

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE AGENDA

July 16, 2015
July 15, 2015 Draft

Meeting Called to Order

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 7, 2015; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 7, 2015; and notice was filed with the Township Clerk on January 7, 2015.

Flag Salute

Roll call

Approval of Agenda

Presentations

1. Police Department Accreditation
2. Light Tower Fiber Networks

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.

Introduction of Ordinances

1. Ordinance 2015-13 Amending Uniform Construction Code Fees

Resolutions

1. Resolution 2015-135 Emergency Appropriation

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 2015-131 Authorizing Planner to Provide Support Services in Declaratory Judgment Action and to Prepare an Amendment to Housing Element & Fair Share Plan
2. Resolution 2015-136 Payment of Bills
3. Resolution 2015-137 Receipt of Reports
4. Resolution 2015-138 Approving Meeting Minutes
5. Resolution 2015-139 Authorizing Renewal of Liquor License
6. Resolution 2015-140 Refunding Police Escrow
7. Resolution 2015-141 Refunding Overpayment of Taxes
8. Resolution 2015-142 Certifying Review of Audit
9. Resolution 2015-143 Authorizing Submission of MACC Grant
10. Resolution 2015-144 Refunding Colony Pool Membership
11. Resolution 2015-145 Refunding Smoke Detector Inspection Fee
12. Resolution 2015-146 Releasing Escrow Balances
13. Resolution 2015-147 Authorizing Bond Anticipation Notes

Discussion: possible ordinance or resolution

Hearing of Citizens (Time Permitting)

Executive Session* - Resolution 2015-P-08

1. Pending Litigation: Hopkins v. Chatham Township et al
2. Pending Litigation: Rieck v. Chatham Township

Return from Executive Session

1. Resolution 2015-148 Authorizing Consent Order

Adjourn

*In accordance with the Open Public Meetings Act, items to be discussed in Executive Session will be made public as soon as known.

ORDINANCE 2015-13

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY, AMENDING UNIFORM CONSTRUCTION CODE FEES
REGARDING PLUMBING SUBCODE FEES AND FIRE SUBCODE FEES**

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Revised General Ordinances of the Township of Chatham, 1995 are amended to provide for modifications to Chapter XI, Building and Housing, Section 11-1.3, Fees, to establish and amend certain fees under the Uniform Construction Code for Plumbing Subcode Fees and Fire Subcode Fees, as follows:

1. Subsection 11-1.3.b. is amended to add the following:

- (e) For installation of a chimney lining system, the fee shall be a minimum fee of \$30.00, unless the installation occurs at time of heating appliance replacement for which the fee shall be \$15.00.
- (f) For the installation of a duct work for a new air conditioning system in an existing house, the fee shall be \$65.00

2. Subsection 11-1.3.d.3 is amended as follows:

3. For the installation of each solid fuel burning or fuel fired appliance and gas fireplace in a new residential building, the fee shall be \$65.00 per appliance.

3. Subsection 11-1.3.d.7 is hereby repealed.

4. All other terms and provisions of Chapter XI shall remain unchanged.

5. This ordinance shall take effect as provided by law.

Introduced: July 16, 2015

Adopted:

Attest:

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

BY: _____

Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2015-131

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF CHATHAM PLANNER TO PROVIDE SUPPORT SERVICES IN THE DECLARATORY JUDGMENT ACTION AND PREPARE AN AMENDMENT TO THE HOUSING ELEMENT AND FAIR SHARE PLAN, IF NECESSARY

WHEREAS, the Township of Chatham desires to file a Declaratory Judgment Action in the Superior Court of New Jersey, Morris County, in furtherance of the New Jersey Supreme Court's March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the "Supreme Court Decision"), transferring the administration of affordable housing from the Council on Affordable Housing to the judiciary; and

WHEREAS, it is the purpose of this Resolution to increase the amount of the Township's Professional Planner, Frank Banisch, P.P., contract by an amount not to exceed \$30,000.00 for the Township Planner to provide support services in the Declaratory Judgment Action and prepare an amendment to the Township's Housing Element and Fair Share Plan, if necessary.

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 contract of the Township of Chatham Planner, Frank Banisch, P.P., is hereby increased by an amount not to exceed \$30,000.00 for the Township Planner to provide support services in the Declaratory Judgment Action and prepare an amendment to the Township's Housing Element and Fair Share Plan, if necessary.
2. This Resolution shall take effect immediately.

Adopted: July 16, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2015-135

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROPRIATING EMERGENCY FUNDS

WHEREAS, an emergency has arisen with respect to complying with the New Jersey Supreme Court order regarding municipal compliance with the Mount Laurel constitutional obligation relative to Affordable Housing and the Fair Housing Act, and

WHEREAS, no adequate provision was made in the 2015 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above; and

WHEREAS, the Township has received a proposal from the Township's planner Frank Banisch of Banisch Associates, Inc. to provide planning services to assist the Township in preparing an amended Master Plan Housing Element and Fair Share Plan, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$30,000 and three (3) percent of the total operating appropriations in the budget for 2015 is \$388,000; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2015.

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for Other Expenses \$30,000.00 for a total in the amount of \$30,000.00.
2. That said emergency appropriation shall be provided for in full in the 2016 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1).
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Adopted: July 16, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2015-136

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 \$951,399.43 and the prior month's payroll of \$430,712.55 Current Fund, \$53,613.85 Sewer No. 1, \$11,514.21 Sewer No. 2, and \$40,700.70 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of July 2015, in the amount of \$3,660,088.00 be paid.

Adopted: July 16, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

DRAFT

RESOLUTION 2015-137

**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 – June
Tax Collector – June
Fire Official – April, May, June
Vital Statistics – 2nd Quarter
Dog/Cat Licensing Official – 2nd Quarter
State Training Fees – 2nd Quarter
Raffle Licenses – 2nd Quarter

Adopted: July 16, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2015-138

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM APPROVING MINUTES OF MEETINGS**

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 June 25, 2015.

Adopted: July 16, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

DRAFT

RESOLUTION 2015-139

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, 2015

WHEREAS, application for the renewal of an Alcoholic Beverage License in the Township of Chatham for the fiscal year beginning July 1, 2015 has been made by CB Chatham LLC and Fairmount Country Club;

WHEREAS, the applicants have 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, 2015, as follows:

To CB Chatham LLC, for premises situated at 522 Southern Boulevard, Chatham Township, New Jersey (Lic. No. 1405-33-002-009).

BE IT FURTHER 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, 2015, 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: July 16, 2015

Attest:

Gregory J. LaConte, Clerk

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2015-140

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY REFUNDING THIRD-PARTY POLICE SERVICES ESCROW ACCOUNT OVERPAYMENT TO PM CONSTRUCTION CORP

WHEREAS, the Township, pursuant to Section 2-49 of the Code of the Township of Chatham, has established a policy regarding the employment of off-duty police officers by private employers for matters involving safety and security; and

WHEREAS, Section 2-49.2 authorizes the establishment of an escrow account for the deposit of funds paid by private employers in advance of the rendering of such security and safety services; and

WHEREAS, PM Construction Corp. has deposited funds in an escrow account for such employment; and

WHEREAS, after expenses the account has a remaining balance of \$80.00 to be refunded;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the Treasurer of the Township of Chatham is hereby authorized to refund from the Third-Party Police Services Escrow Account to PM Construction Corp. the sum of \$80.00.

Adopted: July 16, 2015

Attest:

Gregory J. LaConte, Clerk

THE TOWNSHIP OF CHATHAM
IN THE COUNTY OF MORRIS

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2015-141

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING OVERPAYMENT OF TAXES

WHEREAS, applying prior year widow of veteran tax deductions has created an overpayment of property taxes for the following property; 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>
12	7	Otis, Ronald 3024 Hurley Pond Road Wall Township, NJ 07719 Former Owner Of: 174 Meyersville Road	\$3,141.46
126	1	Krawiec, Craig & Carla 21 Sandy Hill Road Chatham, NJ 07928	\$14,617.77

Adopted: July 16, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2015-142

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM CERTIFYING REVIEW OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, The Local Finance Board has promulgated N.J.A.C. 5:30-6-5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Adopted: July 16, 2015

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 July 16, 2015.

Date Issued: _____

Township Clerk

RESOLUTION 2015-143

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AUTHORIZE THE MUNICIPAL ALLIANCE COMMITTEE TO SUBMIT A GRANT APPLICATION FOR THE FISCAL YEAR 2016

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Chatham, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Morris;

NOW, THEREFORE, BE IT RESOLVED by the Township of Chatham, County of Morris, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Chatham Municipal Alliance grant for fiscal year 2016 in the amount of:

DEDR	\$20,073
Cash Match	\$5,018.25
In-Kind	\$15,054.75

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Adopted: July 16, 2015

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 adopted by the Township Committee of the Township of Chatham at a regular meeting held on _____.

Date Issued: _____

Township Clerk

RESOLUTION 2015-144

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>
Megan O'Donnell 79 N. Passaic Ave Chatham, NJ 07928	\$550.00

Adopted: July 16, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2015-145

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM REFUNDING CERTIFICATION OF SMOKE DETECTORS COMPLIANCE INSPECTION FEE

WHEREAS, the Township Committee has considered the request submitted by the Fire Official with regard to the fee that was paid for an inspection for Smoke Detector & Carbon Monoxide Alarm & Portable Fire Extinguisher Compliance that was deemed unnecessary;

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>AMOUNT</u>
Lois Puttbach 38 Meyersville Road Chatham, NJ 07928	\$50.00

Adopted: July 16, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin Sullivan, Mayor

RESOLUTION 2015-146

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>
Michael & Shannon Dalphe 27 Falmouth Road Chatham, NJ 07928	BOA 14-89-10	7763179297	\$481.50
Thomas Mellina 91 Westminster Road Chatham, NJ 07928	ROI 13-48.09-18	7761693445	\$234.00
Distinctive of Essex 141 Hillcrest Ave Summit, NJ 07901	ROI 14-102.11-10.01 Re: 340 Lafayette Ave	7761693600	\$622.00
Chatham Main 143 Main Street Chatham, NJ 07928	ROI 13-102.06-27 Re: 58 Dale Dr	7761693451	\$388.88
Bryce Bushell 16 Club Road Chatham, NJ 07928	ROI 08-15-5	7760011312	\$466.67

Adopted: July 16, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2015-147

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE TOWNSHIP OF CHATHAM AND AUTHORIZING THE MAYOR, TOWNSHIP CLERK, CHIEF FINANCIAL OFFICER AND OTHER TOWNSHIP OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING \$6,900,750 OF NOTES CONSISTING OF \$6,071,750 GENERAL BOND ANTICIPATION NOTES AND \$829,000 SEWER UTILITY BOND ANTICIPATION NOTES, BOTH ISSUES DATED JULY 17, 2015 AND PAYABLE JULY 13, 2016, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED

WHEREAS, the Township of Chatham, in the County of Morris, New Jersey (the "Township") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Township to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Township intends to issue \$6,900,750 of Notes consisting of \$6,071,750 General Bond Anticipation Notes and \$829,000 Sewer Utility Bond Anticipation Notes, both issues dated July 17, 2015 and payable July 13, 2016 (collectively, the "Notes"); and

WHEREAS, the Township desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code;

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

SECTION 1. The Township Committee hereby covenants on behalf of the Township, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Notes be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Township Clerk, Chief Financial Officer and the other officials of the Township are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Township and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2015.

SECTION 5. It is further determined and stated that the Township has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2015.

SECTION 6. The Township will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Township does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Township are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2015 dated as of the date of delivery of the Notes.

SECTION 8. This resolution shall take effect immediately upon its adoption.

Adopted: July 16, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2015-P-08

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. Pending litigation: Hopkins v. Chatham Township et al
 - b. Pending litigation: Rieck v. Chatham Township
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.

Adopted: July 16, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory LaConte, Clerk