

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE AGENDA

August 17, 2017
August 15, 2017 Draft

Meeting Called to Order

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 6, 2017; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 6, 2017; and notice was filed with the Township Clerk on January 6, 2017.

Flag Salute

Roll call

Approval of Agenda

Reports

Hearing of Citizens/Petitions Note: This is an opportunity for any member of the public to be heard about issues which are not topics scheduled for Public Hearings tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to three minutes.

Consent Agenda (routine items that may be passed by a single roll call vote; any Committee member may call for a separate discussion or vote on any item)

1. Resolution 2017-147 Payment of Bills
2. Resolution 2017-148 Receipt of Reports
3. Resolution 2017-149 Approving Meeting Minutes
4. Resolution 2017-150 Colony Luau Refunds
5. Resolution 2017-151 Colony Membership Refund
6. Resolution 2017-152 Appointing Member of Zoning Board of Adjustment
7. Resolution 2017-153 Establishing Escrow Account to Pay Special Master Fees
8. Resolution 2017-154 Releasing Performance Bond
9. Resolution 2017-155 Approving Inter-Local Agreement with County of Morris for Shunpike Corridor Improvements
10. Resolution 2017-156 Authorizing the Sale of Surplus Property
11. Resolution 2017-157 Authorizing Change Order for Chatham Glen Pump Station Project

Discussion: possible ordinance or resolution

Hearing of Citizens (Time Permitting)

Executive Session* – Resolution 2017-P-11

1. Litigation: In the Matter of the Township of Chatham for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan Docket No. MRS-L-1659-15
2. Property Acquisition: Open Space

Adjourn

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

RESOLUTION 2017-148

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:

Construction Official – July
Tax Collector – July
Police Department – July

Adopted: August 17, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor

DRAFT

RESOLUTION 2017-149

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 20, 2017.

Adopted: August 17, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2017-150

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING COLONY POOL LUAU FEE

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

WHEREAS, a 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 & ADDRESS</u>	<u>AMOUNT</u>
Nicole Lois 14 Gates Avenue Chatham, NJ 07928	\$60.00
Ben Moore 27 Woodlawn Dr Chatham, NJ 07928	\$60.00
Gayle Simonetti 88 Hampton Road Chatham, NJ 07928	\$60.00
Jose Alberto Lopez Garcia 512 Sun Valley Way Florham Park, NJ 07932	\$180.00
Lisa Lyng 719 River Road Chatham, NJ 07928	\$60.00
Beth Kupchinsky 47 School Avenue Chatham, NJ 07928	\$60.00
Paul Koury 558 Fairmount Ave Chatham, NJ 07928	\$60.00
Diane Fortuna 119 Ormont Road Chatham, NJ 07928	\$60.00
Leonard Jacoban 56 Stonewyck Drive Chatham, NJ 07928	\$60.00
Martin Frey 22 Dale Drive Chatham, NJ 07928	\$60.00
Michelle Higgins 5 Jay road Chatham, NJ 07928	\$60.00
Carole Bhalla 14 Pembroke Road Chatham, NJ 07928	\$60.00

Susan Ross
14 Hall Road
Chatham, NJ 07928

\$35.00

Karen Swartz
2 Yarmouth Road
Chatham, NJ 07928

\$35.00

Elissa Guerra Arent
148 Center Ave
Chatham, NJ 07928

\$60.00

Susan Zwick
417 River Road
Chatham, NJ 07928

\$60.00

Colin Murray
28 Oliver St
Chatham, NJ 07928

\$60.00

Adopted: August 17, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor

RESOLUTION 2017-151

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING COLONY POOL MEMBERSHIP FEE

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

WHEREAS, a 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 & ADDRESS</u>	<u>AMOUNT</u>
Patrick Thistlethwaite 150 Washington Ave Chatham, NJ 07928	\$850.00

Adopted: August 17, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor

RESOLUTION 2017-153

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF AN ESCROW ACCOUNT OF \$2,500.00 FOR THE PURPOSE OF PAYING THE FEES OF THE SPECIAL REGIONAL MASTER APPOINTED BY THE HONORABLE MARYANN L. NERGAARD, J.S.C.

WHEREAS, on July 7, 2015, the Township of Chatham filed a Complaint for Declaratory Judgment captioned 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; and

WHEREAS, on June 20, 2017, the Honorable Maryann L. Nergaard, J.S.C., sua sponte entered an Order Appointing Richard B. Reading as Special Regional Master (“Special Regional Master Order”) to assist Judge Nergaard “in the preparation of an appropriate methodology to employ for projecting the Mount Laurel housing needs in Morris County and allocating that need among the Morris Municipalities...”; and

WHEREAS, that Order requires that on or before August 1, 2017 a total of \$5,000.00 be deposited into an Escrow Account, “such sum to be comprised of each Morris Municipality’s share of \$2,500.00, and \$2,500.00 to be paid by the Intervenors for each respective Municipality”; and

WHEREAS, Sun Homes, LLC, and Sterling Properties, LLC, have intervened as one party; and

WHEREAS, the Special Regional Master Order, a copy of which is attached, sets forth the fees and the procedure for payment of the Special Regional Master, and requires the establishment of an Escrow Account by the Morris Municipalities for the payment of same; and

WHEREAS, an Escrow Agent has not been appointed by Judge Nergaard, and the Township adopts this Resolution in anticipation of Judge Nergaard appointing an Escrow Agent.

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

1. The Township of Chatham is hereby authorized to pay into the Escrow Account the sum of \$2,500.00 for the purpose of paying the fees of the Special Regional Master appointed by Judge Nergaard.
2. The fees to be paid to the Special Regional Master shall be in accordance with the Schedule of Fees attached to the Special Regional Master Order as Exhibit A, and shall be paid pursuant to the procedures set forth in the Special Regional Master Order.
3. This Resolution shall take effect immediately.

Adopted: August 17, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2017-154

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>Block & Lot</u>	<u>Account #</u>	<u>Amount</u>
ROSEPOND LLC c/o Sterling Properties 50 East Mount Pleasant Ave Livingston, NJ 07039	Block 135, Lots 19 & 19.01	7760011091 Bond #0396797	\$2,808.00

Adopted: August 17, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By: _____
Curt Ritter, Mayor

RESOLUTION 2017-155

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING AN INTERLOCAL AGREEMENT WITH MORRIS COUNTY PROVIDING FOR THE REIMBURSEMENT FOR SHUNPIKE CORRIDOR IMPROVEMENTS PROJECT

WHEREAS, the Township of Chatham (“Township”) and the County of Morris (“County”) dsire to improve traffic flow, traffic safety and pedestrian safety along the Shunpike Road Corridor between Green Village Road and Green Village Road/Southern Boulevard; and

WHEREAS, the County will be the lead agency on the road improvement project and the Township will be reimbursing the County for a portion of the costs; and

WHEREAS, the estimated cost of the project is \$669,038.07; and

WHEREAS, the Township share will be \$64,622.02 and the County share will be \$646,416.05; and

WHEREAS, the County owes the Township a \$49,000 reimbursement from the 2015 improvements to Southern Boulevard, which will be credited toward the Township’s share of the costs for the Shunpike Corridor Improvement Project; and

WHEREAS, the Township agrees to the terms and conditions of the agreement, a copy of which is attached hereto;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that an Interlocal Agreement between the Township of Chatham and the County of Morris, in the form attached, is hereby authorized and approved for the reimbursement for resurfacing work on Southern Boulevard, and that the Mayor and Clerk are hereby authorized to execute the same.

Adopted: August 17, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor

RESOLUTION 2017-156

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE SALE OF SURPLUS MUNICIPAL EQUIPMENT

WHEREAS, the Township of Chatham is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Township Committee are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows:

<u>YEAR</u>	<u>ITEM</u>	<u>VIN or MODEL No.</u>
	General Electric Shop Compressor	14BV1
	Centaur HSV Carbon Drum	G415-M1
	Snapper Mower 5HP	W1-185V
	Snapper Mower 5HP	131922
	A.O. Smith Hot Water Heater	1318A023260
	Homelite Blower	80232
	Sutorbilt Gardner Denver Side Car Aerator	S282872
2002	GMC Sonoma 4x4 Pickup Truck	1GTDT19W628248862
2009	Dodge Charger	2B3KA43T29H607773
	Billy Goat Vacuum	
	Trailer Vacuum	
	Old Generator PHQ	
	Backpack Blower	

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Township of Chatham reserves the right to accept or reject any bid submitted.

Adopted: August 17, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2017-157

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH ALLIED CONSTRUCTION GROUP FOR THE CHATHAM GLEN PUMP STATION & FORCE MAINS PROJECT

WHEREAS, the Township Committee of the Township of Chatham awarded a contract to the lowest responsible bidder, PM Construction Corp., with address at 1310 Central Ave, Hillside, NJ 07205 for the Chatham Glen Pump Station & Force Mains project in the amount of \$2,344,008.80;

WHEREAS, previous change orders have been approved to increase the contract amount to \$2,450,112.44, \$106,103.64 more than the original Contract amount;

WHEREAS, the final as-built cost of the project is \$2,486,790.96, \$36,678.52 more than the previously amended amount;

WHEREAS, the project was substantially complete on or about July 17, 2017;

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 increase of \$36,678.52 to reflect the as-built cost of the Chatham Glen Pump Station & Force Mains project,

Adopted: August 17, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2017-P-11

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, 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. Property Acquisition: Open Space
 - c. Personnel: 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.

Adopted: August 17, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk