

TOWNSHIP OF CHATHAM
WORKSHOP AGENDA
MARCH 13, 2014
March 6, 2014 draft

Workshop public meetings are held primarily for the Mayor and Committee to discuss issues informally. These issues will in most cases be resolved at a subsequent regular public meeting by a formal vote either to pass a resolution or adopt an ordinance. Regular public meetings are normally held the second Thursday of each month. The Township Committee may, however, pass a resolution, introduce an ordinance, and, if advertised, adopt an ordinance at a workshop meeting if warranted.

Meeting Called to Order – 7:30 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.

Flag Salute

Roll call

Approval of Agenda

Proclamation – Autism Awareness Month

Reports:

1. Board of Health
2. Environmental Commission
3. Open Space Committee

Public Hearing/Final Adoption of Ordinances

1. Ordinance 2014-02 Uniform Const Code Fee Amendments
2. Ordinance 2014-03 Vacating Walkway Easement
3. Ordinance 2014-04 Reducing Open Space Tax
4. Ordinance 2014-05 Cap Bank
5. Ordinance 2014-06 Colony Fees

Introduction of Ordinances

1. Ordinance 2014-07 Police Department Ordinance Amendments

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 2014-075 Payment of Bills
2. Resolution 2014-076 Approving Meeting Minutes
3. Resolution 2014-077 Approving Executive Session Minutes
4. Resolution 2014-078 Approving Social Affair Permit
5. Resolution 2014-079 Authorizing Recycling Tonnage Grant Application
6. Resolution 2014-080 Authorizing Posting of Resolutions on Township Website

Discussion: possible ordinance or resolution

Hearing of Citizens (Time Permitting)

Executive Session- Resolution 2014-P-05

Adjourn

ORDINANCE 2014-07

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY, AMENDING THE CODE OF THE TOWNSHIP OF
CHATHAM CHAPTER II, ARTICLE III, SECTIONS 2-11.3, 2-11.4, 2-11.6 and 2-11.15,
POLICE DEPARTMENT**

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that certain sections of Chapter II, Article III, Section 2-11, et seq., entitled Police Department, of the Code of the Township of Chatham are hereby repealed and replaced as follows:

1. Section 2-11.3. **Supervision of the Police Department.** The Chief of Police shall be the head of the Police Department and shall be directly responsible to the appropriate authority for the efficiency and routine day-to-day operations thereof, pursuant to policies established by the appropriate authority in accordance with N.J.S.A. 40A:14-118.
2. Section 2-11.4. **Duties of the Chief.** Subject to policies established by the appropriate authority, the Chief of Police shall:
 - a. Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the force and its officers and personnel;
 - b. Have, exercise and discharge the functions, powers and duties of the force;
 - c. Prescribe the duties and assignments of all subordinates and personnel;
 - d. Delegate such of his authority as he may deem necessary for the efficient operation of the force to be exercised under his direction and supervision;
 - e. Report at least monthly to the appropriate authority, through the Township Administrator, on the operation of the force during the preceding month and make such other reports as may be requested by such authority.

As used in this section, “appropriate authority”, means the sub-committee of the Township Committee.

Except as provided herein, the Township Committee and individual members thereof shall act in all matters relating to the police function of the Township as a body, or through the appropriate authority.

3. Section 2-11.6 **Special Police.** In accordance with N.J.S.A. 40A: 14-146.10 the Township Committee may, as it deems necessary, appoint special law enforcement

officers sufficient to perform the duties and responsibilities authorized by N.J.S.A. 40A:14-118. "Special law enforcement officer" means any person appointed to temporarily or intermittently perform duties similar to those performed regularly by members of the police force, or to provide assistance to the police force during unusual or emergency circumstances, or at individual times. Any person so appointed shall meet the eligibility criteria as set forth in N.J.S.A. 40A:14-146.10.

4. Section 2-11.15 **Suspension and Removal**. Except as otherwise provided by law, no permanent member or officer of the police department shall be removed from his office, employment or position for political reasons, or for any cause other than incapacity, misconduct, or disobedience of rules and regulations established for the government of the police department and force, nor shall such member or officer be suspended, removed, fined or reduced in rank from or in office, employment, or position therein, except for just cause as hereinbefore provided and then only upon a written complaint setting forth the charge or charges against such member or officer. All suspensions and removals of officers shall be in accordance with N.J.S.A. 40A:14-147 et seq. as may be amended from time to time.

The Township Administrator is hereby designated to hear any complaints brought against members of the force and shall have the power to subpoena witnesses and documentary evidence. The Superior Court shall have jurisdiction to enforce any such subpoena. The Township Administrator may, with the approval of the Township Committee, appoint a hearing officer to conduct any such hearing. The Township Administrator or designated hearing officer shall issue a report to the Township Committee of his findings along with a recommendation which may be accepted, rejected or modified by the Township Committee.

5. All other provisions of Article III, Chapter II, Section 2-11 shall remain unchanged.
6. This ordinance shall take effect as provided by law.

Introduced: March 13, 2014

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2014-075

**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 \$526,652.22 and the prior month's payroll of \$456,029.70 Current Fund, \$47,952.19 Sewer No. 1, \$10,597.67 Sewer No. 2, and \$7,689.10 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of March 2014, in the amount of \$2,702,308.11 be paid.

Adopted: March 13, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2014-076

**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 February 27, 2014.

Adopted: March 13, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

DRAFT

RESOLUTION 2014-077

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 February 27, 2014.

Adopted: March 13, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

DRAFT

RESOLUTION 2014-078

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING
ONE-DAY SPECIAL PERMIT FOR LIQUOR LICENSE**

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following permit for a One-Day Liquor License is hereby approved:

<u>Name of Organization</u>	<u>Dates of Social Affair</u>	<u>Place where Affair will be held</u>
Chatham Township Firemens Benevolent Fund	June 21, 2014	Chatham Township Fire Dept 495 River Road Chatham, NJ 07928

Adopted: March 13, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2014-079

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING THE SUBMISSION OF A STATE RECYCLING TONNAGE GRANT APPLICATION FOR 2013

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987. c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of the Township of Chatham to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the Township of Chatham hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates EILEEN HLADKY, Certified Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Adopted: March 13, 2014

Attest:

Gregory J. LaConte, Clerk

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2014-080

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM REGARDING POSTING OF RESOLUTIONS ON THE CHATHAM TOWNSHIP WEBSITE

WHEREAS, it is the desire of the Township Committee of the Township of Chatham to encourage clarity of purpose and transparency at all levels of government; and

WHEREAS, the Township Committee, in addition to already posting its Agendas on the Township website and televising its meetings, desires to enhance the information available to the public prior to the Township Committee meetings; and

WHEREAS, the Township Committee desires that its Agenda continue to be posted on the Township website no later than two (2) days prior to its meetings, and that the Agenda include hyperlinks to the Ordinances and Resolutions that will be considered by the Township Committee; and

WHEREAS, all draft Ordinances and Resolutions to be considered by the Township Committee will be posted and labeled as draft in PDF format only, with the Agenda advising that the Ordinances and Resolutions are in draft form subject to change or withdrawn by the Township Committee; and

WHEREAS, the posting of the Agenda along with draft Ordinances and Resolutions may not serve as a basis to prevent the introduction of an Ordinance or adoption of Resolution which was not posted where the public interest would be served by proceeding forward.

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

1. That the Township Clerk will send the Agenda, Ordinances and Resolutions that will be considered by the Township Committee, to the webmaster of the Chatham Township website for posting thereon.
2. That this Resolution shall take effect immediately.

Adopted:

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk