

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE AGENDA
OCTOBER 8, 2015
October 8, 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

Resolutions

1. Resolution 2015-175 Appointing Public Works Director
2. Resolution 2015-176 Honoring John Pacelli

30 Minute Recess

Reports:

1. Best Practices Checklist

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.

Presentation

1. Sidewalk Presentation by Engineer Ruschke

Public Hearing/Final Adoption of Ordinances

1. Ordinance 2015-16 Drones
2. Ordinance 2015-20 Installation of Stop Signs in Sandy Hill Neighborhood
3. Ordinance 2015-21 Removal of Yield Signs

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 2015-177 Payment of Bills
2. Resolution 2015-178 Approving Meeting Minutes
3. Resolution 2015-179 Approving Executive Session Minutes
4. Resolution 2015-180 Refunding Overpayment of Taxes
5. Resolution 2015-181 Refunding Colony Pool Registration Fee
6. Resolution 2015-182 Refunding Southern Boulevard Camp Fee
7. Resolution 2015-183 Refunding Overpayment of Construction Permit Fee
8. Resolution 2015-184 Approving Social Affair Permit

Discussion: possible ordinance or resolution

Hearing of Citizens (Time Permitting)

Executive Session* – If Necessary

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 2015-16

**ORDINANCE AMENDING CHAPTER III, ADDING SECTION 3-12.1 ET SEQ
REGARDING CERTAIN REGULATIONS OF DRONE TECHNOLOGY AND
UNMANNED AIRCRAFT FOR THE TOWNSHIP OF CHATHAM**

WHEREAS, the Township of Chatham deems it appropriate, necessary, and proper for the good government, order, the protection of persons and property, and for the preservation of the public health, welfare, and safety of its inhabitants to adopt certain regulations pertaining to the use of drone technology and unmanned aircraft on government owned property; and

WHEREAS, drone technology includes “drones,” which are unmanned aircraft that can fly under the control of a remote pilot or via a geographic positions system guided autopilot mode, can fly at altitudes below the navigable airspace (generally 400’), and are equipped with surveillance technologies (e.g., high definition cameras, night vision cameras, and infrared-see-through scopes); and

WHEREAS, as a result of its declining cost, drone technology and unmanned aircraft have become increasingly available to private citizens for personal, recreational, and other potential uses; and

WHEREAS, drones and unmanned aircraft can be used to fly above Township owned properties in a manner that is inherently dangerous to the public health, welfare, and safety; and

WHEREAS, the federal government and the State of New Jersey have not adopted specific and comprehensive restrictions on the use of drone technology, the federal government has only issued general guidelines regarding restrictions on the use of the type of unmanned aircraft designated as “model aircraft,” and the Federal Aviation Administration (“FAA”) is presently scheduled to adopt drone technology regulations in fall 2015, and, therefore, at this time there are no meaningful regulations protecting the public, health, and welfare from drone technology and unmanned aircraft particular to and specific to the needs of Township.

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

STATEMENT OF PURPOSE

The purpose of this Ordinance is to amend Chapter III, by adding certain and specific regulations of drone technology and unmanned aircraft in Township to protect the public health, welfare, and safety.

Chapter III. DRONE AND UNMANNED AIRCRAFT REGULATIONS

Article II

Drones and Unmanned Aircraft

3-12.1. Definitions

“Data collection” means the acquisition of information by use of one or more sensing devices.

“Drone” means an unmanned aircraft that can fly under the control of a remote pilot or by a geographic positions system (“GPS”) guided autopilot mechanism, and that is equipped with any sensing device or capable of any data collection.

“Sensing device” means a device capable of acquiring data from its surroundings. Sensing devices include, but are not limited to, cameras, microphones, thermal detectors, chemical detectors, radiation gauges, and wireless receivers in any frequency (including cellular, WiFi, or other data frequencies).

“Unmanned aircraft” means an unmanned vehicle or device of any size that is capable of remote-control flight by any means and that does not possess any sensing device and is not capable of any data collection.

3-12.2. Regulations

- A. Except as otherwise provided in §12.3, drones and unmanned aircraft are prohibited from being launched from any government or public buildings, property, or parks within the Township or landing on any government or public buildings, property, or parks within the Township.
- B. Except as otherwise provided in §12.3, drones and unmanned aircraft are prohibited from operating or flying in any airspace below 400 feet within the airspace over any government or public buildings, property, or parks within the Township.

3-12.3. Exceptions

- A. This Chapter shall not prohibit the constitutional use of drones and unmanned aircraft by any law enforcement agency or emergency services organization or servicing the Township, the State of New Jersey, or the United States of America for lawful purposes and in a lawful manner.
- B. This Chapter shall not prohibit any federal, state, county or municipal agency from the use of drones and unmanned aircraft for any lawful and authorized purpose pursuant to applicable regulation.
- C. This Chapter shall not prohibit the use of unmanned aircraft by any federal, state, county or municipal agency, including, but not limited to, law enforcement and emergency services agencies, for lawful purposes and in a lawful manner.

Article III

General Provisions

3-12.4. Violations and penalties.

A violation of this Chapter shall be punishable as provided in Chapter I, General Provisions, Article 1-5, General Penalty.

3-12.5. Repealer.

All ordinances, or parts of ordinances, inconsistent with this Chapter are hereby repealed to the extent of such inconsistency.

3-12.6. Severability.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

3-12.7. Effective date.

This Ordinance shall take effect after final passage, adoption and publication according to law.

Introduced: September 24, 2015

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

Adopted:
Attest:

BY: _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2015-20

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING SECTION 7-20 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP, TITLED “STOP INTERSECTIONS”, BY INSTALLING “STOP SIGNS” AT THE INTERSECTIONS OF SANDY HILL ROAD WITH ABERDEEN ROAD, OVERLOOK ROAD AND WARWICK ROAD, AND A “STOP SIGN” AT THE INTERSECTION OF MAPLE STREET AND SCHOOL AVENUE

WHEREAS, the Township of Chatham Chief of Police recommended the removal of “YIELD” signs on Sandy Hill Road at its intersection with Aberdeen Road, Overlook Road and Warwick Road, and to install four (4) way “STOP” signs on Overlook Road and Warwick Road at their intersection with Sandy Hill Road, and to install a “STOP” sign at the intersection of Maple Street and School Avenue and a “STOP” sign at the intersection of Sandy Hill Road and Aberdeen Road on Sandy Hill Road; and

WHEREAS, the Township Committee of the Township of Chatham desires, pursuant to N.J.S.A. 39:4-140, to follow the recommendations of the Chief of Police to promote the health, safety and welfare of its residents.

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

Section 1. Section 7-20 of the Revised General Ordinances of the Township of Chatham, titled “Stop Intersections”, is hereby amended to designate the following as “STOP” Intersections:

<u>Intersection</u>	<u>STOP Sign on:</u>
Sandy Hill Road and Aberdeen Road	Sandy Hill Road
Sandy Hill Road and Overlook Road	Sandy Hill Road and Overlook Road
Sandy Hill Road and Warwick Road	Sandy Hill Road and Warwick Road
Maple Street and School Avenue	School Avenue

Section 2. All other provisions of Section 7-20 remain in effect.

Section 3. Severability.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision,

clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. Effective Date.

This Ordinance shall take effect after final passage, adoption and publication according to law.

Introduced: September 24, 2015

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

Adopted:

Attest:

BY: _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2015-21

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING SECTION 7-21 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP, TITLED “YIELD INTERSECTIONS”, BY REMOVING THE “YIELD” SIGN AT THE INTERSECTION OF MAPLE STREET AND SCHOOL AVENUE ON SCHOOL AVENUE

WHEREAS, the Township of Chatham Chief of Police recommended the removal of a “YIELD” sign on School Avenue at the intersection of Maple Street and School Avenue; and

WHEREAS, the Township Committee of the Township of Chatham desires, pursuant to N.J.S.A. 39:4-140, to follow the recommendation of the Chief of Police to promote the health, safety and welfare of its residents.

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

Section 1. Section 7-21 of the Revised General Ordinances of the Township of Chatham, titled “Yield Intersections”, is hereby amended to remove the following as a “YIELD” Intersection:

<u>Intersection</u>	<u>YIELD Sign on:</u>
Maple Street and School Avenue	School Avenue

Section 2. All other provisions of Section 7-21 remain in effect.

Section 3. Severability.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. Effective Date.

This Ordinance shall take effect after final passage, adoption and publication according to law.

Introduced: September 24, 2015

Adopted:

Attest:

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

BY: _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2015-177

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 \$992,461.59 and the prior month's payroll of \$398,846.87 Current Fund, \$46,509.32 Sewer No. 1, \$9,098.21 Sewer No. 2, and \$11,696.16 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of October 2015, in the amount of \$2,890,596.00 be paid.

Adopted: October 8, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

DRAFT

RESOLUTION 2015-178

**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 September 24, 2015.

Adopted: October 8, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

DRAFT

RESOLUTION 2015-179

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 September 24, 2015.

Adopted: October 8, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2015-180

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

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>
48.10	12	Kathleen & Joseph Popovich 96 Westminster Ave Chatham, NJ 07928	\$869.00 State Judgment Year 2014
34	22.10	Thomas & Valerie Haverty 25 Valley Road Madison, NJ 07940 Re: 5 Molino Drive Chatham, NJ 07928	\$2,687.75 – Year 2012 \$4,425.29 – Year 2013 \$4,513.59 – Year 2014 \$11,626.63 – Total State Judgment
68	12	Stalios & Helene Juvelis 352 Fairmount Ave Chatham, NJ 07928	\$3,803.24 Totally Disabled Veteran

Adopted: October 8, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____

Gregory J. LaConte, Clerk

Kevin M. Sullivan, Mayor

RESOLUTION 2015-181

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING COLONY POOL 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>
Phyllis Chung 88 Southern Blvd Chatham, NJ 07928	\$400.00

Adopted: October 8, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2015-182

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING SUMMER RECREATION PROGRAM AT SBS CAMP FEE

WHEREAS, a registration fee was paid for the Summer Recreation Program at SBS; 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>
Nikki Cyganovich 175 Hillside Ave Chatham, NJ 07928	\$175.00

Adopted: October 8, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Kevin M. Sullivan, Mayor

RESOLUTION 2015-183

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

WHEREAS, the Township Committee has considered the request submitted by the Construction Official with regard to the fee that was paid for a construction permit that was overpaid 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>
Ryan Inc 741 Lehigh Avenue Union, NJ 07083	15-0726	\$75.00

Adopted: October 8, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2015-184

**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>
Harding Township Education Foundation	October 23, 2015	Green Village Firehouse 529 Green Village Road Green Village, NJ 07935

Adopted: October 8, 2015

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Kevin M. Sullivan, Mayor

Gregory J. LaConte, Clerk

DRAFT