

**TOWNSHIP OF CHATHAM  
TOWNSHIP COMMITTEE MEETING MINUTES  
JULY 17, 2014**

Mayor Sullivan called the Regular meeting of the Township Committee of the Township of Chatham to order at 7:35 PM.

**Adequate Notice** of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both The Chatham Courier and the Morris County Daily Record on January 6, 2014; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 6, 2014; and notice was filed with the Township Clerk on January 6, 2014.

Mayor Sullivan led the Flag Salute.

**Roll Call**

Answering present to the roll call were Committeeman Gallop, Committeewoman Abbott, Committeeman Brower, Deputy Mayor Ritter and Mayor Sullivan.

**Approval of Agenda**

The Agenda was approved as written.

**Public Hearing - 2014 Morris County Open Space Trust Fund Applications**

The Township Clerk announced that adequate notice for the public hearings was published in the Morris County Daily Record on July 3, 2014.

**Giralda Farms – Block 142, Lot 1; Block 141, Lots 7, 8 & 9.04**

Mayor Sullivan noted that the application for funds from the Morris County Open Space Trust Fund for this potential acquisition was submitted on June 20, 2014. He also said that Giralda Farms property acquisition is a joint effort. The area proposed for purchase is part of a corporate park that was purchased by the Normandy Group, and they will be selling an area to the Township for use as open space.

Mayor Sullivan opened the Public Hearing.

1. Terrance Nolan from the Open Space Institute (OSI) said that his organization is in contract to acquire the property, and is looking forward to assigning it to the Township. He hopes that the Trust Fund will grant the funds, and Mr. Nolan also said that this is one of the most significant parcels of open space left in Morris County. Mr. Nolan also thanked Mayor Sullivan and Administrator Ciccarone for their professionalism in moving this process forward.
2. Sally Rubin, Executive Director of the Great Swamp Watershed Association offered her support for the grant application.
3. Joe Basralian, Chairman of the Chatham Township Open Space Advisory Committee, thanked the Township Committee, the Open Space Institute, and all others who have worked on this project.
4. Sue Hoag, 76 Canterbury Road, thanked the Township Committee for the work they have done toward preservation of this property. She also thanked the other organization for their efforts, and voiced her support of the application.

Seeing no further comment, Mayor Sullivan closed the Public Hearing.

Mayor Sullivan noted that Madison, Harding Township and Morris Township have all also offered their support of this application. He also noted that this purchase has a regional benefit, and will serve as an extension of the Loantaka Brook Reservation.

Administrator Ciccarone said that the Morris County Park Commission has also been a partner in this effort, and they will maintain the parcel once it is acquired by the Township. He also said that it has been a pleasure working with Terry Nolan.

Committeewoman Abbott noted that the Loantaka Brook Reservation will be effectively increased by 25% through this land acquisition.

Averett – Block 67, Lots 17 & 17.01; Block 66, Lot 1

Mayor Sullivan said that the Averett Estate approached the Township about the possibility of the property being purchased as Open Space. It is uncertain if the Township will be able to purchase the property, however an application for funds from the County Open Space Trust has been submitted.

Mayor Sullivan opened the Public Hearing.

1. Sue Hoag said that Averett Property would serve as a beautiful natural surrounding for Chatham Glen. It will also help preserve and improve the water quality of the Passaic River, and Mrs. Hoag expressed her support of this application.

Seeing no further comment, Mayor Sullivan closed the Public Hearing. He also noted that the Giralda Farms application takes priority over this application.

**Resolutions**

**RESOLUTION 2014-151**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM SUPPORTING THE FILING OF APPLICATIONS FOR THE OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND OF THE COUNTY OF MORRIS**

**WHEREAS**, the Township Committee of the Township of Chatham has conducted a public hearing on July 17, 2014 to consider the filing of an application with the Morris County Open Space and Farmland Preservation Trust Fund to consider seeking funding for the acquisition of:

- Block 142, Lot 1 (Giralda Farms)
- Block 141, Lots 7, 8 & 9.04 (Giralda Farms)

**WHEREAS**, the Township Committee of the Township of Chatham supports the acquisition of this property for open space and preservation purposes;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Township Committee supports the acquisition of the above listed properties for open space and preservation purposes, and supports the application to the Open Space and Farmland Preservation Trust Fund of the County of Morris for funding in support of these acquisitions.

Deputy Mayor Ritter moved to pass Resolution 2014-151. Committeewoman Abbott seconded the motion.

**Roll call:** Committeewoman Abbott, Aye; Committeeman Gallop, Aye; Committeeman Brower, Aye; Deputy Mayor Ritter, Aye; Mayor Sullivan, Aye.

**RESOLUTION 2014-153**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM SUPPORTING THE FILING OF APPLICATIONS FOR THE OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND OF THE COUNTY OF MORRIS**

**WHEREAS**, the Township Committee of the Township of Chatham has conducted a public hearing on July 17, 2014 to consider the filing of an application with the Morris County

Open Space and Farmland Preservation Trust Fund to consider seeking funding for the acquisition of:

- Block 67, Lots 17 & 17.01 (Dixiedale Farm)
- Block 66, Lot 1 (Dixiedale Farm)

**WHEREAS**, the Township Committee of the Township of Chatham supports the acquisition of this property for open space and preservation purposes;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Township Committee supports the acquisition of the above listed properties for open space and preservation purposes, and supports the application to the Open Space and Farmland Preservation Trust Fund of the County of Morris for funding in support of these acquisitions.

Committeeman Brower said that with the acquisition of the Giralda Farms property, more than 50% of Township land will be open space. He also said that the Averett property could be redeveloped with some portion as open space, with the remainder offering tax ratables. Mr. Brower said that he does not support the potential acquisition of this property.

Committeewoman Abbott moved to pass Resolution 2014-153. Deputy Mayor Ritter seconded the motion.

**Roll call:** Committeewoman Abbott, Aye; Committeeman Gallop, Aye; Committeeman Brower, Nay; Deputy Mayor Ritter, Aye; Mayor Sullivan, Aye.

### **Reports**

Committeewoman Abbott reported that the Community Garden is in full swing. They are still waiting for a grant for a tool shed. All the plots in the Garden are assigned, and any new applications would be put on a waiting list. For Colony Pool, a new basketball court has been installed in place of the paddle tennis court that was destroyed by Hurricane Sandy. Committeewoman Abbott also said that Colony memberships have increased. She also commented on the Colony Tennis Courts, and the need for a security system, and there was discussion on the membership levels of Colony Tennis.

Committeeman Brower thanked Administrator Ciccarone and Public Works Director John Pacelli for making sure that the Senior Center's air conditioner got fixed.

Deputy Mayor Ritter reported that the next newsletter will be for the months of September & October. Committeeman Brower asked if the newsletter would also be available in print. Administrator Ciccarone said that the Township could mail a copy upon request.

Engineer Ruschke gave an update on the sewer project, and work has been finished in the intersection of Fairmount Ave and Southern Blvd. Some rock excavation will be needed in the remainder of the work. Work on the second contract should also begin soon. Deputy Mayor Ritter asked about road repairs after the project is complete. Engineer Ruschke commented on plans for trench restoration and overlay.

Committeeman Gallop asked for an update on Nash Field. Engineer Ruschke said that the project is ready to bid. Administrator Ciccarone said that there will be a need for a fully funded bond ordinance to finance the project. The project would be funded through the Joint Trust Account.

Administrator Ciccarone reported that a letter was received from the DEP regarding monitoring the water quality of the Black Brook. He read the letter aloud, and the letter thanks the Township for its role in the monitoring. The letter also indicates that the monitoring study is no longer necessary.

Administrator Ciccarone also reported on a Bond Anticipation Note Sale that was conducted on July 10, 2014. The notes were in the amount of \$4,822,750.00 with a payable date of July 17, 2014. Five bids were received, and the winning bid had a net interest cost of .248%, based on an

interest rate of 1% and a premium of \$36,267.08. Administrator Ciccarone also commented on the factors that help the Township receive favorable rates.

Administrator Ciccarone further reported that the Public Works Department has been busy with various projects. He also commented on the effectiveness of the Police Department in controlling traffic in the area of the sewer project, and he noted that there have not been any major traffic issues due to the construction.

### **Hearing of Citizens**

Mayor Sullivan opened the Hearing of Citizens.

1. Nancy Tagle, 20 Runnymede Road, thanked the Township for all the hard work put into Colony Pool. She also inquired about the Township's policies toward abandoned houses. Administrator Ciccarone said that he has been in touch with the bank that is in control of the abandoned house at 22 Runnymede Road. He also said that the Public Works Department has, on several occasions, gone to the site to remove weeds. Administrator Ciccarone also described the process that would need to happen before an abandoned home could be demolished.

Deputy Mayor Ritter asked about the process for monitoring for potentially abandoned houses and the issuance of summonses. Administrator Ciccarone said that this is a topic enforced through the Land Use Office, and the initial correspondence will be a Notice of Violation so that the property owner has a chance to correct the violation before a summons is issued.

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

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

#### **Ordinance 2014-11**

#### **ORDINANCE 2014-11**

#### **AN ORDINANCE AUTHORIZING THE SALE, IN FEE, OF LOT 38 IN BLOCK 144 AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF CHATHAM, AND A TRAIL EASEMENT OVER AND ACROSS LOTS 19.01 AND 39 IN BLOCK 144 TO THE COUNTY OF MORRIS C/O MORRIS COUNTY PARK COMMISSION AT A PRIVATE SALE FOR \$350,189.36**

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

**WHEREAS**, the Township of Chatham owns Lot 38 in Block 144, as shown on the official Tax Map of the Township of Chatham, County of Morris, State of New Jersey, on Green Village Road ("Property"); and

**WHEREAS**, the Township also owns Lots 19.01 and 39 in Block 144, as shown on the official Tax Map of the Township of Chatham, County of Morris, State of New Jersey ("Trail Easement Property"); and

**WHEREAS**, the County of Morris, for park purposes, c/o the Morris County Park Commission, desires to acquire the Property in fee for park purposes, and to acquire a trail easement over and across the Trail Easement Property; and

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., governs the disposition of municipal land; and

**WHEREAS**, N.J.S.A. 40A:12-13.4 provides for the sale of unneeded municipal lands to the county at a private sale and for nominal consideration:

Notwithstanding any law to the contrary, when the governing body of a municipality determines that all or part of a tract of land, with or without improvements, owned by the municipality is not then needed for municipal purposes, it may, by ordinance, authorize a private sale and conveyance of the property, or any part thereof, to the county in which it is located, without compliance with any other law governing disposal of lands by municipalities, for a consideration which may be nominal, and containing a limitation that the lands or buildings shall be used only for public purposes of the county, and that if the lands or buildings are not used in accordance with the limitation, title thereto shall revert to the municipality without any entry or reentry made thereon on behalf of the municipality.

; and

**WHEREAS**, the Township hereby determines that the Property, which property was acquired by the Township through an in rem tax foreclosure, is not needed for municipal purposes and that it is in the best interests of the residents of the Township to sell the Property to the County in fee at a private sale for \$350,189.36 for park purposes; and

**WHEREAS**, the use of the property by the County and Morris County Park Commission shall be for park purposes, including but not limited to: open space, passive recreation, active recreation and trails; and

**WHEREAS**, as part of the purchase price, the Township shall convey to the County an easement for trail purposes over and across the Trail Easement Property, which trail shall include both pervious and impervious trail construction over and across the Trail Easement Property to be constructed in character with the existing paved and equestrian trails of Loantaka Brook Preservation in the Township (“Trail Easement”); and

**WHEREAS**, the location and timing for construction of the trail shall be mutually agreed upon in writing by the Township and the Morris County Park Commission; and

**WHEREAS**, in the event that the property and Trail Easement are no longer used for these public purposes, title thereto shall revert to the Township without any entry or reentry made on the Property or Trail Easement on behalf of the Township.

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

1. That the Property is not needed for municipal purposes.
2. That the portion of the Trail Easement Property on which the Trail Easement is to be located is not needed for municipal purposes. However, the remainder of the Trail Easement Property continues to be needed for municipal purposes.
3. That the sale by the Township to the County of the Property and Trail Easement be at a private sale for the sum of \$350,189.36.
4. That the Mayor and Clerk are hereby authorized to sign a Contract for Sale of Real Estate for the sale of the Property and Trail Easement.
5. That the Mayor and Clerk are hereby authorized to sign a Deed for the Property and a Deed of Trail Easement in a form acceptable to the Township Administrator and Attorney.
6. That the Mayor, Administrator, Attorney and Clerk are hereby authorized to sign any other closing documents, including but not limited to a closing statement.
7. That this Ordinance takes effect according to law.

Mayor Sullivan opened the Public Hearing on Ordinance 2014-11.  
Seeing none, Mayor Sullivan closed the Public Hearing.

Committeeman Brower moved to adopt Ordinance 2014-11. Committeewoman Abbott seconded the motion.

**Roll call:** Committeewoman Abbott, Aye; Committeeman Gallop, Aye; Committeeman Brower, Aye; Deputy Mayor Ritter, Aye; Mayor Sullivan, Aye.

Ordinance 2014-12

#### **ORDINANCE 2014-12**

#### **ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ACCEPTING ASSIGNMENT OF CONSERVATION RESTRICTION FOR BLOCK 48.17, LOT 130.01, AND BLOCK 144, LOTS 19.01 AND 39, ON GREEN VILLAGE ROAD, FROM THE NEW JERSEY CONSERVATION FOUNDATION**

**WHEREAS**, the Township of Chatham is the owner of premises known as Block 48.17 , Lot 130.01 and Block 144, Lots 19.01 and 39, on the Tax Map and located on Green Village Road (“the properties”), and has, as part of a transaction to acquire the properties under the State of New Jersey Green Acres Program, given a Deed of Conservation Easement dated August 13, 2002, to the New Jersey Conservation Foundation, which was recorded in the Morris County Clerk’s Office on September 17, 2002 in Deed Book 5702, page 120, et seq.; and

**WHEREAS**, the Township and the New Jersey Conservation Foundation intended that the acquisition of the properties was to be funded by the State Green Acres Program to the extent fully allowed by that program, but for the full funding to be achieved, it is necessary for the New Jersey Conservation Foundation to assign the Conservation Easement to the Township; and

**WHEREAS**, the New Jersey Conservation Foundation has agreed to and executed the assignment and forwarded the same to the Township, and the Township Committee wishes to authorize the Mayor and Clerk to execute the assignment of the conservation easement;

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the above described assignment captioned “Assignment of Conservation Restriction” is hereby accepted and the Mayor and Clerk are hereby authorized to execute said assignment, in form attached hereto, and to record same with the Morris County Clerk.

Mayor Sullivan opened the Public Hearing on Ordinance 2014-12.  
Seeing none, Mayor Sullivan closed the Public Hearing.

Committeewoman Abbott moved to adopt Ordinance 2014-12. Committeeman Brower seconded the motion.

**Roll call:** Committeewoman Abbott, Aye; Committeeman Gallop, Aye; Committeeman Brower, Aye; Deputy Mayor Ritter, Aye; Mayor Sullivan, Aye.

**Consent Agenda**

**RESOLUTION 2014-141**

**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 \$1,777,518.15 and the prior month’s payroll of \$422,401.05 Current Fund, \$48,646.59 Sewer No. 1, \$11,107.76 Sewer No. 2, and \$7,202.72 Police Private Employment be paid.

**BE IT FURTHER RESOLVED** that taxes due to the School District of the Chathams, for the month of July 2014, in the amount of \$3,608,617.01 be paid.

**RESOLUTION 2014-142**

**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 – June  
CFO – June  
Tax Collector – June  
Fire Official – April, May, June  
Licensing Official – 2<sup>nd</sup> Quarter  
Registrar – 2<sup>nd</sup> Quarter  
State Training Fees – 2<sup>nd</sup> Quarter  
Raffle Licenses – 2<sup>nd</sup> Quarter

**RESOLUTION 2014-143**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING MEETING MINUTES**

**BE IT RESOLVED** that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meetings held on June 26, 2014.

**RESOLUTION 2014-144**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING EXECUTIVE SESSION MINUTES**

**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 26, 2014.

**RESOLUTION 2014-145**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING OVERPAYMENT OF TAXES AND SEWER UTILITY FEES**

**WHEREAS**, an overpayment of property taxes or sewer utility fees 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:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>AMOUNT</u>
14	62	Agnew, John P & Susan B 24A Long Hill Lane Chatham, NJ 07928	\$7,711.03

**RESOLUTION 2014-146**

**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>
3 <sup>rd</sup> Cash Deposit Township of Chatham 58 Meyersville Road Chatham, NJ 07928	PF 04-33-22	7200013016	\$9,421.72 Plus Any Accrued Interest
Chatham Township Old Misc Performance Bonds 58 Meyersville Road Chatham, NJ 07928	PERFBD 08-13-26	7760011233	\$35,393.54 Plus Any Accrued Interest

**RESOLUTION 2014-147**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE TOWNSHIP OF CHATHAM AND AUTHORIZING THE MAYOR, TOWNSHIP CLERK, CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING \$4,822,750 OF NOTES CONSISTING OF \$3,841,750 GENERAL BOND ANTICIPATION NOTES AND \$981,000 SEWER UTILITY BOND ANTICIPATION NOTES, BOTH ISSUES DATED JULY 17, 2014 AND PAYABLE JULY 17, 2015, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED**

**WHEREAS**, the Township of Chatham, in the County of Morris, New Jersey (the "Township") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

**WHEREAS**, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Township to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

**WHEREAS**, the Township intends to issue \$4,822,750 of Notes consisting of \$3,841,750 General Bond Anticipation Notes and \$981,000 Sewer Utility Bond Anticipation Notes, both issues dated July 17, 2014 and payable July 17, 2015 (collectively, the "Notes"); and

**WHEREAS**, the Township desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code;

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

**SECTION 1.** The Township Committee hereby covenants on behalf of the Township, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Notes be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

**SECTION 2.** The Mayor, Township Clerk, Chief Financial Officer and the other officials of the Township are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

**SECTION 3.** The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

**SECTION 4.** It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Township and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2014.

**SECTION 5.** It is further determined and stated that the Township has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2014.

**SECTION 6.** The Township will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Township does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

**SECTION 7.** The issuing officers of the Township are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2014 dated as of the date of delivery of the Notes.

**SECTION 8.** This resolution shall take effect immediately upon its adoption.

#### **RESOLUTION 2014-148**

### **RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY REJECTING ALL BIDS SUBMITTED FOR THE 2014 MICRO-SURFACING PROJECT**

**WHEREAS**, the Township of Chatham has prepared the necessary bid document and published the appropriate advertisement to enable it to seek bids a micro-surfacing project; and

**WHEREAS**, the bid received on June 24, 2014 exceeded the estimates for the project; and

**WHEREAS**, the bid specifications reserved to the Township the right to reject all bids and, under the circumstances, it is fully appropriate to do so;

**WHEREAS**, it is the recommendation of the Township Engineer that the bid be rejected;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that, for the reasons set forth above, all bids received in response to the Notice to Bidders be and the same are hereby rejected.

**BE IT FURTHER RESOLVED** by the Township Committee that the Township Administrator is hereby authorized and directed to re-advertise for the receipt of bids for the 2014 Micro-Surfacing Project.

#### **RESOLUTION 2014-149**

### **RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ACCEPTING THE BID OF MICRO PAVE SYSTEMS FOR THE 2014 CRACK SEALING PROJECT**

**WHEREAS**, the Township of Chatham has prepared the necessary bid documents and published the appropriate advertisements to enable it to seek bids for a Crack Sealing Project; and

**WHEREAS**, bids were duly received and opened on June 24, 2014 at 10:00 a.m.; and

**WHEREAS**, the bid of Micro Pave Systems, with the total base amount of \$112,500.00 was the lowest responsible bid, has been reviewed for compliance with the instructions to bidders and specifications and has been found to be fully conforming, is within the estimate for the cost thereof, and therefore may be awarded; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that, for the reasons set forth above, the bid of Micro Pave Systems is hereby accepted, and the Mayor and Clerk are hereby authorized to execute a contract with Micro Pave Systems in accordance with the bid specifications.

#### **RESOLUTION 2014-150**

### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, REGARDING PLACEMENT OF VIDEO CAMERAS ON TOWNSHIP PROPERTY**

**WHEREAS**, the Township Committee of the Township of Chatham believes that it is appropriate to establish a “Policy Regarding the Placement of Video Cameras on Township Property in Public Places” as follows:

Policy Regarding the Placement of Video Cameras on Township Property in Public Places:

1. The placement of video cameras in public places on Township of Chatham property, including placement by third party vendors, but excluding law enforcement functions, shall be reviewed by the Township Administrator with, and approved by, the Township Public Safety Committee.
2. The placement of video cameras will be accompanied with a plainly worded but generic sign stating that the public areas may be under camera surveillance. This sign will also be reviewed and approved by the Township Public Safety Committee.

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

1. That the “Policy Regarding the Placement of Video Cameras on Township Property in Public Places” is hereby adopted.
2. This Resolution shall take effect immediately.

**RESOLUTION 2014-152**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
APPOINTING MEMBER TO THE JOINT COMMUNITY GARDEN COMMITTEE**

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

**Joint Community Garden Committee**

1. Chris Moran

Deputy Mayor Ritter asked about a bill for pruning of trees at Colony Pool. Administrator Ciccarone said that the Township does not have the equipment to perform pruning at the height that was required. Deputy Mayor Ritter also asked about a reimbursement to Sutton Woods for recycling, snow plowing and lights. Administrator Ciccarone indicated that the Township is required to reimburse condo developments for services that would otherwise be performed by the Township, and that the payment would be only up to what it would cost the Township to perform the service.

Mayor Sullivan noted that there is a resolution on the Consent Agenda to address surveillance cameras on Township properties, and he explained the content of the resolution.

Committeeman Brower asked about a fine listed in the Construction Official’s monthly report. Administrator Ciccarone said that the fine needs to be in accordance with the offense.

Mayor Sullivan noted that Chris Moran is being appointed to the Community Garden Committee. Committeewoman Abbott said that he replaces Diane DuBrule, who recently resigned.

Committeeman Brower moved to approve the Consent Agenda. Committeewoman Abbott seconded the motion.

**Roll call:** Committeewoman Abbott, Aye; Committeeman Gallop, Aye; Committeeman Brower, Aye; Deputy Mayor Ritter, Aye; Mayor Sullivan, Aye.

**Discussion**

**Parking Near Southern Boulevard School**

Mayor Sullivan said that several questions have been raised about school-related parking on Robert Drive during the school year. A recommendation has been made that there be no parking

on the north side of Robert Drive during school days. By limiting parking to one side of the street, traffic would be able to safely move in both directions. Chief Hennelly said that time limits on parking would necessitate that the Police Department begin chalking tires to see how long people remain in a particular spot. He suggested that parking be prohibited from 8:00 AM to 4:00 PM on the north side of the street. Administrator Ciccarone addressed safety of children crossing streets to get to Southern Boulevard School. Administrator Ciccarone also suggested that the Police Department post temporary No Parking signs during the first few weeks of school to see how effective such a regulation would be. If the measure is successful, then an ordinance can be adopted to make the regulation permanent.

### **Hearing of Citizens/Petitions**

Mayor Sullivan opened the Hearing of Citizens.  
Seeing no comment, Mayor Sullivan closed the Hearing of Citizens.

### **Executive Session**

**RESOLUTION 2014-P-12  
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. Personnel: Police Department
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.

Deputy Mayor Ritter moved to pass Resolution 2014-P-12 to enter Executive Session at 9:41 PM. Committeewoman Abbott seconded the motion.

**Roll call:** Committeewoman Abbott, Aye; Committeeman Gallop, Aye; Committeeman Brower, Aye; Deputy Mayor Ritter, Aye; Mayor Sullivan, Aye.

The Township Committee returned to public session at 10:02 PM.

Committeeman Brower moved to authorize Chief Hennelly to make a conditional offer of employment to two candidates for patrolman positions. Committeewoman Abbott seconded the motion, and it carried unanimously.

Committeeman Brower moved to adjourn at 10:03 PM. Mayor Sullivan seconded the motion, and it carried unanimously.

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Gregory J. LaConte  
Township Clerk