

# TOWNSHIP OF CHATHAM

## WORKSHOP AGENDA

MAY 8, 2014

May 8, 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 – National Nursing Home Week**

### **Reports:**

1. Chatham Emergency Squad
2. Chatham Township Volunteer Fire Department
3. Green Village Fire Department

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

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

**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 2014-104 Payment of Bills
2. Resolution 2014-105 Approving Meeting Minutes
3. Resolution 2014-106 Approving Executive Session Minutes
4. Resolution 2014-107 Adopting a Revised Employee Handbook
5. Resolution 2014-108 Authorizing Sewer Connection
6. Resolution 2014-109 Authorizing Estimated Tax Billing
7. Resolution 2014-110 Refunding Construction Permit Fee
8. Resolution 2014-111 Supporting Safe Routes to School
9. Resolution 2014-112 Authorizing NJDOT SRTS Grant Application
10. Resolution 2014-113 Authorizing NJDOT TA Grant Application

### **Discussion: possible ordinance or resolution**

1. Request to Encroach on a Sanitary Sewer Easement

### **Hearing of Citizens (Time Permitting)**

**Executive Session-** Resolution 2014-P-07

### **Adjourn**

**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 ABUTTING BLOCK 41, LOTS 1, 3, 5, 7, 8 & 20 AND  
BLOCK 43, LOTS 7 & 17**

**WHEREAS** the portion of Wilson Avenue, abutting Block 41, Lots 1, 3, 5, 7, 8 & 20 and Block 43, Lots 7 & 17 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 abutting Block 41, Lots 1, 3, 5, 7, 8 & 20 and Block 43, Lots 7 & 17, 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.
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.
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.
6. This Ordinance shall become effective upon the adoption and recording of this Ordinance with the Morris County Clerk's Office.

Introduced: April 24, 2014

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

Adopted:

Attest:

BY: \_\_\_\_\_  
Kevin M. Sullivan, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2014-104**

**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 \$613,657.10 and the prior month's payroll of \$403,813.99 Current Fund, \$48,780.68 Sewer No. 1, \$10,664.32 Sewer No. 2, and \$10,032.96 Police Private Employment be paid.

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

**BE IT FURTHER RESOLVED** that taxes due to the County of Morris, for the Second Quarter of 2014, in the amount of \$2,046,134.16 be paid.

Adopted: May 8, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2014-105**

**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 24, 2014.

Adopted: May 8, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

DRAFT

**RESOLUTION 2014-106**

**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 April 24, 2014.

Adopted: May 8, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

DRAFT

**RESOLUTION 2014-107**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING A REVISED EMPLOYEE HANDBOOK**

**WHEREAS**, the Township Committee adopted Resolution 2012-071 on March 22, 2012, approving a revised and updated employee handbook to assure compliance with all applicable laws and regulations; and

**WHEREAS**, the Township Committee wishes to approve a revised employee handbook, which incorporates the following changes/additions:

1. Electronic Systems Policy (modified in section II.I);
2. Social Media Policy (modified in section II.J);
3. Equal Opportunity Policy (modified in section IV.F);
4. Pregnancy Accommodation (added in section IV.G.);
5. Sick Days (modified in section V.C);
6. Emergency Responders Leave (added in Section VI.D);
7. NJ SAFE Act Leave (added in Section VI.G);
8. Family and Medical Leave Act (modified in Section VIII);
9. New Jersey Paid Family Leave Act (modified in Section IX.H); and
10. Anti-Harassment/Anti-Discrimination Policy (modified in Section XI).

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that a revised employee handbook be and the same are hereby adopted and shall be available to employees and the public in the office of the Township Clerk.

Adopted: May 8, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

**RESOLUTION 2014-108**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING SEWER CONNECTION FOR 25 HICKORY PLACE**

**WHEREAS**, the Township Engineer has certified that all applications requirements for 25 Hickory Place, Block 48.17, Lot 126.02 including the payment of the administrative review fee have been met and that sewer capacity is available; and

**WHEREAS**, in a memorandum dated April 23, 2014 the Township Engineer outlined various conditions for the approval of a sewer connection for 25 Hickory Place, Block 48.17, Lot 126.02;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that it hereby, approves the issuance of a sanitary sewer permit for 25 Hickory Place, Block 48.17, Lot 126.02 subject to the conditions set forth by the Township Engineer.

Adopted: May 8, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

**RESOLUTION 2014-109**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM AUTHORIZING ESTIMATED TAX BILLING**

**WHEREAS**, due to the expected late adoption of the State of New Jersey's budget the Morris County Board of Taxation will be unable to certify the tax rate throughout the County, and the Township's Tax Collector will be unable to mail the tax bills on a timely basis;

**WHEREAS**, the Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range permitted estimated tax levies;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF  
NEW JERSEY AS FOLLOWS:**

1. The Municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the municipality for the third installment of 2014 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c. 72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2014 is hereby set at \$51,306,216.75.
3. In accordance with the law, the third installment of 2014 taxes shall not be subject to interest until the later of: the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

Adopted: May 8, 2014

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

**RESOLUTION 2014-110**

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following amount be refunded to the depositor of record:

<u>NAME</u>	<u>PERMIT #</u>	<u>AMOUNT</u>
Ron Jon Heating & Cooling 12 B Great Meadows Lane East Hanover, NJ 07936	14-0228	\$573.00

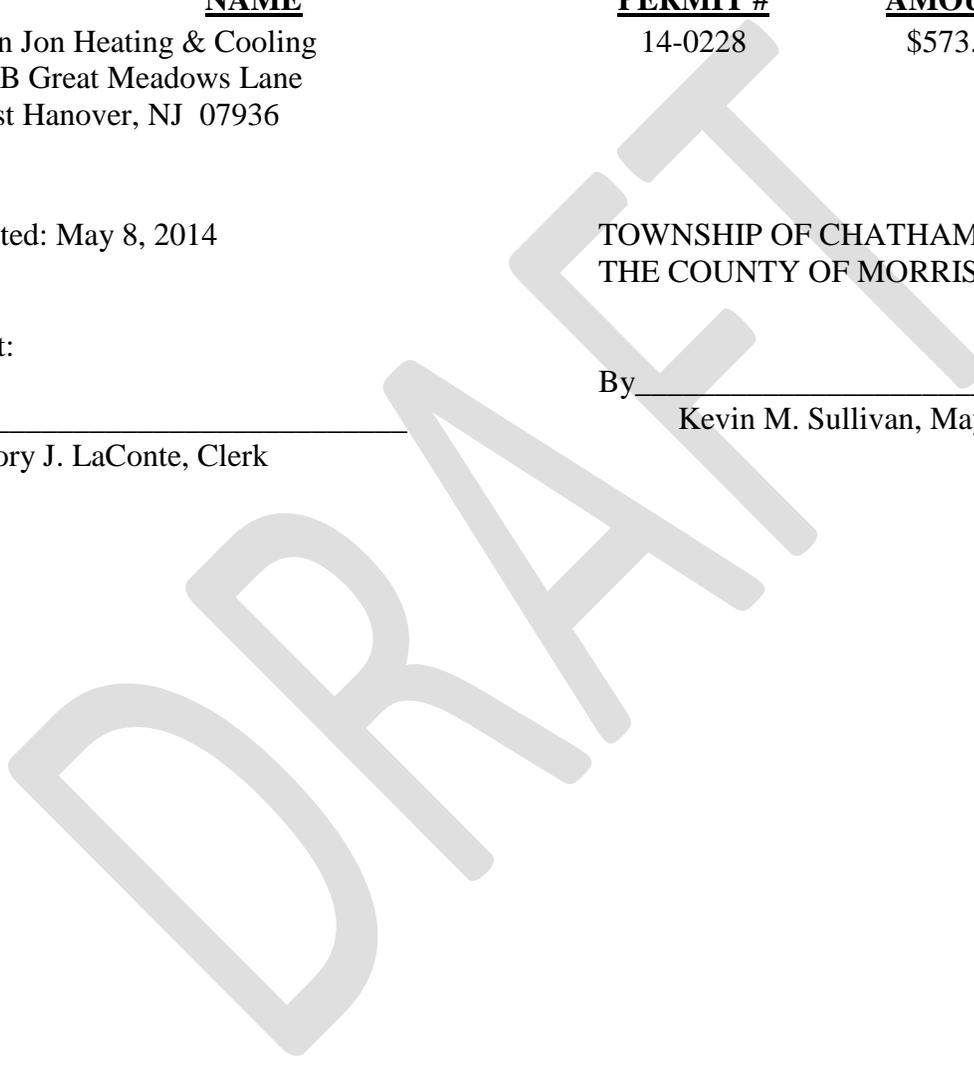
Adopted: May 8, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk



**RESOLUTION 2014-111**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM SUPPORTING THE SAFE ROUTES TO SCHOOL PROGRAM**

**WHEREAS**, there is a need to promote the health and safety of our children; and

**WHEREAS**, nearly one out of three children (31%) ages 10-17 are overweight or obese in New Jersey and New Jersey has the second highest rate of obesity (17.9%) for low-income children ages 2-5; and

**WHEREAS**, lack of physical activity has had a significant impact on children's health and well-being, resulting in higher rates of obesity, diabetes, heart disease, and other related health concerns compared to 30 years ago; and

**WHEREAS**, driving children to school by private vehicle and idling in the school vicinity contributes to traffic congestion and air pollution near the school; and

**WHEREAS**, air pollution near schools can have adverse effects on student health, including decreased lung development, allergies and asthma, as well as on the local environment; and

**WHEREAS**, Congress has designated federal funding to develop the National Safe Routes to School Program to address these challenges; and

**WHEREAS**, bicycling and walking to school can have a positive mental and physical impact on the health of children and youth, and helps them arrive at school ready to learn; and

**WHEREAS**, providing safer routes to and from schools aims to decrease pedestrian and bicycling related injuries, not just for students but for the entire community; and

**WHEREAS**, the Safe Routes to School program uses education, encouragement, infrastructure and enforcement strategies to help make walking and bicycling to school safer and more attractive to children; and

**WHEREAS**, a successful Safe Routes to School program involves schools, school boards, citizens and local government to collaborate to enable and encourage children, including those with disabilities, to walk and bicycle to school safely; now, therefore, be it

**BE IT THEREFORE RESOLVED**, that the Township Committee of the Township of Chatham supports the Safe Routes to School program and are proponents of developing and maintaining safe ways to walk and bicycle to school.

Adopted: May 8, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2014-112**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, APPROVING SUBMITTAL OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE LAFAYETTE AVENUE & SPRING STREET SIDEWALKS PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chatham formally approves the grant application for the above state project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SRS-2014-Lafayette Avenue Sidewalks-00045 to the New Jersey Department of Transportation on behalf of the Township of Chatham.

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

Adopted: May 8, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

**RESOLUTION 2014-113**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, APPROVING SUBMITTAL OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SHUNPIKE ROAD SIDEWALK IMPROVEMENTS – PHASE II PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chatham formally approves the grant application for the above state project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as TA-2014-Shunpike Road Sidewalk Improvements -00072 to the New Jersey Department of Transportation on behalf of Township of Chatham.

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

Adopted: May 8, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

**TOWNSHIP OF CHATHAM  
TOWNSHIP COMMITTEE MEETING MINUTES  
MAY 8, 2014**

Mayor Sullivan called the workshop meeting of the Township Committee of the Township of Chatham to order at 7:33 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 Committeewoman Abbott, Committeeman Gallop, Committeeman Brower, Deputy Mayor Ritter and Mayor Sullivan.

**Proclamation**

Mayor Sullivan read aloud the attached proclamation for National Nursing Home Week.

**Reports by Sub-Committees**

**Chatham Emergency Squad**

Alex Chorney, the Captain of the Chatham Emergency Squad, presented the Annual Report. The squad began 2014 with 85 members, and is at full strength. New volunteers have also recently joined the squad. While some municipalities have had to form paid squads during daytime hours, the Chatham Emergency Squad does not foresee having to do so. The Squad was dispatched 1,043 times in 2013, of which 549 were to the Township. A new ambulance was also purchased in 2013, and several CPR courses were held. The mission of the Squad was also expanded to educate residents to help them be better prepared for medical emergencies. Squad members recertify for CPR annually, while the State requires recertification every two years. The Squad is also always looking for new members, and the physical plant is in good condition.

Committeeman Gallop asked if there is any pending legislation that would affect the Emergency Squad. Attorney Cruz said that there was pending legislation regarding immunity for emergency squads. There is also a pending ruling as to whether or not the Affordable Care Act would apply to volunteers.

Committeeman Brower asked if there are many calls during nighttime hours. Mr. Chorney said that most calls are during the daytime.

**Chatham Township Volunteer Fire Department**

Chief Bob Evans presented the Annual Report of the Chatham Township Fire Department. The Department has 50 volunteer members, 38 of whom are interior firefighters. In 2013, they responded to 249 calls, and had 4671 man hours. 25 calls were for mutual aid. Radio communications have been an ongoing problem since switching to the County's dispatch system. In 2013 the issues were somewhat mitigated, and the Fire Department plans to continue to address the issue of radio dead spots. Fundraising was down in 2013. The headquarters on River Road is in need of upgrades and repairs, and the Southern Boulevard Firehouse requires some items to be finished. Chief Evans thanked the Township Committee for their support in providing the services of the Township Engineer to help identify issues with the firehouses. Chief Evans also commented on the plans to upgrade, maintain and replace the Fire Department's fleet. The Department would also like to work with the Township and the Green Village Fire Department to develop a vehicle replacement program. The Department is also looking to develop shared services where possible, and membership opportunities are available. Chief Evans also addressed design flaws in one of the Department's trucks. Committeewoman

Abbott asked about the number of fire truck manufacturers. Chief Evans said that there are a few large manufacturers, and several smaller regional manufacturers.

### Green Village Fire Department

Chief Kevin Doherty presented the Annual Report of the Green Village Fire Department (GVFD). They serve the portion of the Township that is west of Lafayette Avenue. In 2013, the GVFD had a 5K run, and the emergency services worked well together when one of the runners went into cardiac arrest. Chief Doherty also commented on how circumstances such as the Boston Marathon Bombing can have an impact on how the GVFD prepares for possible scenarios. Chief Doherty said that the heavy snow this winter made trouble for fire hydrants and the hydrant markers. At Christmas, the GVFD had a second Santa Run to help support local businesses. The Department also bought some new extrication equipment. Chief Doherty commented on the procedures for buying new equipment and sharing equipment with other departments. He also addressed training. Regarding responses, alarm calls are up and Chief Doherty addressed the need for residents to inspect their smoke detectors to make sure that the equipment is still functioning properly. For fundraising efforts, they do not do as many mailings, and Chief Doherty cited fundraising events that the Department runs. Chief Doherty said that the County Dispatch is improving, but there are still dead spots. He also commented on purchasing efforts through the County Chiefs Association. Chief Doherty also mentioned that there is a new program for smartphones and tablets that allows firefighters to indicate their availability to respond to a call. Additionally, the County's ID program is starting to move along. The Department is doing flag sponsorships in 2014 for Memorial Day and Veterans Day.

Committeeman Brower asked about the ID program. Chief Doherty said that on 9-11, showed up to the scene to assist. The ID program would help to coordinate the efforts of firefighters in scenarios like that.

Mayor Sullivan asked Chief Doherty to comment on equipment and training costs. Chief Doherty said that equipment costs a few thousand dollars, and training costs about \$500 dollars.

### Reports

Committeewoman Abbott reported that the Community Garden is having good progress. She also reported on progress at Colony Pool for the upcoming season.

Committeeman Gallop recognized the Department of Public Works for their efforts to prepare Nash Field for play after recent rain storms.

Deputy Mayor Ritter reported that the Police Department was called to his neighborhood due to a suspicious vehicle, which turned out to be a false alarm, but nevertheless he encouraged residents to remain vigilant and report suspicious activity. Deputy Mayor Ritter further reported that CTEC is continuing work on their recycling survey. The Friends of the Library hosted their annual luncheon recently, and a proclamation and award was presented to John & Helen Gardner in recognition of their volunteer work at the Library. Regarding the Communications Committee, the Facebook and Twitter presence is growing and website traffic is up. An email address will be created to that residents can send one email to all Township Committee members at the same time.

Mayor Sullivan reported that the John Taylor Babbitt Foundation's Walk With Heart event will be held on May 11<sup>th</sup>. He also reported that the Chatham High School's Girls Varsity Lacrosse team beat Mendham earlier this evening, and they will be advancing to the County Finals.

Committeeman Brower asked about the OPMA implications for the email address for the whole Township Committee mentioned by Deputy Mayor Ritter. Deputy Mayor Ritter said that the Mayor would act as the spokesperson for the Township Committee, or could delegate responding to the appropriate person on the Township Committee or within Administrative Offices.

Engineer Ruschke reported that the contractor for the sewer project will be beginning work on May 12<sup>th</sup>. Initial notices has been provided to affected residents and posted on the Township website. Residents will be notified before work begins in their vicinity. He also reported that

the Township has received an NJDOT grant for sidewalks on Shunpike Road from Noe Ave to Cougar Field.

Committeeman Brower commented on the ruts on Shunpike Road. Administrator Ciccarone said that the County has allowed municipalities to make emergency repairs and get reimbursed. An assessment will be made if the Township is able to make the repairs.

**Public Hearing/Final Adoption of Ordinances**

Ordinance 2014-09

**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 ABUTTING BLOCK 41, LOTS 1, 3, 5, 7, 8 & 20 AND  
BLOCK 43, LOTS 7 & 17**

**WHEREAS** the portion of Wilson Avenue, abutting Block 41, Lots 1, 3, 5, 7, 8 & 20 and Block 43, Lots 7 & 17 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 abutting Block 41, Lots 1, 3, 5, 7, 8 & 20 and Block 43, Lots 7 & 17, 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.
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.
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.
6. This Ordinance shall become effective upon the adoption and recording of this Ordinance with the Morris County Clerk's Office.

Mayor Sullivan opened the Public Hearing on Ordinance 2014-09.  
Seeing no public comment, Mayor Sullivan closed the Public Hearing.

Committeeman Brower moved to adopt Ordinance 2014-09. 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 Clerk noted that the Chatham Courier failed to print the legal ad for Ordinance 2014-10, ergo the public hearing will be scheduled for the May 22, 2014 meeting.

**Consent Agenda**

**RESOLUTION 2014-104**

**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 \$613,657.10 and the prior month's payroll of \$403,813.99 Current Fund, \$48,780.68 Sewer No. 1, \$10,664.32 Sewer No. 2, and \$10,032.96 Police Private Employment be paid.

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

**BE IT FURTHER RESOLVED** that taxes due to the County of Morris, for the Second Quarter of 2014, in the amount of \$2,046,134.16 be paid.

**RESOLUTION 2014-105**

**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 24, 2014.

**RESOLUTION 2014-106**

**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 April 24, 2014.

**RESOLUTION 2014-108**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING SEWER CONNECTION FOR 25 HICKORY PLACE**

**WHEREAS**, the Township Engineer has certified that all applications requirements for 25 Hickory Place, Block 48.17, Lot 126.02 including the payment of the administrative review fee have been met and that sewer capacity is available; and

**WHEREAS**, in a memorandum dated April 23, 2014 the Township Engineer outlined various conditions for the approval of a sewer connection for 25 Hickory Place, Block 48.17, Lot 126.02;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that it hereby, approves the issuance of a sanitary sewer permit for 25 Hickory Place, Block 48.17, Lot 126.02 subject to the conditions set forth by the Township Engineer.

**RESOLUTION 2014-109**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING ESTIMATED TAX BILLING**

**WHEREAS**, due to the expected late adoption of the State of New Jersey's budget the Morris County Board of Taxation will be unable to certify the tax rate throughout the County, and the Township's Tax Collector will be unable to mail the tax bills on a timely basis;

**WHEREAS**, the Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range permitted estimated tax levies;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AS FOLLOWS:**

1. The Municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the municipality for the third installment of 2014 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c. 72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2014 is hereby set at \$51,306,216.75.
3. In accordance with the law, the third installment of 2014 taxes shall not be subject to interest until the later of: the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

**RESOLUTION 2014-110  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
REFUNDING PERMIT FEE**

**WHEREAS**, the Township Committee has considered the request submitted by the Construction Office Manager with regard to the fee that was paid for a construction permit that was submitted in error;  
**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following amount be refunded to the depositor of record:

<u>NAME</u>	<u>PERMIT #</u>	<u>AMOUNT</u>
Ron Jon Heating & Cooling 12 B Great Meadows Lane East Hanover, NJ 07936	14-0228	\$573.00

**RESOLUTION 2014-111  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
SUPPORTING THE SAFE ROUTES TO SCHOOL PROGRAM**

**WHEREAS**, there is a need to promote the health and safety of our children; and  
**WHEREAS**, nearly one out of three children (31%) ages 10-17 are overweight or obese in New Jersey and New Jersey has the second highest rate of obesity (17.9%) for low-income children ages 2-5; and  
**WHEREAS**, lack of physical activity has had a significant impact on children's health and well-being, resulting in higher rates of obesity, diabetes, heart disease, and other related health concerns compared to 30 years ago; and  
**WHEREAS**, driving children to school by private vehicle and idling in the school vicinity contributes to traffic congestion and air pollution near the school; and  
**WHEREAS**, air pollution near schools can have adverse effects on student health, including decreased lung development, allergies and asthma, as well as on the local environment; and  
**WHEREAS**, Congress has designated federal funding to develop the National Safe Routes to School Program to address these challenges; and  
**WHEREAS**, bicycling and walking to school can have a positive mental and physical impact on the health of children and youth, and helps them arrive at school ready to learn; and  
**WHEREAS**, providing safer routes to and from schools aims to decrease pedestrian and bicycling related injuries, not just for students but for the entire community; and  
**WHEREAS**, the Safe Routes to School program uses education, encouragement, infrastructure and enforcement strategies to help make walking and bicycling to school safer and more attractive to children; and  
**WHEREAS**, a successful Safe Routes to School program involves schools, school boards, citizens and local government to collaborate to enable and encourage children, including those with disabilities, to walk and bicycle to school safely; now, therefore, be it  
**BE IT THEREFORE RESOLVED**, that the Township Committee of the Township of Chatham supports the Safe Routes to School program and are proponents of developing and maintaining safe ways to walk and bicycle to school.

**RESOLUTION 2014-112  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS, NEW JERSEY, APPROVING SUBMITTAL OF A GRANT  
APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION FOR THE LAFAYETTE AVENUE & SPRING  
STREET SIDEWALKS PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chatham formally approves the grant application for the above state project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SRS-2014-Lafayette Avenue Sidewalks-00045 to the New Jersey Department of Transportation on behalf of the Township of Chatham.

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

#### **RESOLUTION 2014-113**

#### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, APPROVING SUBMITTAL OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SHUNPIKE ROAD SIDEWALK IMPROVEMENTS – PHASE II PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chatham formally approves the grant application for the above state project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as TA-2014-Shunpike Road Sidewalk Improvements -00072 to the New Jersey Department of Transportation on behalf of Township of Chatham.

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

Committeeman Brower said that he would like to see the employee handbook to be approved in Resolution 2014-107 before voting on the resolution. Deputy Mayor Ritter asked about the changes to the sections on sick days and social media. Administrator Ciccarone said that the changes regarding sick days affect the cash payout upon retirement for unused sick time, and it is now capped at \$15,000. The section on social media updates the language with new mediums.

Committeeman Brower asked about the estimated tax billing and when penalties would begin to accrue. Administrator Ciccarone said that estimated billing allows the Township to send out bills with an August 1<sup>st</sup> due date despite the delays in the State's budget adoption. Once a formal tax rate is received, the November bills will be adjusted accordingly.

Resolution 2014-107 was pulled from the Consent Agenda so that the Township Committee can review the changes to the Employee Manual. Committeewoman Abbott inquired when anti-harassment training was first required.

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**

##### **Request to Encroach on a Sanitary Sewer Easement**

Administrator Ciccarone said that a request was made by a resident to build a deck that would encroach into a sanitary sewer easement. He also said that the Township has traditionally not permitted such encroachments, as there should not be structures in the way in the event that the Township needs to make repairs to the sewer lines. The applicant's attorney has submitted a draft license agreement which would allow the encroachment, and it is at the Township Committee's discretion if they wish to grant permission for the encroachment.

Committeeman Brower opined that he has no objection to the encroachment so long as the Township can get access to the easement when necessary. Administrator Ciccarone noted that repairs to the sewer line would usually be emergency repairs, and he is uncomfortable with the

idea of allowing this. Engineer Ruschke said that modifying a deck would be more complicated to remove than if it were a patio to be installed.

Deputy Mayor Ritter asked where on the map the sewer line actually runs. Engineer Ruschke said that the sewer line would normally be in the center of the easement; however a survey of where exactly the line is located was not available. Mayor Sullivan said that it would be necessary to know exactly where the pipe is before moving forward with this request. This discussion will be continued at a future meeting once the applicant provides the Township with additional information.

### Community Garden

Committeewoman Abbott asked if anyone objected to referring to the garden as the Chatham Community Garden rather than the Community Garden of the Chathams. She also said that the Community Garden Committee would like to have a sign put up so people know where the Community Garden is located.

### Hearing of Citizens

Mayor Sullivan opened the Hearing of Citizens.

1. George Stafford, 16 Kitchell Ave in Wharton, spoke on behalf of the NJ Highlands Coalition. They are asking municipalities to pass resolutions in support of the Highlands Act. He also provided information on the activities of the NJ Highlands Coalition. Mr. Stafford also commented on the impact that the Highlands Act has on property values.
2. Richard Matlaga, 36 Dale Drive, said that observing Township Committee meetings has been educational. He also inquired about the section of the Committees bylaws pertaining to conflicts of interest. Citing the bylaws, he said that a Township Committee member who has recused him- or herself should not participate in the discussion, and yet a Committee Member spoke as a citizen at a recent meeting after having recused from discussion on an ordinance. Mr. Matlaga said that by speaking as a citizen, the committee member would be participating in the discussions. Attorney Cruz said that members of the Township Committee do not forfeit their 1<sup>st</sup> Amendment rights by virtue of being an elected official, and speaking as a member of the public is different from participating in the discussion as a member of a public body. Mr. Matlaga said that allowing Township Committee members to speak as citizens is inconsistent with the spirit of the requirement for recused individuals to not participate in the discussions. Mr. Cruz explained the difference between members of a public body holding a discussion and members of the public offering commentary. Committeewoman Abbott said that thought should be given as to where a recused member of the Township Committee should sit, and that they should not sit near the public officials.
3. Tom Basta, 211 Terrace Drive, said that on May 21<sup>st</sup> the Republican Club will be hosting a Candidates Night event. The event will be open to the public, and the moderator will be Julie Briggs from WMTR. Mr. Basta thanked Administrator Ciccarone and Township Clerk Greg LaConte for making the Municipal Building available for the event.

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

### Executive Session

**RESOLUTION 2014-P-07  
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:
  - b. Property acquisition or investment options:
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-07 to enter Executive Session at 9:24 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 11:04 PM/

**RESOLUTION 2014-114**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING THE PROMOTION OF EDWARD (JAY) MCGROARTY TO THE POSITION OF FOREMAN**

**WHEREAS**, there exists a vacancy in the position of Foreman in the Vehicle Maintenance division within the Department of Public Works, and

**WHEREAS**, Edward (Jay) McGroarty has distinguished himself as the Assistant Foreman in the same Division demonstrating his ability to manage and organize all aspects of vehicle maintenance , and

**WHEREAS**, John Pacelli, Public Works Manager has recommended that Edward (Jay) McGroarty be promoted to the position of Foreman.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Chatham that Edward (Jay) McGroarty is hereby promoted to the position of Foreman within the Chatham Township Department of Public Works effective May 16, 2014. Terms and conditions of this position are as found in the Collective Bargaining Agreement in effect between the Township of Chatham and Teamsters Local 469.

Deputy Mayor Ritter moved to pass Resolution 2014-114. Committeeman Brower 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 11:06 PM. Committeewoman Abbott seconded the motion, and it carried unanimously.

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Gregory J. LaConte  
Township Clerk