

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE AGENDA

April 24, 2014

April 22, 2014 Draft

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 – National EMS Week

Reports:

1. Communications Committee
2. Municipal Alliance

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.

Introduction of Ordinances

1. Ordinance 2014-09 Vacating Paper Street on Wilson Ave
2. Ordinance 2014-10 Bond Ordinance

Continuation of Old Business

1. Ordinance 2014-08 Vacating Walkway Easement

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 2014-097 Receipt of Reports
2. Resolution 2014-098 Approving Meeting Minutes
3. Resolution 2014-099 Releasing Escrow Balances
4. Resolution 2014-100 Refunding Overpayment of Permit Fee
5. Resolution 2014-101 Approving Communications Committee Policies & Procedures Manual
6. Resolution 2014-102 Appointing Environmental Commission Member
7. Resolution 2014-103 Refunding Overpayment of Taxes

Discussion: possible ordinance or resolution

Hearing of Citizens (Time Permitting)

Executive Session (If Necessary) – Resolution 2014-P-06

Adjourn

ORDINANCE 2014-08

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY, RELEASING, EXTINGUISHING AND VACATING ALL OF
THE TOWNSHIP OF CHATHAM'S RIGHT, TITLE AND INTEREST IN AND TO
THAT PORTION OF 73 LINDEN LANE, BLOCK 83, LOT 35, AND 75 PINE STREET,
BLOCK 83, LOT 56 ON WHICH A WALKWAY EASEMENT IS LOCATED**

WHEREAS, there exists in the Township of Chatham, Morris County, New Jersey, a walkway easement which is located on 73 Linden Lane, Block 83, Lot 35, and 75 Pine Street, Block 83, Lot 56, as shown on the Official Tax Map of the Township of Chatham ("Properties"); and

WHEREAS, the owners of the Properties requested that the walkway easement located on 73 Linden Lane, Block 83, Lot 35, and 75 Pine Street, Block 83, Lot 56, as shown on the Tax Map of the Township of Chatham, be released, extinguished and vacated; and

WHEREAS, the Township Committee of the Township of Chatham does hereby determine that the walkway easement has not been opened by the Township, is no longer needed for public purposes and that the public interest will be better served by releasing, extinguishing and vacating the walkway easement; and

WHEREAS, N.J.S.A. 40:67-19 authorizes the Township to release, extinguish and vacate the public's rights, and the rights of the Township in the walkway easement.

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

SECTION 1. Subject to the conditions set forth below, the rights of the public and the Township of Chatham in and to the walkway easement are hereby released, extinguished and vacated.

SECTION 2. The walkway easement being vacated shall revert to and remain a part of Block 83, Lot 35 and Block 83, Lot 56.

SECTION 3. Expressly reserved and excepted from this vacation are all of the rights and privileges now possessed by public utilities and cable television companies to maintain and repair their existing facilities adjacent to, over and under the walkway easement to be vacated.

SECTION 4. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Township Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

SECTION 5. The Township Clerk shall, within sixty (60) days of the effective date of this Ordinance, record a copy of this Ordinance certified by the Clerk under the seal of the Township, to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the County of Morris, in accordance with the provisions of N.J.S.A. 40:67-21.

SECTION 6. The Mayor and Clerk are hereby authorized to sign a Quitclaim Deed releasing, extinguishing and vacating the walkway easement on the Properties.

SECTION 7. If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION 8. This Ordinance shall become effective upon the adoption and recording of this Ordinance with the Morris County Clerk's Office.

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

ORDINANCE 2014-09

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY, VACATING THE RIGHT OF WAY FOR A PORTION OF
WILSON AVENUE**

WHEREAS the portion of Wilson Avenue in the township of Chatham extending easterly from the easterly sideline of Roosevelt Avenue remains undeveloped; and

WHEREAS the township has no need for said street right of way and it appearing that the public interest will be better served by vacating said street;

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

1. That portion of Wilson Avenue extending westerly to its end from the easterly sideline of Roosevelt Avenue, as more particularly shown on the Tax Map of the Township of Chatham, is hereby vacated in its entirety and the portions thereof divided and conveyed to the adjoining property owners in accordance with law.
2. All rights and privileges possessed by public utilities, as defined by R. S. 48:2-13, and by any cable television company, as defined in the Cable Television Act, P.L. 1972, c.186 (N.J.S.A. 48:5A-1 et seq.) to maintain, repair and replace facilities, in, adjacent to, over or under Wilson Avenue, are hereby expressly reserved from vacation.
3. The Mayor and Township Clerk are authorized to execute such documents as may be necessary to effectuate such purpose.
3. This ordinance shall take effect and be recorded in the Office of the Morris County Clerk in accordance with law.

Introduced: April 24, 2014

Adopted:

Attest:

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

BY: _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2014-10

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY IN, BY AND FOR THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$745,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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

Section 1. The Township of Chatham, in the County of Morris, State of New Jersey (the "Township") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery in, by and for said Township, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Acquisition of new additional or replacement equipment and machinery consisting of a diesel fuel vault for use at the Department of Public Works ("DPW") Yard.

Appropriation and Estimated Cost	\$ 20,000
Down Payment Appropriated	\$ 1,000

Bonds and Notes Authorized	\$ 19,000
Period of Usefulness	15 years

B. Acquisition of new additional or replacement equipment and machinery consisting of mobile cameras for the use of the Police Department.

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,500
Bonds and Notes Authorized	\$ 47,500
Period of Usefulness	5 years

C. Undertaking of improvements to various roads, as set forth on a list prepared or to be prepared by the Township Engineer and placed on file with the Township Clerk and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Township Committee, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$500,000
Down Payment Appropriated	\$ 25,000
Bonds and Notes Authorized	\$475,000
Period of Usefulness	10 years

D. Undertaking of improvements to various public buildings, including, but not limited to, boiler repair and fire alarm upgrades at the Municipal Building and various improvements to Police Headquarters. It is hereby determined and stated that said public buildings to be improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$100,000
Down Payment Appropriated	\$ 5,000
Bonds and Notes Authorized	\$ 95,000
Period of Usefulness	15 years

E. Acquisition of new additional or replacement equipment and machinery consisting of firefighting, emergency and safety equipment for the use of the Volunteer Fire Departments.

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,500
Bonds and Notes Authorized	\$ 47,500
Period of Usefulness	5 years

F. Undertaking of underground storage tank remediation at the DPW Yard.

Appropriation and Estimated Cost	\$ 25,000
Down Payment Appropriated	\$ 1,250
Bonds and Notes Authorized	\$ 23,750
Period of Usefulness	15 years

Aggregate Appropriation and Estimated Cost	\$745,000
Aggregate Down Payment Appropriated	\$ 37,250
Aggregate Amount of Bonds and Notes Authorized	\$707,750

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$35,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$37,250, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$37,250 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$707,750 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$707,750 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations

prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 10.30 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$707,750 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 14. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Introduced: April 24, 2014

Adopted:

Attest:

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

BY: _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2014-097

**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 – February, March
CFO – February
Police Department – February, March
Public Works – February
Registrar – 1st Quarter
Dog Licensing Official – 1st Quarter
State Training Fees – 1st Quarter

Adopted: April 24, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2014-098

**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 April 10, 2014.

Adopted: April 24, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2014-099

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>
Jamshid iranmahboob 19 Gibbons Place Green Village, NJ 07935	BOA 13-138-5	7761693253	\$120.57
John Robertson 177 Lafayette Ave Chatham, NJ 07928	BOA 13-80-13	7761693295	\$119.36

Adopted: April 24, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2014-100

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM REFUNDING OVERPAYMENT OF PERMIT FEE

WHEREAS, the Township Committee has considered the request submitted by the Construction Office Manager with regard to the fee that was overpaid for a construction permit;

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>
Novick/Hagner 396 River Road Chatham, NJ 07928	14-0214	\$90.00

Adopted: April 24, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2014-101

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE ADOPTION AND IMPLEMENTATION OF COMMUNICATIONS PROTOCOLS & PROCEDURES POLICY & GUIDELINES

WHEREAS, the Township Committee of the Township of Chatham wishes to adopt a Communications Protocols & Procedures Policy & Guidelines for use by the Township; and

WHEREAS, the Communications Committee has undertaken the process of preparing such a Policy & Guidelines; and

WHEREAS, the Communications Committee has provided the Township Committee with a copy of the Policy & Guidelines for their review; and

WHEREAS, the Township Committee has reviewed the Policy & Guidelines and wishes to adopt same as the official Communications Protocols & Procedures Policy & Guidelines of the Township;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, in the County of Morris and State of New Jersey, that the Communications Protocols & Procedures Policy & Guidelines attached hereto and made a part hereof is hereby adopted as the official Communications Protocols & Procedures Policy & Guidelines of the Township; and

BE IT FURTHER RESOLVED, that the Communications Committee is hereby authorized and directed to provide a copy of said Policy & Guidelines to the Township Clerk for distribution to all permanent full and part time employees within ten (10) days of the adoption of this Resolution; and

BE IT FURTHER RESOLVED, that the attached Communications Protocols & Procedures Policy & Guidelines dated April 10, 2014 shall take effect immediately.

Adopted: April 24, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2014-102

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM APPOINTING MEMBER TO THE CHATHAM TOWNSHIP
ENVIRONMENTAL COMMISSION**

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

Chatham Township Environmental Commission:

1. George Crimmins (2015) – Filling Vacancy

Adopted: April 24, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

DRAFT

RESOLUTION 2014-103

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 & ADDRESS</u>	<u>AMOUNT</u>
65.01	4.04	Cermele, Maryann 15F Kensington Road Chatham, NJ 07928	\$991.71 Property Tax Overpayment

Adopted: April 24, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor