 – Premium</u> 2,835.72 – Total

		Finnen, Kenneth & Nicole 71 Pine St.	
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BE IT FURTHER RESOLVED that the Tax Collector is authorized to prepare and sign a Discharge of Certificate 17-00002 and Certificate 17-00006.

RESOLUTION 2018-141

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING SUBMITTAL OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SHUNPIKE ROAD SIDEWALK REPLACEMENT PROJECT (PINE STREET TO LAFAYETTE AVENUE)

NOW, THEREFORE, BE IT RESOLVED that Council of Chatham formally approves the grant application for the above state project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SRS-2018-Shunpike Road Sidewalk Replacement -00016 to the New Jersey Department of Transportation on behalf of Township of Chatham.

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

RESOLUTION 2018-142

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING AND CERTIFYING THE CONTINUAL OWNERSHIP AND MAINTENANCE BY THE TOWNSHIP OF CHATHAM FOR THE USEFUL LIFE OF THE PROJECT AFTER THE CONSTRUCTION IS COMPLETED FOR THE SHUNPIKE ROAD SIDEWALK REPLACEMENT PROJECT (PINE STREET TO LAFAYETTE AVENUE) PROPOSED IN THE 2018 NEW JERSEY DEPARTMENT OF TRANSPORTATION, SAFE ROUTES TO SCHOOL GRANT APPLICATION

NOW, THEREFORE, BE IT RESOLVED that Council of Chatham formally certifies the continual ownership and maintenance by the Township of Chatham for the useful life of the project after the construction is completed.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application, identified as SRS-2018-Shunpike Road Sidewalk Replacement -00016, which includes the aforementioned maintenance agreement, to the New Jersey Department of Transportation on behalf of Township of Chatham.

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

RESOLUTION 2018-143

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING SUBMITTAL OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FAIRMOUNT AVENUE (CR 638) SIDEWALK IMPROVEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Chatham formally approves the grant application for the above state project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application, identified as TA-2018-Fairmount Avenue Sidewalk Improvement-00076, to the New Jersey Department of Transportation on behalf of Township of Chatham.

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

RESOLUTION 2018-144

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING AND CERTIFYING THE CONTINUAL OWNERSHIP AND MAINTENANCE BY THE TOWNSHIP OF CHATHAM FOR THE USEFUL LIFE OF THE PROJECT AFTER THE CONSTRUCTION IS COMPLETED FOR THE FAIRMOUNT AVENUE (CR 638) SIDEWALK IMPROVEMENT PROJECT IN THE 2018 NEW JERSEY DEPARTMENT OF TRANSPORTATION, TRANSPORTATION ALTERNATIVES PROGRAM GRANT APPLICATION

NOW, THEREFORE, BE IT RESOLVED that Council of Chatham formally certifies the continual ownership and maintenance by the Township of Chatham for the useful life of the project after the construction is completed.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application, identified as TA-2018-Fairmount Avenue Sidewalk Improvemen-00076, which includes the aforementioned maintenance agreement, to the New Jersey Department of Transportation on behalf of Township of Chatham.

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

**RESOLUTION 2018-145
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING SEWER CONNECTION FOR 6 CHESTNUT ROAD**

WHEREAS, the Township Engineer has certified that all applications requirements for 6 Chestnut Road, Block 54, Lot 10.20 including the payment of the administrative review fee have been met and that sewer capacity is available; and

WHEREAS, in a memo dated July 27, 2018 the Township Engineer outlined various conditions for the approval of a sewer connection for 6 Chestnut Road, Block 54, Lot 10.20;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that it hereby, approves the issuance of a sanitary sewer permit for 6 Chestnut Road, Block 54, Lot 10.20 subject to the conditions set forth by the Township Engineer.

**RESOLUTION 2018-146
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY REFUNDING THIRD-PARTY POLICE
SERVICES ESCROW ACCOUNT OVERPAYMENT**

WHEREAS, the Township, pursuant to Section 2-49 of the Code of the Township of Chatham, has established a policy regarding the employment of off-duty police officers by private employers for matters involving safety and security; and

WHEREAS, Section 2-49.2 authorizes the establishment of an escrow account for the deposit of funds paid by private employers in advance of the rendering of such security and safety services; and

WHEREAS, multiple entities have deposited funds in escrow accounts for such employment; and

WHEREAS, after expenses the accounts have remaining balances to be refunded;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the Treasurer of the Township of Chatham is hereby authorized to refund from the Third-Party Police Services Escrow Account the following balances:

Konkus Corporation 3322 Rt 22 W. Bldg. 10, Ste. 1006 Branchburg, NJ 08876	\$360.00
Penta Communications 1421 Witherspoon Street Rahway NJ 07065	\$560.00
Highgate at Chatham Attn: Ron Gunn 41 Fairview Ave Madison, NJ 07940	\$20.00
High Point Utilities 150 Ryerson Avenue Wayne, New Jersey 0747	\$240.00
Telecable Attn: Gail Kleinknecht 1511 New Market Ave South Plainfield, N.J. 07080	\$200.00

SOS Security LLC P.O BOX 6373 Parsippany, NJ 07054	\$378.00
Chatham Interfaith Youth Council Attn: Mary Anne (Psomi) Psomas-Jackloski Corpus Christi Church 234 Southern Blvd. Chatham, NJ 07928	\$150.99
Mark Skinner 26 Hilltop Terrace Chatham, NJ 07928	\$39.00

RESOLUTION 2018-147

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH DENVILLE LINE
PAINTING, INC FOR 2018 ROAD RESURFACING – PHASE I**

WHEREAS, the Township Committee of the Township of Chatham awarded a contract under the Morris County Cooperative Pricing Council to Denville Line Painting, Inc of 2 Green Pond Road, Rockaway, New Jersey to stripe Bridge Avenue, Central Avenue, and Hickory Place, collectively referred to as “2018 Road Resurfacing – Phase I” in the amount of \$3,462.00

WHEREAS, the final as-built cost of the project is \$3,377.42, \$84.58 less than the original Contract amount;

WHEREAS, the project was substantially complete on or about August 1, 2018;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it hereby approves a Contract reduction of \$84.58 to reflect the as-built cost of the 2018 Road Resurfacing – Phase I project.

RESOLUTION 2018-148

**RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY AUTHORIZING SALE OF SERVICE WEAPON TO RETIRING
POLICE CHIEF STEVEN HENNELLY**

WHEREAS, Chief Steven Hennelly has retired from the Police Department of the Township of Chatham, County of Morris, State of New Jersey, and

WHEREAS, Chief Steven Hennelly has requested his service weapon upon retirement, namely a Smith & Wesson Model M&P .45 cal, Serial Number DVF8973.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Chief Steven Hennelly is hereby authorized to purchase the Smith & Wesson Model M&P .45 cal, Serial Number DVF8973 for the sum of one dollar (\$1.00) payable to the Township of Chatham, provided, however that Chief Steven Hennelly shall first produce proof of all required licenses and permits for possession of the said weapon.

RESOLUTION 2018-149

**RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING A CHANGE ORDER TO
THE CONTRACT WITH TILCON NEW YORK INC. FOR THE 2018 ROAD RESURFACING –
PHASE I**

WHEREAS, the Township Committee of the Township of Chatham awarded a contract through the Morris County Cooperative Pricing Council, Contract #6: Road Resurfacing, District #1, to Tilcon New York, Inc of 9 Entin Road, Parsippany, New Jersey for the 2018 Road Improvements Project in the amount of \$173,269.95 (Resolution 2018-062) which included Bridge Avenue, Central Avenue, Hickory Place, Gibbons Place, Henry Drive, and Memorial Drive, collectively referred to as “2018 Road Resurfacing – Phase I”;

WHEREAS, the Contract scope of work was previously amended to include the milling and resurfacing of the Green Village Firehouse (Resolution 2018-090). The monetary value for the additional milling and paving under the Morris County Cooperative Pricing Council was \$25,365.00;

WHEREAS, the Contract scope of work was previously amended to also include a change order for base repairs within the Green Village Firehouse (Resolution 2018-090). The cost of the base repairs was approximately \$18,000.00;

WHEREAS, the Contract was increased for the amended scope of work and the amended contract amount was \$216,634.95 (Resolution 2018-090);

WHEREAS, The Township Engineer recommends the removal of the resurfacing of Hickory Place from the current scope of work;

WHEREAS, the remainder of the Contract has been completed and the as-built cost of the resurfacing of Bridge Avenue, Central Avenue, Gibbons Place, Henry Drive, Memorial Drive, and the Green Village Firehouse were completed for a total cost of \$142,843.80, a reduction of \$73,791.15.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it hereby approves a Contract decrease of \$73,791.15 to \$142,843.80 for the as-built quantities of the Contract.

**RESOLUTION 2018-150
RESOLUTION OF THE TOWNSHIP COMMITTEE REJECTING BIDS RECEIVED FOR
LENAPE TRAIL CURB IMPROVEMENT PROEJCT**

WHEREAS, the Township Committee of the Township of Chatham solicited for bids for the Lenape Trail Curb Improvement Project;

WHEREAS, the bids were received and opened on Tuesday August 14, 2018 at 11:15 A.M.;

WHEREAS, a single bid from Diamond Construction, 35 Beaverson Boulevard, Suite 12C, Brick, NJ 08723 was received for the Lenape Trail Curb Improvement Project;

WHEREAS, the bid contained a mathematical error and the addition of unsolicited payment items. The written unit price for item 6a is identified as \$900 (nine hundred dollars) per ton for a total of \$180,000 (one hundred eighty thousand dollars), however the total price written is \$18,000 (eighteen thousand dollars). The total base bid price would therefore be \$320,216.00.

WHEREAS, A bid price of \$2,000.00 was included for drainage structures and a bid price of \$15,000.00 was included for site restoration, however, these items were not specified in the proposal pages;

WHEREAS, the addition of payment items results in a non-responsive bid;

WHEREAS, the Township Engineer, John Ruschke, PE of Mott MacDonald recommends the rejection of the single bid received.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it hereby approves the rejection of the single bid received for the Lenape Trail Curb Improvement Project.

**RESOLUTION 2018-151
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AWARDING WOODLAWN DRIVE DRAINAGE IMPROVEMENTS PROJECT TO CIFELLI &
SON GENERAL CONTRACTING**

WHEREAS, Chatham Township wishes to install drainage improvements on Woodlawn Drive within the Township of Chatham;

WHEREAS, the Township Committee of the Township of Chatham solicited for bids for the Woodlawn Drive Drain Improvements Project;

WHEREAS, five total bids were received and opened on Tuesday August 14, 2018 at 11:00 A.M.;

WHEREAS, Cifelli & Son General Contracting (Cifelli & Son) of 81 Franklin Avenue, Nutley, New Jersey was the lowest, responsible, responsible bidder in the amount of \$111,935.00;

WHEREAS, the Township Engineer has recommended the award of the Woodland Drive Drainage Improvements Project to Cifelli & Son in the amount of \$111,935.00; and

BE IT RESOLVED that the Township of Chatham hereby awards a contract to Cifelli & Son in the amount of \$111,935.00.

Deputy Mayor Swartz said that when the Township Committee said that when the Township Committee moves forward with a sidewalk project, consideration is given to make sure that it best serves the Township's residents. She also said that the Township accepts responsibility for maintenance of such sidewalks.

Committeeman Kelly moved to approve the Consent Agenda. Committeeman Sullivan seconded the motion.

Roll call: Committeeman Selen, Aye; Committeeman Kelly, Aye; Committeeman Sullivan, Aye; Deputy Mayor Swartz, Aye; Mayor Ritter, Absent.

Announcements

Administrator Ciccarone said that a special meeting of the Township Committee will be scheduled for 4:00 PM on August 28th for an executive session to discuss the draft settlement agreement with the Fair Share Housing Center.

Hearing of Citizens/Petitions

Deputy Mayor Swartz opened the Hearing of Citizens.

1. Andrew Passantino, 54 Sterling Drive, thanked the Police Department for everything they do. He also noted that there is not a sign at the border with Harding Township to indicate that people have entered Chatham Township. Mr. Passantino also mentioned that there is a lot of speeding on Sterling Drive. He further suggested that there be some hurricane preparation for the future, and perhaps the Police Department might want to have a coffee day with local residents to improve relations.

Deputy Mayor Swartz asked about the speeding problem. Mr. Passantino said that he is amazed how fast people drive on Sterling Drive.

Seeing no further public comment, Deputy Mayor Swartz closed the Hearing of Citizens.

Committeeman Sullivan moved to adjourn at 8:39 PM. Committeeman Kelly seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk