

**TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE MEETING MINUTES
NOVEMBER 12, 2015**

Mayor Sullivan called the Regular meeting of the Township Committee of the Township of Chatham to order at 7:32 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 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.

Roll Call

Answering present to the roll call were Committeeman Kelly, Committeewoman Swartz, Committeeman Gallop, Deputy Mayor Ritter and Mayor Sullivan.

Approval of Agenda

Committeeman Kelly asked that a resolution addressing gun violence be added as a discussion item.

The agenda was approved as amended.

Reports

Committeewoman Swartz reported that the Madison Health Department sends out announcements of upcoming health clinics. Flu shots will be available on the evening of November 17th, a men's health screening will be held on December 7th, and an adult heart health screening will be held on December 4th. Committeewoman Swartz also reported that the Department of Public Works is preparing for winter. The Environmental Commission met recently, and they have been monitoring various building issues and open space matters. The Senior Center has a new website.

Committeeman Kelly reported that the Open Space Committee is requesting a consensus from the Township Committee regarding a proposed path on the Averett Property. The path would offer access to the Township-owned open space tract, and would be an initial path that could potentially be expanded later. If the Township Committee gives their consent, then DPW can do some prep work and the Open Space Committee will reach out to Boy Scout Troops to assist with trail development. Committeeman Kelly also reported that the Community Garden Committee is in the process of having the existing plot-holders register for 2016, and they will then open up for new registrants.

Committeeman Gallop reported that fall sports are finishing up, and winter sport registration has begun. He also reported that the Joint Recreation Committee discussed having a written checklist for facility inspections at the start of each season. He also suggested that an Asset Management Committee be created. Committeeman Gallop further suggested that the Township begin utilizing a smartphone app for residents to report issues around town such as potholes, Administrator Ciccarone said that residents can send messages through the Township's website, and communications received through social media are difficult to keep on file for OPRA compliance. Regarding facility inspections, Administrator Ciccarone said that the Municipal Joint Insurance Fund already performs annual inspections. He also asked the Township Committee members to bring their concerns regarding facility maintenance to his attention so that problems can be addressed. Committeeman Gallop also raised the issue of the Recreation Director's salary, and cited an agreement that he thought the Township and Borough had reached to share the cost. Administrator Ciccarone said that there are additional issues that need to be addressed regarding recreation department costs. A meeting will be set up with Borough officials to discuss the sharing of recreation department costs.

Deputy Mayor Ritter reported that the Communications Committee is working on the November/December newsletter. He also said that they are working on updates to the Township

website, especially to have a mobile-friendly site. Deputy Mayor Ritter also encouraged residents to sign up for ACT Now! alerts, and to update their profiles. He is also working with the American Foundation for Suicide Prevention to train first responders and school officials in suicide prevention and awareness.

Administrator Ciccarone asked that an update on contract negotiations with the Teamsters be added to the Executive Session.

Committeeman Gallop asked what neighboring communities pay for auditing services. Administrator Ciccarone said that the general range is from \$30,000 to \$50,000.

Proclamation – Chatham Turkey Trot

Mayor Sullivan read aloud the attached proclamation for the Chatham Turkey Trot.

Hearing of Citizens

Mayor Sullivan opened the Hearing of Citizens.

1. John Finn, 8 Conger Terrace, said that there is now a parking problem on his street. The problem that had been on Jay Road has shifted to Conger Terrace now that new regulations have been enacted on Jay Road. Mr. Finn said that the problem should be solved by the School District providing adequate parking for their employees.

Chief Hennelly said that he did not expect the parking issues on Jay Road to shift to Conger Terrace. Mayor Sullivan indicated that the Township will keep Mr. Finn informed of progress on the issue.

2. Rob Walton, representing JCP&L, provided the Township Committee with an update on a major maintenance upgrade program. Many street lights are being upgraded and poles are being straightened. On November 17th, JCP&L will be holding an open house at Raritan Valley Community College for a program in line work. JCP&L also offers a speakers bureau for local organizations. Committeeman Kelly asked about some work being performed by JCP&L in New Providence. Mr. Walton said that the work is part of the vegetative management program. Committeewoman Swartz asked if information is available on any herbicides used in said program. Mr. Walton said that any herbicides used are site specific, and he can get the information to the Township Committee.
3. Bailey Brower, 16 Driftway, said that there had been about power lines in the Township having old breakers, and he asked Mr. Walton if there has been any progress in replacing old equipment. Mr. Walton said that reclosers have been added to breakers so that they can automatically reset themselves.

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

Introduction of Ordinances

Ordinance 2015-22

ORDINANCE 2015-22
AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
AMENDING SECTION 7-29 OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP, TITLED “SPEED LIMITS”, BY CHANGING THE SPEED LIMIT ON
LAFAYETTE AVENUE TO 25 MILES PER HOUR FROM SOUTHERN BOULEVARD
TO SHUNPIKE ROAD WITHIN THE TOWNSHIP

WHEREAS, the Township Committee of the Township of Chatham believes that it is in the interest of the health, safety and welfare of its residents to change the speed limit on Lafayette Avenue to 25 miles per hour from Southern Boulevard to Shunpike Road within the Township.

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 7-29 of the Revised General Ordinances of the Township of Chatham, titled “Speed Limits”, is hereby amended to establish the speed limit on Lafayette Avenue as follows:

<u>Name of Street</u>	<u>Direction</u>	<u>Speed Limit and Location</u>
Lafayette Avenue	Both	25 m.p.h. from Southern Boulevard to Shunpike Road within Chatham Township.

Section 2. All other provisions of Section 7-29 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.

Chief Hennelly said that the stretch of Lafayette Ave in the Township has one section that is posted with a 30 MPH speed limit, and the remainder is posted with a speed limit of 35 MPH. He also said that the section of Lafayette Ave in Chatham Borough is 25 MPH for the whole length. Chief Hennelly said that during the recent discussions regarding a proposed sidewalk for Lafayette Ave, several residents requested a reduction in the speed limit in the Township’s portion of Lafayette Ave, and his recommendation is to reduce the speed limit on the section from Southern Boulevard to Shunpike Road to 25 MPH. Deputy Mayor Ritter asked if there will also be increased speed limit enforcement after this ordinance takes effect. Chief Hennelly said that the Police Department will do what they can to inform the public of the reduction in the posted speed limit via ACT Now! alerts, and will make their presence known. Committeewoman Swartz addressed the value in having an increased police presence to control speed.

Committeewoman Swartz moved to introduce Ordinance 2015-22. Deputy Mayor Ritter seconded the motion.

Roll call: Committeeman Gallop, Aye; Committeeman Kelly, Aye; Committeewoman Swartz, Aye; Deputy Mayor Ritter, Aye; Mayor Sullivan, Aye.

Public Hearing for Ordinance 2015-22 will be scheduled for December 10, 2015.

Consent Agenda

RESOLUTION 2015-194

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 \$1,399,838.88 and the prior month’s payroll of \$392,281.72 Current Fund, \$52,048.31 Sewer No. 1, \$9,167.62 Sewer No. 2, and \$25,917.22 Police Private Employment be paid.

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

BE IT FURTHER RESOLVED that taxes due to the County of Morris, for the Fourth Quarter of 2015, in the amount of \$2,110,575.53 be paid.

RESOLUTION 2015-195

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 – October
 CFO – October
 Construction Official – October
 Fire Official – July, August, September

**RESOLUTION 2015-196
 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 October 22, 2015.

**RESOLUTION 2015-197
 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 October 22, 2015.

**RESOLUTION 2015-198
 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
 COUNTY OF MORRIS, STATE OF NEW JERSEY INCREASING LOSAP FUNDING**

WHEREAS, the Length of Service Awards Program (LOSAP) permits periodic increases in the amount of contributions provided for each qualified participant; and
WHEREAS, the Township Committee desires to increase the contribution amounts for the Green Village Volunteer Fire Department, the Chatham Township Volunteer Fire Department, and the Chatham Emergency Squad;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, in accordance with the provisions of the LOSAP statute and Local Finance Notices that the contribution amounts under the LOSAP program for the Township for 2016 for credit earned during 2015 are hereby increased to the amounts as follows:

<u>Agency</u>	<u>Amount</u>
Chatham Township Volunteer Fire Department	\$1,200.00
Green Village Volunteer Fire Department	\$1,200.00
Chatham Emergency Squad	\$600.00*
*Subject to Borough of Chatham also providing \$600	

**RESOLUTION 2015-199
 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
 CHATHAM AUTHORIZING BUDGET TRANSFERS**

WHEREAS, the Township Committee of the Township of Chatham, County of Morris has determined that certain appropriations, in the 2015 municipal budget, are not sufficient to meet anticipated expenses; and

WHEREAS, N.J.S. 40A: 4-58 authorizes the transfer from appropriations where excess exists to other appropriations that are anticipated to be insufficient.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris that the following transfers are hereby affected:

Current Fund

Appropriation	To	From
General Administration OE	\$5,000	
Public Buildings & Grounds OE	\$10,000	
Road Repairs OE	\$20,000	
Solid Waste Collection	\$15,000	
Legal Services	\$10,000	
Vehicle Maintenance	\$10,000	
Engineering Services	\$20,000	

Police OE	\$25,000	
Police S&W		\$30,000
Code Enforcement OE		\$5,000
Public Buildings & Grounds SW		\$30,000
Planning Board OE		\$10,000
Colony SW		\$30,000
Code Enforcement SW		\$10,000
Current Fund Total	\$115,000	\$115,000

RESOLUTION 2015-200

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 DeLuca 19 Overlook Road Chatham, NJ 07928	ROI 14-124-35	7763179346	\$733.33
John Galiher 9 Sycamore Dr Chatham, NJ 07928	BOA 05-38-42.04	7760011110	\$60.00
Louis & Patricia Izenberg 18 Hilltop Terrace Chatham, NJ 07928	BOA 09-68-1.02	7760011252	\$120.80
Joseph Byrne 238 Shunpike Road Chatham, NJ 07928	BOA 12-90-18	7761692990	\$50.00
Thomas Fuller 769 Shunpike Road Green Village, NJ 07935	BOA 11-141-9.01 Re: 255 Loantaka Way	7761692727	\$240.00
Joseph Falcone 38 Nicholson Drive Chatham, NJ 07928	BOA 08-62.08-6	7760011208	\$91.00
Troy Hamilton 44 Thornley Drive Chatham, NJ 07928	BOA 09-48.04-13	7760011256	\$120.00

RESOLUTION 2015-201

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, CANCELLATION OF STALE DATED CHECKS

WHEREAS, there exist various reconciling items on the balance sheet of the Current Fund; and

WHEREAS, the funds creating these reconciling items have been investigated and it has been determined that these reconciling items should be cancelled; and

WHEREAS, these cancelled funds will be returned to their respective funds and or accounts;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the following reconciling items are hereby cancelled:

<u>Check #</u>	<u>Current Fund</u> <u>\$ Amount</u>	<u>Date</u>
32027	\$50.00	11-Sept-14
	<u>\$50.00</u>	

RESOLUTION 2015-202

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, CANCELLING VARIOUS UNEXPENDED BALANCES

WHEREAS, The Report On Examination of Financial Statements (Audit) for the year ended December 31, 2014 revealed a number of miscellaneous items including unallocated receipts, appropriated reserves, reserves for special deposits, unexpended improvement authorizations, and state aid receivables and reserves, and

WHEREAS, The Chief Financial Officer has determined that these items may all be cancelled,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby cancels the following items:

Current Fund Schedule of State Aid Receivable	
Municipal Alliance Program	\$78.61
Transportation Trust – Shunpike Sidewalk 2012	\$9,628.20
Current Fund Schedule of Appropriated Reserves for Federal and State Grants	
Drunk Driving Enforcement Fund	\$276.24
Transportation Trust – Shunpike Sidewalk 2012	\$1,708.20
Current Fund Appropriation	
Matching Funds for Grants	
-Municipal Alliance Program	\$990.88

Committeewoman Swartz asked about the LOSAP figures. Administrator Ciccarone said that the Chatham Emergency Squad (CES) has a lower amount because they opted into the program later than the fire departments, and the fire departments had already received an incremental increase before the CES chose to join the program. He also noted that the contribution for CES is split between the Township and the Borough, as they serve both municipalities. Mayor Sullivan asked if the Township Committee wants to give CES enough of an increase to match the contribution for the fire departments. Administrator Ciccarone noted that the Borough will also have to agree to the increase. The consensus of the Township Committee was to increase the CES LOSAP contribution to \$600 per municipality, contingent upon the Borough matching the contribution.

Deputy Mayor Ritter moved to approve the Consent Agenda. Committeewoman Swartz seconded the motion.

Roll call: Committeeman Gallop, Aye; Committeeman Kelly, Aye; Committeewoman Swartz, Aye; Deputy Mayor Ritter, Aye; Mayor Sullivan, Aye.

Discussion

December Meeting Schedule

The Township Clerk said that in prior years, the Township Committee has reduced the December schedule to one meeting. He asked the Township Committee if they want to keep the schedule as it is, or if they want to have only one meeting. Administrator Ciccarone suggested that if the schedule is changed, then they should keep the meeting on the 17th or move it up to the 10th. The consensus of the Township Committee was to have only one meeting on December 10th.

Gun Violence

Committeeman Kelly presented a draft resolution urging Congress to address the matter of gun violence in the United States. Mayor Sullivan cited his reasons why he is unable to support the resolution as drafted. Committeeman Gallop said that the Township Committee should ask Congress to take reasonable measures to protect citizens. Deputy Mayor Ritter said that the draft resolution reads more like an editorial than a resolution, and he thinks that the Township Committee should focus on what can be done locally to promote public safety. Committeewoman Swartz said that she has a reluctance to have the Township Committee comment on instructions to Congress on how they should spend money. She also does not think that a municipality should be addressing Second Amendment issues. Furthermore, she thinks that the Township should focus more on keeping drugs out of the community. Mayor Sullivan said that elected officials should address certain national issues, and he thanked Committeeman Kelly for bringing this matter to the attention of the Township Committee. Committeeman Kelly said that he is open to having the draft resolution modified to make it more amenable to the whole Township Committee. He also said that other states could adopt laws that mirror those in New Jersey, and he would like to see more national attention to the issue of gun violence.

Hearing of Citizens/Petitions

Mayor Sullivan opened the Hearing of Citizens.

1. Bailey Brower, 16 Driftway, addressed Ordinance 2015-22. He said that the speed limit on Noe Avenue is routinely ignored, and the Police Department cannot be expected to monitor Lafayette Avenue constantly. He suggested that real deterrents are necessary to address the problem of speeding. Mr. Brower cited speed indicators as an example of a method to reduce speed, and he said that regulations should be both reasonable and enforced. Regarding the draft resolution on gun violence, Mr. Brower said that there is not a simple solution to the matter.

Committeewoman Swartz agreed with Mr. Brower on the effectiveness of speed indicators.

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

Executive Session

RESOLUTION 2015-P-14 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. Contract negotiations: T-Mobile Northeast, LLC-Lease Extension
 - b. Contract negotiations: Auditor Services
 - c. Contract negotiations: Teamsters Contract
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 Kelly moved to pass Resolution 2015-P-14 to enter Executive Session at 9:07 PM. Committeewoman Swartz seconded the motion.

Roll call: Committeeman Gallop, Aye; Committeeman Kelly, Aye; Committeewoman Swartz, Aye; Deputy Mayor Ritter, Aye; Mayor Sullivan, Aye.

Mayor Sullivan announced that the Township Committee would not be taking action following Executive Session.

The Township Committee returned to Public Session and the meeting was adjourned at 10:00 PM.

Gregory J. LaConte
Township Clerk