

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE AGENDA
SEPTEMBER 13, 2018
August 23, 2018 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 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.

Flag Salute

Roll call

Approval of Agenda

Proclamation – Suicide Prevention Month

Resolutions & Oath of Office

1. Resolution 2018-153 Appointing Police Chief

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 2018-154 Payment of Bills
2. Resolution 2018-155 Approving Meeting Minutes
3. Resolution 2018-156 Approving Executive Session Minutes
4. Resolution 2018-157 Releasing Escrow Balances
5. Resolution 2018-158 Refunding 3rd Party Police Escrow
6. Resolution 2018-159 Change Order for 2017 Road Improvements Project
7. Resolution 2018-160 Refunding Permit Fee
8. Resolution 2018-161 Authorizing Grant Application for Fairmount Ave Sidewalk

Discussion: possible ordinance or resolution

Hearing of Citizens (Time Permitting)

Executive Session* – Resolution 2018-P-10

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. Litigation: Fair Share Housing Center v. Township of Chatham
Docket No. MRS-L-000234-18

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 2018-155

**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 August 16, 2018 and August 28, 2018.

Adopted: September 13, 2018

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2018-156

**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 August 28, 2018.

Adopted: September 13, 2018

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2018-157

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>
Anthony Marone 12 Spring Street Chatham, NJ 07928	BOA 17-106-11 12 Spring/326 Lafayette	7764128516	\$47.50
Michael Meaney 36 Dellwood Chatham, NJ 07928	BOA 17-78-19.04	7764128623	\$119.10

Adopted: September 13, 2018

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2018-158

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:

Antoinette Caporaso PO Box 160 Green Village, NJ 07935	\$10.00
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Adopted: September 13, 2018

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2018-159

**RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING A CHANGE
ORDERTO THE CONTRACT WITH STAVOLA CONSTRUCTION MATERIAL INC.
FOR 2017 ROAD IMPROVEMENTS**

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 Stavola Construction Materials, Inc of 175 Drift Road, Tinton Falls, New Jersey for the 2017 Road Improvements Project in the amount of \$842,020.00 (Resolution 2017-145);

WHEREAS, the Contract was previously amended to account for the as-built conditions of the 2017 Road Improvements, which were completed for a total of \$900,088.19, \$58,068.19 more than the originally awarded amount;

WHEREAS, the Contract was amended a second time to include the milling and paving of the shoulders of Woodland Road, estimated at \$40,000.00 (Resolution 2017-196);

WHEREAS, the Contract was increased for the amended scope of work and the amended contract amount was \$940,088.19(Resolution 2017-196);

WHEREAS, the remainder of the Contract has been completed and the as-built cost of the project was a total cost of \$966,780.30, an increase of \$26,692.11.

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 \$26,692.11 to \$966,780.30 for the as-built quantities of the Contract.

Adopted: September 13, 2018

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

CERTIFICATION OF THE AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, I, Debra A. King, Chief Financial Officer of the Township of Chatham, have ascertained that there are available sufficient appropriations in the amount of \$966,780.30.

Debra A. King
Chief Financial Officer

RESOLUTION 2018-160

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 \$200.00; 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>
Ron Jon Heating & Cooling, Inc. 12B Great Meadow Lane East Meadow, NJ 07936	18-0419	\$160.00

Adopted: September 13, 2018

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor

RESOLUTION 2018-161

RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING SUBMITTAL OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FAIRMOUNT AVENUE SIDEWALK EXTENSION PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Committee of the Township of Chatham formally approves the grant application for the above stated project. The project limits are on Fairmount Avenue (CR 638) from Southern Boulevard (CR 647) to Longwood Avenue, which is the Municipal boundary with Chatham borough.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019- Fairmount Avenue Sidewalk Extension-001070 to the New Jersey Department of Transportation on behalf of the Township of Chatham.

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

Adopted: September 13, 2018

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor

RESOLUTION 2018-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. Litigation: Fair Share Housing Center v. Township of Chatham Docket No. MRS-L-000234-18
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: September 13, 2018

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By: _____
Curt Ritter, Mayor