

**TOWNSHIP OF CHATHAM**  
**TOWNSHIP COMMITTEE MEETING MINUTES**  
**December 11, 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.

Tiger Scouts Pack 24 presented the American Flag and led the Flag Salute.

**Roll Call**

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

**Moment of Silence**

Mayor Sullivan noted the recent passing of Jamie Pinaire, who had worked as summer help for the Public Works Department for the past several years. Mayor Sullivan asked for a moment of silence in honor of Mr. Pinaire.

**Approval of Agenda**

Committeewoman Abbott asked that a discussion on Complete Streets be added to the agenda as a discussion item.

The agenda was approved as amended.

**Reports**

Committeewoman Abbott reported that a survey for Colony Pool has been sent out via SurveyMonkey. She also reported that applications for the Community Garden are available through the end of December. The Township Clerk noted that checks for the Community Garden should be made payable to Chatham Borough. Committeewoman Abbott also reported that the Planning Board has not finished working on the Circulation Plan updates. Committeewoman Abbott asked why a portion of the Skate Park is fenced off. Administrator Ciccarone said that some skaters started a fire on the half-pipe which caused damage. That portion is fenced off for repair so that the rest of the park can remain open. Committeewoman Abbott also spoke about the Pilgrim Pipeline, and there is bipartisan legislation before the NJ Legislature opposing the construction of the pipeline.

Committeeman Gallop reported that the Police Department's accreditation process is on schedule. On behalf of the Public Safety Committee, he asked residents to bring packages inside so as to avoid burglaries. Committeeman Gallop also asked about the Nash Field improvements, and if the turfing could be done in the fall so that the field will not be out of play. Administrator Ciccarone said that it will probably be done in the spring, as the sod takes root quickly, but that can be adjusted as necessary.

Committeeman Brower said that the Senior Center will be closed for a period over the holidays. He also reported that the Historical Society is appreciative of the installation of a new historical marker sign. Committeeman Brower also spoke about several power outages in his neighborhood over a period of a month, and Administrator Ciccarone is looking into the matter. He also spoke about a wall that the County is supposed to replace, and they are looking into a different solution.

Deputy Mayor Ritter said that the Township's website has a section on the Pilgrim Pipeline. He also provided some statistics on Township website traffic. Deputy Mayor Ritter also encouraged residents to sign up for the ACT Now! alerts. He also reported that the River Road Firehouse is conducting their annual Christmas tree sale. He also said that the Wickham Woods neighborhood will have their second annual Christmas Parade this weekend.

Engineer Ruschke reported that work on the sewer project is moving along, and may be substantially complete by the end of the month. A final DEP review will be necessary before the pump station is activated. Engineer Ruschke also noted that on the Consent Agenda, there are two resolutions to approve slight changes in the sewer project. One is for an exchange of the generator, and the second is a change order for an air compressor. The DEP has given their approval of both changes. Engineer Ruschke also reported that the contractor has begun work for the Shunpike Sidewalk Project. Committeeman Gallop asked about the negotiations with the contractor regarding the generator for the sewer project. Engineer Ruschke said that the contractor agreed to include the connection cables. While there is some testing that still needs to be done on the generator, it is readily available if needed.

Mayor Sullivan reported that the Township will be closing on the Giralda Farms Property on December 23, 2014. Committeeman Brower noted the efforts of Mayor Sullivan, Administrator Ciccarone and Attorney Cruz in the acquisition of that property.

Administrator Ciccarone reported that the closing of the sale of a Township property to Morris County is also expected to take place by the end of the year.

Mayor Sullivan invited Open Space Committee Chairman Joe Basralian to provide an update on issues surrounding the Pilgrim Pipeline. Mr. Basralian first thanked the Township Committee and the Township Administration for work they have done regarding open space. Regarding the Pilgrim Pipeline, he reported that there is a lot of energy surrounding the group that has formed to address this issue, and many people have gotten involved. He also said that it is a non-partisan issue, and members of both parties are addressing the matter.

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

##### **ORDINANCE 2014-16**

#### **AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING ACCEPTANCE OF A GRANT OF EASEMENT FOR ROADWAY PURPOSES THROUGH, OVER, UPON AND UNDER PORTIONS OF BLOCK 37, LOTS 12 AND 14, AND A CONSERVATION RESTRICTION OVER AND UPON BLOCK 37, LOT 12, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, FROM INNOVATIVE CONSTRUCTION & DESIGN, LLC**

**WHEREAS**, the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, wishes to accept a Grant of Easement for Roadway Purposes through, over, upon and under portions of Block 37, Lots 12 and 14, and a Conservation Restriction over and upon Block 37, Lot 12, as shown on the Township of Chatham Tax Map, conveyed unto the Township by Innovative Construction & Design, LLC; and

**WHEREAS**, these conveyances are required by the Township of Chatham Planning Board Resolution memorialized on August 18, 2014, Calendar No. PLAN:13-128-14; and

**WHEREAS**, the Township Attorney reviewed the above described documents and finds them acceptable in all respects.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that it hereby authorizes acceptance of the attached Grant of Easement for Roadway Purposes and Conservation Restriction.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon its adoption, passage and publication according to law.

Mayor Sullivan opened the Public Hearing on Ordinance 2014-16.  
Seeing no public comment, Mayor Sullivan closed the Public Hearing.

Committeewoman Abbott moved to adopt Ordinance 2014-16. Committeeman Brower seconded the motion.

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

**Hearing of Citizens/Petitions**

Mayor Sullivan opened the Hearing of Citizens.

1. Dan Miller, 465 Green Village Road, thanked Committeewoman Abbott and Committeeman Brower for their service on the Township Committee. He especially thanked Committeeman Brower for having served the Township in various other capacities as well.

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

**Consent Agenda**

**RESOLUTION 2014-213  
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 \$1,155,943.42 and the prior month's payroll of \$374,073.09 Current Fund, \$48,018.67 Sewer No. 1, \$10,884.81 Sewer No. 2, and \$19,594.05 Police Private Employment be paid.

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

**BE IT FURTHER RESOLVED** that taxes due to the County of Morris, for Added and Omitted Taxes for 2014, in the amount of \$75,473.53 be paid.

**RESOLUTION 2014-214  
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 – November  
CFO – November  
Tax Collector – November  
Dog Licensing Official – Fourth Quarter

**RESOLUTION 2014-215  
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 meeting held on November 13, 2014.

**RESOLUTION 2014-216  
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 TO ROSE CITY RUNNERS CLUB**

**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**, the Rose City Runners Club has deposited funds in an escrow account for such employment; and

**WHEREAS**, after expenses the account has a remaining balance of \$240.00 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 to the Rose City Runners Club the sum of \$240.00.

**RESOLUTION 2014-217  
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>
122	12	Lamb, John & Allison 18 Sandy Hill Road Chatham, NJ 07928	\$5,378.73 (2 <sup>nd</sup> qtr 2014 tax) <del>\$5,397.00</del> (3 <sup>rd</sup> qtr 2014 tax) \$10,772.73 Total
34	22.01	Lucciola, Michael & Helen 8 Jodi Lane Chatham, NJ	\$6,390.00 (3 <sup>rd</sup> qtr 2014 tax)
102.08	28	Diane G. Noelke c/o Michael A. Vespasiano Attorney Trust Accountant 331 Main Street Chatham, NJ 07928  Property: 40 Linden Lane	\$2,614.43 (2010) \$6,005.35 (2011) <u>\$9,480.34</u> (2012) \$18,100.12 Total  State Judgement

**RESOLUTION 2014-218  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A SETTLEMENT OF THE  
TAX APPEALS OF KATHLEEN POPOVICH AND JOSEPH F. POPOVICH**

**WHEREAS**, Kathleen Popovich and Joseph F. Popovich have appealed their assessment for the year 2014 in the Tax Court of New Jersey, Docket No. 006188-2014; and

**WHEREAS**, the Tax Assessor of the Township of Chatham has recommended acceptance of a proposed settlement of these appeals;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the above-referenced tax appeals be settled and the Municipal Attorney shall be authorized to execute a Stipulation of Settlement for the year 2014 in the following amounts:

**BLOCK:** 48.10  
**LOT:** 12  
**STREET ADDRESS:** 96 Westminster Road  
**YEAR:** 2014

	<b>Original Assessment</b>	<b>County Board Judgment</b>	<b>Requested 2014 Tax Court Judgment</b>
<b>Land:</b>	\$ 745,900.00	Direct Appeal	\$ 745,900.00
<b>Improvements:</b>	<u>\$ 754,100.00</u>		<u>\$ 704,100.00</u>
<b>Total:</b>	\$1,500,000.00		<u>\$1,450,000.00</u>

Interest due on any refund will be waived by plaintiff, provided she receives payment of the total refund due within 60 days following the date of entry of Judgment by the Tax Court.

The parties agree that the total 2015 assessment of Block 48.10, Lot 12, shall not exceed \$1,275,000.00, and the taxpayer may only file an appeal in 2015 for the purpose of obtaining a judgment affirming the assessment. The Township will not object to the entry of a judgment affirming the assessment obtained as set forth herein. Notwithstanding the foregoing, in the event the improvements are demolished in whole or in part or a condemnation action is filed prior to January 1, 2015, the taxpayer shall also have the right to file an appeal to challenge the assessment.

The provisions of the Freeze Act, N.J.S.A. 54:51A-8, shall not apply to a final disposition of this case.

**RESOLUTION 2014-219**

**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.

**WHEREAS**, there are funds in the Escrow Account that have remained unclaimed for many years; and

**WHEREAS**, efforts were made unsuccessfully to return these funds;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that these funds be cancelled and turned over to the Treasurer for depositing into the Current Fund as Miscellaneous Revenue.:

<b>Account #</b>	<b>Account Name and Mailing Address</b>	<b>Property Location</b>	<b>Escrow for:</b>	<b>Amount</b>
7200038783	GJL Corp PO BOX 593 N. Egremont, NJ 01252	?	BOH	26.21
7200038789	Notte & Sukoneck Rinaldo 176 Brooklake Road Florham Park, NJ 07932	?	Opened 1990	75.00
7200038785	Prudential LIH 10 Washington Road, Morristown, NJ 07960	?	American Water Co	40.42
7200038801	David Miller 406 River Road Chatham, NJ 07928	406 River Rd	BOA	50.00
7200038802	Michael D'Onofrio 29 CANDACE LA CHATHAM, NJ 07928	29 Candace Lane	BOA	35.50
7200038811	K & K Developers 75 S Orange Ave S Orange, NJ 07079	Shunpike Road	PLANBD TCC	731.81
7200038819	Nutri Systems 410 Horsham RD Horsham, PA 19044-201	650 Shunpike Rd	PLANBD	392.50
7200038821	Summit Bank	640 Shunpike Road Chatham, NJ 07928	PLANBD	116.54
7200038828	Carkolari Corp 28 Reservoir Ave Wallington, NJ 07057	Shunpike Road	BOA	103.50
7200038831	Gretchen Calvert 69 Treadwell Ave Convent Station, NJ 07961	69 Treadwell Ave	BOH	87.98
7200038861	Lawrence S White, Jr, 791 River Rd Chatham, NJ 07928	791 RIVER RD	BOA	93.00
7200038832	Christopher O'Brien 594 Valley RD Maplewood, NJ 07040	641 Shunpike Rd	PLANBD	392.50
7200038847	Resource Control Corp PO Box 579 Rancocas, NJ 08073	510 Southern Blvd	BOH	500.00
7200038849	Summit Bank, 640 Shunpike RD Chatham, NJ 07928	640 Shunpike Rd	PLANBD	551.25
7200038881	Cellular Telephone Co 15E Midland Ave Paramus, NJ 07652	529 Green Village Rd	BOA	28.20

7200038886	Charlie Brown's Restaurant Nicholas Bouzos 314 Jeffries PL, N Plainfield, NJ 07060	522 Southern Blvd	PLANBD	440.00
7200038954	Carmine DeFalco 13 Garden ST, Chatham, NJ 07928	13 Garden ST	BOA	42.71
7200038793	Robert Scott 26 Loantaka Ln N Morristown, NJ 07960	26 Loantaka Ln N	?	26.14
7200038795	NJ Bell-Scott Madison, 650 Park Ave East Orange, NJ 07017	?	?	2,627.75
7200038901	Madeline Kouvaras 7 Robinhood Ln, Chatham, NJ 07928	7 Robinhood Ln	PLNBD	652.00
7200038839	Thomas Cooper, 43 Loantaka Ln N, Morristown, NJ 07960	43 Loantaka Ln N	BOH	3.49
7200038844	Lana Marchese 463 River Rd Chatham, NJ 07928	463 River Rd	BOH	86.73
7200038800	Maria Sedita Maurer 790 Mountain Ave Berkeley Heights, NJ 07922	Mountainside Dr	BOA	61.50
7200038808	Peter Gallic 552 River Rd Chatham, NJ 07928	552 River Rd	BOH	32.40
7200038790	Sharsue-Stonewyck 58 Meyersville Rd Chatham, NJ 07928	?	?	56.97
7200038855	Robert & Kaura Contri 3 Tree Top Ln Chatham, NJ 07928	3 Tree top Ln	BOA	127.50

**RESOLUTION 2014-220**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2014 BUDGET.**

**WHEREAS**, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Township of Chatham will receive \$2,000.00 from the County of Morris Municipal Alliance to Prevent Alcoholism and Drug Abuse Supplemental and wishes to amend its 2014 Budget to include these funds as a revenue,

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$2,000.00 which will be available as a revenue from:

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

**Municipal Alliance to Prevent Alcoholism and Drug Abuse Supplemental, and**

**BE IT FURTHER RESOLVED**, that a like sum of \$2,000.00 be and the same is hereby appropriated under the caption of:

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

Municipal Alliance to Prevent Alcoholism and Drug Abuse Supplemental.

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

**RESOLUTION 2014-221**  
**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,**  
**COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING TO ACCEPT A USED**  
**EMERGENCY BACKUP GENERATOR**

**WHEREAS**, Allied Construction Group, Inc is under contract to furnish a new generator enclosure and trailer to convert an existing stationary generator into a mobile unit.

**WHEREAS**, Allied Construction Group, Inc. proposes an “or-equal” alternative which includes:

1. Trade-in of the existing 1990 Caterpillar Model 3406, 4RG01107 indoor generator unit located at WPC No. 1.
  
2. Furnish a 2001 Caterpillar Model XQ400 Mobile Diesel Generator with 1,850 original hours with the following features: Powered by Diesel Engine 3456; Portable Sound Attenuated Generator-Set; Multi Voltage Capable 240 - 480 V; CAT SR4 Gen End; Jacket Water Heater; EMCP Control Panel; Main Breaker; Battery Charger; Batteries; and Heater. The generator shall be provided with a five (5) year comprehensive maintenance contract. Prior to acceptance, the generator shall be tested under the supervision of the Township Engineer.

**WHEREAS**, all other requirements in the Contract Documents shall be complied with.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chatham formally accepts the proposed “or-equal” alternative at no additional cost.

**RESOLUTION 2014-222**  
**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,**  
**COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING CHANGE ORDER NO. 1**  
**FOR THE 2014 WPC NO. 1 EFFLUENT PUMP STATION PROJECT**

**WHEREAS**, Allied Construction Group, Inc is under contract to complete the 2014 WPC No. 1 Effluent Pump Station project. There is an immediate need to replace the primary air compressor at WPC No. 1.

**WHEREAS**, Allied Construction Group, Inc. has proposed to undertake the required work for the lump sum price of \$116,688.64.

**WHEREAS**, the Township Engineer has reviewed the proposed change order and recommends approval of same.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chatham formally approves Change Order No. 1 in the amount of \$116,688.64 to Allied Construction Group, Inc. subject to review and approval by the New Jersey Department of Environmental Protection.

**RESOLUTION 2014-223**  
**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,**  
**COUNTY OF MORRIS, STATE OF NEW JERSEY, CANCELLING VARIOUS UNEXPENDED**  
**BALANCES**

**WHEREAS**, The Report On Examination of Financial Statements (Audit) for the year ended December 31, 2013 revealed a number of miscellaneous items including unallocated receipts, appropriated reserves, reserves for special deposits, unexpended improvement authorizations, and state aid receivables and reserves, and

**WHEREAS**, The Chief Financial Officer has determined that these items may all be cancelled,

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby cancels the following items:

Current Fund Schedule of State Aid Receivable	
Municipal Alliance Program	\$2,358.66
Current Fund Schedule of Appropriated Reserves for Federal and State Grants	
Municipal Alliance Program	
-State	\$2,180.83
-Township Match	\$272.61

In reference to the bill list, Deputy Mayor Ritter asked why the Township retains a landscaper to maintain the 9-11 Memorial rather than have the Public Works Department do the work. Administrator Ciccarone said that the landscaper has expertise with it, and that the company retained is the same one that built the memorial.

Committeewoman Abbott asked about the cancelling of unexpended balances for the Municipal Alliance. Administrator Ciccarone said that it is a grant that was never spent, and the balance is being canceled for bookkeeping purposes.

Committeeman Brower asked about the settlement of the Popovich tax appeal.

Committeeman Brower moved to approve the Consent Agenda. Deputy Mayor Ritter seconded the motion.

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

### **Discussion**

#### **2015 Meeting Schedule**

The Township Clerk distributed a proposed meeting schedule for 2015 to the Township Committee. The only discussion was in regard to the second meeting in April, which will be held on April 23, 2015. The schedule will be formally approved at the Reorganization Meeting in January.

#### **Request Regarding Rose Terrace**

Administrator Ciccarone said that Mr. and Mrs. Earle from 37 Rose Terrace have made a request in regard to the right-of-way containing the bike path that leads from Chatham Street to Rose Terrace. He also said that Mr. & Mrs. Earle are present at this meeting, and he suggested that they be allowed to speak any state their request. Mrs. Earle said that they would that they would like to have the right-of-way partially vacated so that it would be 25 feet wide rather than 50 feet wide. Part of the reason why they are making this request is because they want to sell their property, and vacating the right-of-way will make the property more attractive to developers. Mr. Earle said that builders are often confused when trying to determine the property lines for their lot, and the vacation would help clarify where the property ends. Engineer Ruschke said that there are also utilities in the area, ergo a utility easement would be necessary if the right-of-way were to be vacated. The easement would also restrict future development of the property. Attorney Cruz concurred that the utility easement would be legally necessary, should the Township Committee decide to move forward with vacating a portion of the right-of-way. He also suggested that Mr. & Mrs. Earle schedule a meeting with himself, Administrator Ciccarone and Engineer Ruschke to find solutions for their request.

#### **Request Regarding Loantaka Lane North (Paper Street)**

Administrator Ciccarone said that this request involves a paper street that currently serves as a footpath into the Loantaka Brook Reservation trails. Because of the paper street, the property at 78 Loantaka Lane North is considered a corner lot. The owners, Mr. & Mrs. Muehter, want to redevelop their property with a smaller house, but the proposed site plan will not work because of the current setbacks. Moving the proposed house on the property to conform to the current setbacks would also interfere with the septic system. Administrator Ciccarone said that this request is to vacate the paper street for roadway purposes. The Township would retain ownership of a right-of-way so that the footpath can remain. The Muehters were present at the meeting, and indicated that they will not come back in the future to request the vacation of the footpath right-of-way, and Attorney Cruz said that the approval of the vacation will be subject to the non-removal of the right-of-way. A draft ordinance will be prepared for introduction in January.

#### **Complete Streets**

**RESOLUTION 2014-224  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING A  
COMPLETE STREETS POLICY**

**WHEREAS**, the Township of Chatham (“Township”) is committed to providing streets that accommodate all road users of all ages and abilities for all trips; and

**WHEREAS**, a Complete Street is defined as a means of providing safe access for all users by designing and operating a comprehensive, integrated, connected multi-modal network of transportation options; and

**WHEREAS**, the benefits of Complete Streets include I) improving safety for pedestrians, bicyclists, children, older citizens, families, non-drivers, the mobility - challenged and other non-vehicular users of the roadway, as well as those who cannot afford a motor vehicle or choose to live motor vehicle-free; ii) providing connections to bicycling and walking trip generators such as employment, residential, recreation, transit, retail centers, public and civic facilities; iii) promoting healthy lifestyles; iv) creating more livable and walkable communities ; v) reducing traffic congestion and reliance on carbon fuels thereby reducing greenhouse gas emissions; and vi) saving money by incorporating sidewalks, on streets bicycle facilities, safe and convenient crossings and transit amenities into the initial design of a project thus sparing the expense of retrofits later; and

**WHEREAS**, streets are active public spaces that define the image and identity of a community and shape opportunities for access by all users of the street network, and

**WHEREAS**, the Township Committee fully supports these initiatives and wishes to reinforce the Township’s commitment to creating a comprehensive, integrated, connected multi-modal network of transportation options that accommodates all road users of all ages and abilities and for all trips through the establishment of a Complete Streets policy; and

**WHEREAS**, a Complete Streets policy will be established, to the extent reasonably practical in the discretion of the Township’s engineering, planning and building professionals, through the planning, design, construction, maintenance, and operation of new and retrofit transportation facilities.

**NOW, THEREFORE, BE IT RESOLVED** that whenever reasonably practical in the discretion of the Township’s engineering, planning and building professionals, all local public street projects, including new construction, reconstruction, and maintenance undertaken by the Township shall be designed and constructed as “Complete Streets” that balance the needs of all road users of all ages and abilities.

**BE IT FURTHER RESOLVED** that the Complete Streets policy, as referenced above, shall have the following goals and objectives:

1. The Township should create a comprehensive, integrated, connected multi-modal network of transportation options by providing connections to bicycle and walking trip generators such as employment, education, residential, recreational and public facilities, as well as retail and transit centers.
2. The Township should provide safe and accessible accommodations for existing and future pedestrian, bicycle and transit facilities.
3. The Township should establish a checklist of pedestrian, bicycle and transit accommodations such as accessible sidewalks curb ramps, countdown pedestrian signals, signs, median refuges, curb extensions, pedestrian scale lighting, bike lanes, shoulders and bus shelters with the presumption that they will be included in each project unless supporting documentation against inclusion is provided and found to be justifiable or the project is otherwise determined to be exempt by the Township’s engineering, planning and building professionals.
4. The Township should establish a procedure to evaluate resurfacing projects for complete streets inclusion according to length of project, local support, environment constraints, right-of-way limitations, funding resources and bicycle and/or pedestrian compatibility.
5. The Township should anticipate likely future demand for bicycling and walking facilities and not preclude the provision of future improvements.
6. Project designs should address the need for bicyclists and pedestrians to cross corridors, as well as to travel along them, in a safe, accessible and convenient manner.
7. Bicycle and pedestrian facilities should be designed to the best currently

available standards and practices, including the New Jersey Roadway Design Manual, the AASHTO Guide for the Development of Bicycle Facilities, the AASHTO Guide for the Planning, Design and Operation of Pedestrian Facilities, the Manual of Uniform Traffic Control Devices, the NACTO Urban Bikeway Design Guide and other design criteria as deemed warranted.

8. Provision should be made for pedestrians and bicyclists when closing roads, bridges or sidewalks for construction projects as outlined in NJDOT Policy No. 705 - Accommodating Pedestrians and Bicycle Traffic During Construction.

9. Improvements should consider connections for safe routes to schools, to transit facilities, transit villages, trail crossings and areas or population groups with limited transportation options.

10. Improvements should comply with Title VI/Environmental Justice, Americans with Disabilities Act (ADA) and should complement the context of the surrounding community.

11. As part of Planning Board and Zoning Board of Adjustment review of applications, all initial planning and designing studies, environmental reviews and other project reviews for projects requiring funding or approval by the Township should ( a ) evaluate the effect of the proposed project on safe travel by all users of all ages and abilities, and ( b ) identify measures to mitigate any adverse impacts on such travel that are identified.

12. Exceptions may be made to the Complete Streets policy and its implementation under any of the following conditions when presented to the Township Engineer or his/her designee for approval with a detailed explanation:

- a. Bicycle and pedestrian facilities shall not be required where they are prohibited by law.
- b. Public transit facilities shall not be required on streets not serving as transit routes.
- c. When the cost of incorporating new bicycle, pedestrian and/or public transit facilities is disproportionate to the cost of the project, which will be presumed if the cost of same is more than [20%] [10%] [5%] of the total project cost.
- d. The safety or timing of a project would be compromised by the inclusion of Complete Streets.
- e. The Township Engineer or his/her designee determines in his/her discretion that there is insufficient space to safely accommodate new facilities.
- f. The project is located on a cul-de-sac or road with less than 500 average annual daily trips (AADT).
- g. The inclusion of pedestrians, public transit and/or bicycle facilities would prove detrimental to wetlands, flood plains, streams and/or historic or social resources, or the detrimental environmental, social or historical impacts outweigh the need for these accommodations.
- h. Where the scarcity of population, travel and attractors, both existing and future, indicate an absence of need for such accommodations.
- i. Where a reasonable equivalent facility is available or planned as an alternative for a specific user group.

Committeewoman Abbott said that the topic of Complete Streets has been discussed by the Planning Board. If the Township Committee passes a Complete Streets resolution, the Township can receive extra points for NJDOT grants. Committeewoman Abbott described the principles of Complete Streets, and described how it incorporates pedestrian and bicycle traffic as well as vehicular traffic.

Mayor Sullivan said that the Township is engaging in Complete Streets principles where possible already. He also said that he thinks that the Planning Board's processes should play out before the Township Committee should take any action on this matter.

Administrator Ciccarone explained that the a subcommittee of the Planning Board was working on updates to the Circulation Plan, and that process morphed into the creation of a Complete Streets Plan instead. He further explained that the document which was produced had strayed from what a circulation plan is supposed to be. This resolution was drafted so as to separate the two concepts, and the Planning Board voted to table discussions on the matter until after the new year when a new subcommittee can be created. It is the Township Committee's option if they wish to adopt a Complete Streets policy, however this resolution does not appear before the Township Committee with any recommendation from the Planning Board. Mayor Sullivan said that he would prefer that the Township Committee wait until there is a recommendation from the Planning Board to take any action.

Committeewoman Abbott asked Engineer Ruschke to comment on this resolution and how it is different from the Circulation Plan. Engineer Ruschke said that the resolution is basically a declaration of support for the measures that are already being taken.

Deputy Mayor Ritter asked if there is any rush to pass this resolution. Committeewoman Abbott said that she would like to see the resolution passed while she is still on the Township Committee. Deputy Mayor Ritter said that he would like to see what the Planning Board has to say before any action is taken. Committeeman Gallop said that the resolution is not being rushed, as the principles are already being implemented.

Committeewoman Abbott moved to pass Resolution 2014-224 with the understanding that the Circulation Element is a Planning Board Document. Committeeman Gallop seconded the motion.

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

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

Mayor Sullivan opened the Hearing of Citizens.

1. Nicole Hagner, 396 River Road, thanked the Township Committee for their service. In particular, she thanked Committeeman Brower for all the years of service that he has put in to the Township. She also thanked Committeewoman Abbott for her years of service.
2. Caroline Knott, 370 Fairmount Ave, said that Committeeman Brower has done much for the Senior Center and for the Historical Society, and she thanked him for his work.
3. Jessica Romeo, 49 Pine Street, thanked the Township Committee for all their work. She wished Committeeman Brower luck in retirement from public service. Mrs. Romeo also spoke on behalf of Committeewoman Abbott's work on the Colony Pool Committee and the Community Garden Committee.

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

Mayor Sullivan offered welcome to Mike Kelly and Karen Swartz, both of whom will be joining the Township Committee in January. He also thanked Committeewoman Abbott for her service and accomplishments on the Township Committee. Mayor Sullivan also recognized Committeeman Brower for his years of service to the Township, and cited the various board appointments he had served over the years.

Committeeman Brower thanked the voters who supported him over the years. He also recognized the Mayors under whom he served during his tenure on the Township Committee. Committeeman Brower also recognized Administrator Ciccarone for the job running the administration of the Township. He also complimented Township Clerk Greg LaConte, Assistant Tax Assessor Eileen Hladky and Assistant Tax Collector Ann Libretti for the roles they serve in working with residents in a friendly way. Committeeman Brower also noted the work of Public Works Director John Pacelli in running his department, and Police Chief Steven Hennelly for keeping the Township safe. Also recognized were the members of the various boards with whom Committeeman Brower had served over the years. Committeeman Brower also

acknowledged the legal work done for the Township by both Carl Woodward and Albert Cruz in their respective capacities as Township Attorney. He also acknowledged Engineer Ruschke for his work. Committeeman Brower further recognized Tom Salvas for his work in televising Township Committee meetings.

Committeeman Gallop spoke on behalf of Committeewoman Abbott's years of service on the Township Committee. Committeewoman Abbott said that she has been very privileged to be an elected official in the Township of Chatham.

Mayor Sullivan presented a plaque to Committeeman Brower in recognition of his service both as a member of the Township Committee and as Mayor. The Township Clerk presented Committeeman Brower with his mayoral portrait, which will be hung in the Municipal Building.

**Executive Session**

**RESOLUTION 2014-P-18  
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. Pending or anticipated litigation: Paff v. Township of Chatham et al
  - b. Personnel: Contract Negotiations
  - c. Personnel: Potential Hire
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.

Mayor Sullivan announced that the Township Committee will be taking formal action after Executive Session.

Committeewoman Abbott moved to enter Executive Session at 9:28 PM. Deputy Mayor Ritter 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 from Executive Session at 10:45 PM.

Committeeman Brower moved to make a conditional offer of employment as a police officer to Matthew Smedberg, contingent upon a successful background check, psychological test and drug test. Committeewoman Abbott seconded the motion.

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

**RESOLUTION 2014-225**  
**RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,**  
**STATE OF NEW JERSEY APPROVING A CONTRACT SETTLEMENT BETWEEN**  
**THE TOWNSHIP OF CHATHAM AND PBA LOCAL 170**

**WHEREAS**, the Township of Chatham and PBA Local 170 have reached an agreement on a new contract, the terms of which are contained in a Memorandum of Understanding executed on December 12, 2014.

**NOW THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Chatham hereby approves the Memorandum of Understanding between the Township of Chatham and PBA Local 170 for the term January 1, 2015 through December 31, 2016.

Deputy Mayor Ritter moved to pass Resolution 2014-225. Committeewoman Abbott seconded the motion.

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

Committeeman Brower moved to adjourn at 10:47 PM. Deputy Mayor Ritter seconded the motion, and it carried unanimously.

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Gregory J. LaConte  
Township Clerk