

**TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE AGENDA**

May 22, 2014
May 16, 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

Reports:

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.

Public Hearing/Final Adoption of Ordinances

1. Ordinance 2014-10 Bond Ordinance

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 2014-107 Adopting Revised Employee Handbook
2. Resolution 2014-115 Receipt of Reports
3. Resolution 2014-116 Approving Meeting Minutes
4. Resolution 2014-117 Approving Executive Session Minutes
5. Resolution 2014-118 Releasing Escrow Balances
6. Resolution 2014-119 Amending 2014 Municipal Budget for Shunpike Sidewalk Grant
7. Resolution 2014-120 Refunding Overpayment of Taxes
8. Resolution 2014-121 Authorizing Solicitation of Donations for Community Garden Shed
9. Resolution 2014-122 Refunding Overpayment of Taxes
10. Resolution 2014-123 Approving Renewal of Liquor License

Discussion: possible ordinance or resolution

Hearing of Citizens (Time Permitting)

Executive Session (If Necessary) – Resolution 2014-P-09

Adjourn

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
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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

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 22, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2014-116

**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 May 8, 2014.

Adopted: May 22, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2014-117

**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 May 8, 2014.

Adopted: May 22, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

DRAFT

RESOLUTION 2014-118

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>
Nicholas Mangold 361 Shunpike Road Chatham, NJ 07928	BOA 13-96-2	7761693311	\$930.00
Nicholas Mangold 361 Shunpike Road Chatham, NJ 07928	BOA 12-96-2	7761692925	\$120.00
Mark & Lucy D'Costa 21 Overlook Road Chatham, NJ 07928	BOA 11-124-34	7761692743	\$120.00
Domenick Cama 276 Lafayette Avenue Chatham, NJ 07928	BOA 11-104-12	7761692735	\$120.00

Adopted: May 22, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2014-119

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 \$100,000 NJDOT Municipal Aid Program for Shunpike Sidewalk Improvements 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 \$100,000 which will be available as a revenue from:

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

NJDOT Municipal Aid Shunpike Sidewalk Improvements, and

BE IT FURTHER RESOLVED, that a like sum of \$100,000 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

NJDOT Municipal Aid Shunpike Sidewalk Improvements.

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

Adopted: May 22, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2014-120

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>
19	5	Gunadasa, Mangala 55 Susan Drive Chatham, NJ 07928	\$3,362.84 Property Tax Overpayment

Adopted: May 22, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2014-121

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, AUTHORIZING SOLICITATION FOR CHARITABLE CONTRIBUTIONS TO CONSTRUCT A COMMUNITY GARDEN SHED

WHEREAS, the Joint Community Gardens Advisory Committee (the "Committee") wishes to construct a shed to be used for community garden purposes at Woodland Park; and

WHEREAS, the Township Committee of the Township of Chatham wish to authorize the solicitation of charitable contributions by the Committee for this construction; and

WHEREAS, this Resolution is subject to the adoption of a corresponding resolution approving such solicitation by the Chatham Borough Governing Body as well as Green Acres approval, if necessary.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham as follows:

1. The Township Committee of the Township of Chatham hereby authorizes the solicitation of charitable contributions by the Committee for the construction of a shed to be used for community garden purposes at Woodland Park, subject to the adoption of a corresponding resolution approving such solicitation by the Chatham Borough Governing Body as well as Green Acres approval, if necessary.
2. Chatham Borough's Chief Financial Officer, Michael Mariniello is hereby authorized to establish a trust fund account for any such contributions received.
3. All Township officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

Adopted: May 22, 2014

Attest:

Gregory J. LaConte, Clerk

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2014-115

**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:

Tax Collector – February, March, April
Construction Official – April
CFO – April
Police Department – April
Fire Official – January, February, March

Adopted: May 22, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2014-122

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>
34	22.01	Lucciola, Michael J. & Helen Ruth 8 Jodi Lane Chatham, NJ 07928	\$2,627.16 State Judgment
70	30	McNally, Mark & Teresa c/o Michael A. Vespasiano Attorney Trust Accountant 331 Main Street Chatham, NJ 07928 Property Address: 33 Wynwood Rd	\$1,683.00 State Judgment
48.07	16	Healy, Robert & Pamela c/o Michael A. Vespasiano Attorney Trust Accountant 331 Main Street Chatham, NJ 07928 Property Address: 23 Westminster Rd	\$1,802.49 State Judgment

Adopted: May 22, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2014-123

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, REGARDING THE RENEWAL OF ALCOHOLIC BEVERAGE LICENSES IN THE TOWNSHIP OF CHATHAM FOR THE FISCAL YEAR BEGINNING JULY 1, 2014

WHEREAS, application for the renewal of an Alcoholic Beverage License in the Township of Chatham for the fiscal year beginning July 1, 2014 has been made by Fairmount Country Club;

WHEREAS, the applicant has complied with all the requirements of “An Act for the Manufacture, Distribution and Sale of Alcoholic Beverages”, known as the “Alcoholic Beverage Act and Amendments and Supplements thereto”, as well as the Ordinance of the Township of Chatham entitled “An Ordinance to Regulate the Sale and Distribution of Alcoholic Beverages”, as amended, including the submission of the appropriate license fees, and no objections to the renewal of said licenses have been received.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk be and hereby is authorized and directed to issue and deliver a plenary retail consumption license for the fiscal year beginning July 1, 2014, as follows:

To Fairmount Country Club, Inc., a private club for members only, for premises situated at 400 Southern Boulevard, Chatham Township, New Jersey (License # 1405-33-001-002).

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk be forwarded to the Division of Alcoholic Beverage Control and the State Department of Taxation and Finance, Newark, New Jersey, for their information and guidance.

Adopted: May 22, 2014

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

I, Gregory J. LaConte, Township Clerk of the Township of Chatham in the County of Morris, New Jersey, hereby certify the foregoing to be a true complete copy of a resolution passed by the Township Committee of the Township of Chatham at a regular meeting held on May 22, 2014.

Township Clerk