

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE MEETING MINUTES
JUNE 12, 2014

Mayor Sullivan called the workshop meeting of the Township Committee of the Township of Chatham to order at 7:35 PM.

Adequate Notice of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both The Chatham Courier and the Morris County Daily Record on January 6, 2014; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 6, 2014; and notice was filed with the Township Clerk on January 6, 2014.

Mayor Sullivan led the Flag Salute.

Roll Call

Answering present to the roll call were Committeewoman Abbott, Committeeman Brower, Deputy Mayor Ritter and Mayor Sullivan. Committeeman Gallop arrived a few minutes late.

Agenda

The Township Clerk noted the addition of Resolution 2014-133 for the renewal of a liquor license.

The Agenda was approved as written.

Reports

Committeewoman Abbott reported that there are now 70 members of the Community Garden, and there is no longer any space available. The Community Garden Committee is still seeking a grant for the shed. At Colony Pool, there will be a pickle ball clinic. There will also be a basketball court in the Colony parking lot. Registration numbers look like they will surpass 2012 numbers. Committeewoman Abbott asked if the tennis courts have been secured. The Planning Board is working on the circulation element, and a Safe Routes to School Grant will be submitted soon. Deputy Mayor Ritter asked if Colony membership numbers are available. Committeewoman Abbott said that there are currently 930 people, and there are usually registrations during the entire month of June. Administrator Ciccarone said that the 930 does not reflect how many are family memberships. He also said that it costs roughly \$260,000 to run Colony Pool for a season, and those costs are not fully recovered through registration fees. Deputy Mayor Ritter asked about surveys for Colony Pool. Administrator Ciccarone said that a survey was conducted a few years ago, but most surveying is more anecdotal in nature.

Deputy Mayor Ritter reported that the Environmental Commission will have a table at the Fishawack Festival. They are also considering a prescription drug drop-off event at the Police Department. The Communications Committee has released the June/July Newsletter. Furthermore, the Chatham Township Fire Department will be running their annual Pig Roast on June 21st.

Mayor Sullivan reported that the chairman of the Joint Recreation Advisory Committee will give a report at the next meeting.

Committeeman Brower commented on a new historical marker sign in Green Village, which was funded by the Garden Club.

Committeewoman Abbott said that there is a new security camera at Colony Pool snack bar, and the Colony Pool Advisory Committee does not think that it is a good idea for the camera to be there. Administrator Ciccarone said that there are legitimate reasons for the snack bar operator to be able to monitor his employees and to protect his inventory and revenue. The ability to scan the crowd would also allow the snack bar operator to make decisions regarding staffing levels based on how busy the pool is. Committeewoman Abbott suggested that the camera should be

located within the snack bar. Mayor Sullivan said that the bigger issue is regarding how the decision gets made to put the camera there. Administrator Ciccarone said that a request was made by the snack bar operator to install the camera, and he approved the request. Committeewoman Abbott raised concerns about videoing people without their permission and if the video is being stored. Administrator Ciccarone said that he will get answers for any questions that the Colony Advisory Committee may have.

Committeeman Gallop asked for an update on Nash Field renovations. Engineer Ruschke said that bid specs are almost ready, and he anticipated a bid opening date in late July.

Engineer Ruschke reported on the construction of the sewer project. He also reported that the Township has gone out to bid for the crack sealing and micro-surfacing projects. Engineer Ruschke also reported that the DOT grant applications for sidewalks require either a resolution or a letter from the Administrator indicating that the Township will perform maintenance on the sidewalks after construction.

Mayor Sullivan reported that a portion of Giralda Farms that was in receivership went out to bid recently. The winning bidder was the Normandy Group, and they have approached the Township about acquiring a portion of the property in the Township through open space funding. The Township will be applying to Morris County for open space funds to acquire the 165 acres. The land will also be used to expand the Loantaka Brook Reservation bike and walking trails. A public hearing regarding the application will be held at the July 17, 2014 meeting.

Introduction of Ordinances

Ordinance 2014-11

Attorney Cruz said that he has sent to the County a draft of the ordinance to authorize the sale in fee of Block 144 Lot 38 to Morris County for review, and he has not yet received their comments. The Township also owns an adjacent property, over which a trail easement would be placed to link the property being sold to the Loantaka Brook Reservation. Attorney Cruz advised that the Township Committee should wait until the next meeting to take any action on this ordinance so that the County may have sufficient time to offer any comments.

Committeewoman Abbott asked if the easements to be created have been delineated yet. Attorney Cruz said that a map of the easements has not yet been drawn, but that the easements are to be consistent with the existing trail system. Administrator Ciccarone said that Dot Stillinger, the chairperson of the Environmental Commission, will be working with David Helmer from Morris County Parks to identify a path that has already been informally established, and they will work together to identify an appropriate location for the easement.

Committeeman Brower asked about how the revenue for the Township from the sale of this property would be accounted. Administrator Ciccarone said that the funds would be added to the fund balance.

Consent Agenda

RESOLUTION 2014-124

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 \$642,538.65 and the prior month's payroll of \$395,547.45 Current Fund, \$47,596.43 Sewer No. 1, \$10,730.93 Sewer No. 2, and \$6,931.37 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of June 2014, in the amount of \$2,702,308.12 be paid.

RESOLUTION 2014-125

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 meetings held on May 22, 2014.

RESOLUTION 2014-126
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 22, 2014.

RESOLUTION 2014-127
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>
Richard Frigerio Green Ridge Property	99-62-88 & 89	7200038865	\$450.00
Pay to: Township of Chatham			

RESOLUTION 2014-128
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 has received \$18,508.06 from the State of New Jersey Clean Communities Program 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 \$18,508.06 which is now available as a revenue from:

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

Clean Communities Program, and

BE IT FURTHER RESOLVED, that a like sum of \$18,508.06 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Clean Communities Program.

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

RESOLUTION 2014-129
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>
Dawn Paskalides 609 Fairmount Avenue Chatham, NJ 07928	13-0925	\$504.00

RESOLUTION 2014-130
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING ONE-DAY
SPECIAL PERMIT FOR LIQUOR LICENSE

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

<u>Name of Organization</u>	<u>Dates of Social Affair</u>	<u>Place where Affair will be held</u>
Corpus Christi RC Church	October 25, 2014	Corpus Christi RC Church 234 Southern Blvd Chatham, NJ 07928

RESOLUTION 2014-131
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY URGING PROTECTION
AND PRESERVATION OF NEW JERSEY MILITARY FACILITIES

WHEREAS, Joint Base McGuire-Dix-Lakehurst, Picatinny Arsenal, Naval Weapons Station Earle, the 177th Air National Guard Wing in Atlantic City, the Cape May Coast Guard Training Center are major federal assets in the State of New Jersey; and

WHEREAS, the Rutgers Economic Advisory Service recently conducted a study which measured and modeled the economic contribution to the state's economy of our military installations; and

WHEREAS, the Rutgers Economic Advisory Service determined that, in net, the federal government spent nearly \$4.8 billion within the state, which generates over 45,600 jobs that pay about \$2.6 billion and add about \$3.8 billion of wealth to state residents; and

WHEREAS, the \$4.8 billion in annual federal spending results in \$9.6 billion in net business revenues; and

WHEREAS, of this total, \$6.5 billion in net wealth was added in the form of Gross Domestic Product by the State; and

WHEREAS, of this GDP total, over \$4.0 billion is in the form of labor income that supports an estimated 73,234 jobs, a number greater than the combined employment of the State's communications and chemical industries; and

WHEREAS, all New Jersey military installations make significant individual and collective contributions to the capabilities of our Armed Forces and our national security; and

WHEREAS, maintaining and expanding this military core is nearly as critical for its continued economic welfare as it is to the State's homeland security missions; and

WHEREAS, in an era of Federal fiscal austerity, policy-makers in our Nation's Capital will be asked to consider proposals to reduce defense spending and the size of our uniformed services;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the Governor and the State Senate and Assembly should take immediate steps to protect these valuable military assets in recognition of their vital importance to our Nation's and our State's security; and

BE IT FURTHER RESOLVED that the Township of Chatham joins with the New Jersey League of Municipalities in calling on elected officials serving New Jersey at all levels of government to work in concert to promote the preservation, growth and development of our New Jersey military facilities.

RESOLUTION 2014-132
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING COLONY TENNIS
TEAM FEE

WHEREAS, a registration fee was paid for a Colony Pool Membership; and

WHEREAS, a refund of the registration fee has been requested;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following refund be made:

<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
Paul & Karen Buongiorno	\$975.00

161 Noe Avenue
Chatham, NJ 07928

RESOLUTION 2014-133
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, an 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 N and M Chatham Inc.;

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 to deliver the plenary retail distribution license as issued by the New Jersey Division of Alcoholic Beverage Control for the fiscal year beginning July 1, 2014, as follows:

To N and M Chatham Inc., trading as the Hickory Wine Cellar, for premises situated at 641 Shunpike Road, Chatham, New Jersey (Lic. No. 1405-44-003-008).

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.

Committeewoman Abbott asked about the refund for a Colony Pool membership. Administrator Ciccarone said that the family’s summer plans changed, and they requested a refund prior to the season beginning.

Committeeman Brower moved to approve the Consent Agenda. Committeewoman Abbott seconded the motion.

Roll call: Committeewoman Abbott, Aye; Committeeman Gallop, Aye (Abstain on Resolution 2014-130); Committeeman Brower, Aye; Deputy Mayor Ritter, Aye (Abstain on Resolution 2014-130); Mayor Sullivan, Aye.

Discussion

Summer Hours

Administrator Ciccarone said that in recent years, the Municipal Building has had summer hours in which the employees take a shorter lunch period on Monday through Thursday, and the offices close at 1:00 PM on Friday. The period for these summer hours is traditionally from the end of the school year through Labor Day, and the administrative staff has requested to do so again this year. The Township Committee agreed to the request, and the first Friday with an early closing will be June 20th.

Hearing of Citizens

Mayor Sullivan opened the Hearing of Citizens.

1. Richard Matlaga, 36 Dale Drive, thanked Chief Hennelly for his help in addressing noise issues from the Police Department’s firing range. He also asked about properties extending to the center of the street, and said that in some cases the properties do not appear to do so, and he asked for clarification on such matters. Administrator Ciccarone said that it can depend on the history of when the street was created, and he will help Mr. Matlaga find what he needs.
2. Michael Barnes, 126 Southern Boulevard, asked if there is a code of conduct governing how Township Committee members treat each other, especially during elections. Mayor Sullivan said that the State has ethics laws governing official conduct, but he is unaware

of any rules governing personal conduct. Administrator Ciccarone added that the Township Committee's bylaws govern conduct during meetings, but it does not address private conduct during elections. Attorney Cruz cited the content of the code of conduct in the Township Committee's bylaws. Committeewoman Abbott asked if it is possible for the Township Committee to set such rules. Attorney Cruz said that such rules would impose restrictions on the 1st Amendment rights of the members of the Township Committee, which would be very difficult to do legally.

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

Executive Session

**RESOLUTION 2014-P-10
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. Property acquisition or investment options: Dixiedale Property and Giralda Farms Property
 - b. Personnel Matters
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.

Committeeman Brower moved to pass Resolution 2014-P-10 to enter Executive Session at 8:45 PM. Deputy Mayor Ritter seconded the motion.

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

The Township Committee returned to Public Session at 9:59 PM.

Committeewoman Abbott moved to adjourn at 9:59 PM. Deputy Mayor Ritter seconded the motion, and it carried unanimously.

Gregory J. LaConte
Township Clerk