

**TOWNSHIP OF CHATHAM  
TOWNSHIP COMMITTEE MEETING MINUTES  
JUNE 25, 2015**

Mayor Sullivan called the Regular meeting of the Township Committee of the Township of Chatham to order at 7:38 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, Deputy Mayor Ritter and Mayor Sullivan. Committeeman Gallop was absent.

**Approval of Agenda**

Committeeman Kelly requested that the resolutions on the Consent Agenda related to COAH be removed for separate discussion. Mayor Sullivan said that discussion can be held before approval. Attorney Cruz suggested that the items in question be voted on separately from the Consent Agenda. Mayor Sullivan noted that Resolution 2015-131 would not be voted on, as the Township has not yet received a proposal from the Township Planner. Engineer Ruschke said that a revision to the reimbursement agreement with Morris County will be discussed in his report.

The Agenda was approved as modified.

**Reports**

Committeewoman Swartz said that she attended the second meeting of the Madison-Chatham Coalition for a Healthy Community. The objective of the group is to combat substance abuse. Committeewoman Swartz also said that the Health Department has urged people to take precautions regarding mosquitoes, and also to avoid contact with sick people during travel. She also noted that there is a resolution on the Consent Agenda to renew the interlocal agreement with Madison for health department services.

Committeeman Kelly reported that the Giralda Farms open space property is now open to the public, and he encouraged residents to visit the site. He also said that the Community Garden is in full swing.

Deputy Mayor Ritter reported that Jessica Romeo will be resigning from the Colony Pool Advisory Committee, and he thanked her for her service. He also noted that anyone interested in becoming a member of the Colony Pool Committee could contact the Township Clerk for a Citizen Leadership Form. Colony Pool also now has a Facebook page. An open house is scheduled for June 27<sup>th</sup>. Colony Pool shirts and hats have also been selling well. Regarding the new Neighborhood Watch program, Deputy Mayor Ritter reported that a public informational meeting was held. Anyone interested in participating can view the video of the information meeting online, or can contact the Police Department. Deputy Mayor Ritter also reported that the Communications Committee is soliciting content for the next newsletter.

Mayor Sullivan reported that the Library of the Chathams has kicked off the summer reading program. The program has been expanded to include teens and adults.

Engineer Ruschke reported that Loantaka Lane North and Woodland Ave have been paved. Wickham Woods is next for paving, and some drainage issues have to be addressed prior to paving. He is also waiting to receive some information from utility companies to make sure the engineering plans accurately show where underground utilities are located. Engineer Ruschke reported on paving of a section of Southern Boulevard now that the sewer project work is

substantially complete. He said that the reimbursement agreement with the County has to be amended to reflect a change in the County's share of the costs, and the Township's costs will remain unchanged.

Committeeman Kelly moved to amend the agreement. Deputy Mayor Ritter seconded the motion, and it carried unanimously.

Mayor Sullivan asked about the completion of the work on Buxton being performed by NJ American Water. Engineer Ruschke said that he believes it has been completed.

### **Hearing of Citizens/Petitions**

Mayor Sullivan opened the Hearing of Citizens.

1. Alan Routh, 82 Fairview Ave, said that his house is one of 14 homes along the route of a proposed sidewalk. He expressed his support for the installation of the sidewalk. Mr. Routh addressed safety concerns, and he also indicated that a recent demographic report indicates that enrollment at Chatham High School will continue to increase.
2. Beth Burton, 62 Fairview Ave (Chatham Borough), expressed her support for the sidewalk installation, citing safety concerns.
3. Carole Ethridge, 15 Oak Drive (Chatham Borough), what has changed since the Township approved the submission of the grant application for the sidewalk on Lafayette Ave. Mayor Sullivan said that nothing has changed, and the project had not been properly vetted prior to the submission of the application. He also said that the property rights of those directly affected by this project need to be respected, which weighs into the considerations on this issue. Mrs. Ethridge asked if there are two years to complete the project or to start the project. Engineer Ruschke said that the project has to be awarded within two years. He also described the project review process. Mayor Sullivan also said that if the sidewalk is built in a way to save trees, then it may become necessary to obtain easements. He also said that a special meeting will be set in September to discuss just the issue of the sidewalk. Mrs. Ethridge also asked if any issues have been brought up by and residents on Lafayette that cannot be overcome. Engineer Ruschke said that any issues can be dealt with.

Mr. Kelly said that it is a good idea not to make a decision on this matter while people are away. He suggested that Engineer Ruschke start gathering data now so that it can be available for the discussion in September so that the time between now and then is not lost. Mayor Sullivan said that some of the work has already been compiled. Committeewoman Swartz said that she would like to know what latitude the Township has with the grant money. Engineer Ruschke said that the location cannot be changed.

4. Rosanne Maraziti, 50 Inwood Road (Chatham Borough), opined that the sidewalk would not lead to increased safety as has been suggested. She suggested that speed limits in the area should be enforced. Mrs. Maraziti also said that traffic studies should be performed, and the final decisions should be based on facts rather than emotions.
5. Janet Roffina, 52 Dellwood Ave, reiterated her support for the installation of the proposed sidewalk citing safety concerns. She said that kids are darting across Lafayette Ave to get to her neighborhood, and also said that pedestrians from her neighborhood need to walk on a section of Lafayette without sidewalks to get to the crosswalk.
6. Kathryn Surmay Kenny, 12 Hilltop Terrace, spoke in favor of the installation of the proposed sidewalks. Mayor Sullivan said that the Township wants to take the time to make the right decision, and respect for property owners rights needs to be shown. Mrs. Kenny said that the right-of-way belongs to the Township, not the property owner. Mayor Sullivan said that the Township does not want to force anything upon anyone.
7. Cathy Crandell, 28 Wickham Way, said that there is a problem with drainage in her neighborhood, and she described the problem. Mayor Sullivan said that this is a land use issue, which should be brought to the attention of the Township's construction official.

Engineer Ruschke said that the stormwater management ordinance does not allow for an increase of drainage onto a neighboring property.

8. Ron Gunn, the developer of HighGate and owner of Fenix-Chatham, introduced his engineer, Rob Moshello. Mr. Moshello reported on the progress that has been made since their last appearance before the Township Committee. Engineer Ruschke said that the Planning Board's approval of this project had several conditions regarding soil removal. He also said that those conditions are not being met. Engineer Ruschke also cited several other violations at the site, for which summonses have been issued. A construction schedule was submitted by Mr. Gunn, and the schedule was deemed unacceptable. Engineer Ruschke also addressed the need for paving to be performed. Attorney Cruz asked Mr. Moshello if the street could be paved sooner than they have planned. Mr. Moshello conferred with Mr. Gunn, and Mr. Gunn said that he has had trouble getting a paver to come sooner than July 6<sup>th</sup>. Mr. Gunn said that he will try to get someone to come sooner. Attorney Cruz advised that there should be more communication between Mr. Gunn and Engineer Ruschke, and if the paving cannot be completed that July 7<sup>th</sup> then the Township will need to consider legal options.
9. Susan & Martin Blumenthal, 99 Long View Ave, were asked by Attorney Cruz if the work described by Mr. Gunn and Mr. Moshello has actually been performed. The Blumenthals said that the work is being performed. Mr. Blumenthal said that he would like to have seen the work performed at a quicker rate. Mrs. Blumenthal said that she wants to see the work performed now.
10. Mr. Gunn was asked by Attorney Cruz if he will contact additional pavers to have the work begin either on Saturday or Monday, weather permitting. Mr. Gunn said that he would, and that he would keep Engineer Ruschke updated on his progress.

Committeeman Kelly questioned the miscommunication regarding the intent of the detention basins. Engineer Ruschke said that a series of promises and excuses had been offered by Mr. Gunn as to why the work had not been performed. Mayor Sullivan added that the problem has been with the contractor, not with Engineer Ruschke's office.

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

**Consent Agenda**

**RESOLUTION 2015-123  
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 – May  
CFO – May  
Tax Collector – May

**RESOLUTION 2015-124  
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 11, 2015.

**RESOLUTION 2015-125  
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 June 11, 2015.

**RESOLUTION 2015-126**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING FIREWORKS FOR EVENT AT NOE POND CLUB**

**WHEREAS**, state regulations require municipal governing body approval for the use of fireworks displays; and

**WHEREAS**, the Township has received an application to conduct a fireworks display conducted by Garden State Fireworks, Inc. for a social event on July 18, 2015, to take place at the Noe Pond Club on Southern Boulevard, Chatham, New Jersey; and

**WHEREAS**, the Township wishes to permit the applicant to conduct this fireworks display in accordance with all applicable laws and regulations.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that it hereby approves the fireworks application contingent upon the payment of all required fees, posting of appropriate insurance certificates, and compliance with all state and local laws and regulations.

**RESOLUTION 2015-127**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF CHATHAM AND THE BOROUGH OF MADISON FOR HEALTH SERVICES FOR YEARS 2016, 2017, 2018, 2019 AND 2020.**

**WHEREAS**, the Township Committee of the Township of Chatham is desirous of continuing a contract with the Board of Health of the Borough of Madison for furnishing health services of a technical and professional nature;

**WHEREAS**, the Program Proposal for Health Services January 1, 2016 - December 31, 2020 meets the Township's approval,

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chatham hereby authorizes the Mayor to enter into an agreement with the Board of Health of Madison for the rendition of services to the Township of Chatham during the years 2016, 2017, 2018, 2019 and 2020.

**RESOLUTION 2015-128**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, URGING CONGRESS TO CHANGE FEDERAL LAW TO ENSURE THAT VETERANS' ORGANIZATIONS ARE ELIGIBLE FOR CDBG FUNDING**

**WHEREAS**, the Veterans of Foreign Wars (VFW) and the American Legion, through local posts, provide a host of invaluable services to veterans in New Jersey and all across the United States, including benefits assistance, career services, financial assistance, homeless outreach, and comforting and support services; and

**WHEREAS**, VFW and American Legion posts also provide several important services for local communities, including various youth, educational, and patriotic programs, as well as scholarships; and

**WHEREAS**, VFW and American Legion posts have also served as warming and charging stations for the public during emergencies such as Superstorm Sandy and Hurricane Irene, and have provided shelter to people in need; and

**WHEREAS**, notwithstanding the critical services provided by VFW and American Legion posts to veterans and the public, some posts may be deemed ineligible for federal Community Development Block Grant (CDBG) funding for public facilities and improvements under current federal Housing and Urban Development regulations; and

**WHEREAS**, Assemblyman Anthony M. Bucco has submitted letters to New Jersey's congressional delegation calling for changes to federal law to ensure that all VFW and American Legion posts are eligible for CDBG public facilities and improvements funding, which the Township Committee of the Township of Chatham supports; and

**WHEREAS**, given the extraordinary contributions of our veterans, both during and after their military service, it is altogether fitting and proper for the Township Committee of the

Township of Chatham to urge its congressional representatives to seek changes to federal law to ensure that all VFW and American Legion posts are eligible for CDBG public facilities and improvements funding.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Chatham hereby supports the efforts of Assemblyman M. Bucco and respectfully requests that the Congress of the United States revise federal law to ensure that all VFW and American Legion posts are eligible for CDBG public facilities and improvements funding; and

**BE IT FURTHER RESOLVED** that copies of this resolution be forwarded to each member of the Congress of the United States elected thereto from the State of New Jersey.

#### **RESOLUTION 2015-129**

### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH CIFELLI & SON FOR IMPROVEMENTS TO SHUNPIKE SIDEWALKS**

**WHEREAS**, the Township Committee of the Township of Chatham awarded a contract to the lowest responsible bidder, Cifelli & Son, with address at 81 Franklin Ave, Nutley, NJ 07110 for Shunpike Sidewalk Improvements in the amount of \$216,745.00;

**WHEREAS**, the final as-built cost of the project is \$213,600.00, \$3,135.00 less than the original Contract amount;

**WHEREAS**, the project was substantially complete on or about June 2015;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it hereby approves a Contract reduction of \$3,135.00 to reflect the as-built cost of the Shunpike Sidewalk Improvements project,

#### **RESOLUTION 2015-133**

### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING A SIX MONTH EXTENSION OF THE LEASES WITH T-MOBILE NORTHEAST, LLC.**

**WHEREAS**, after a bidding process, the Township of Chatham entered into two (2) Land Lease Agreements with T-Mobile Northeast, LLC, for municipal property located on (i) Spring Street and (ii) River Road for the placement of temporary cell towers; and

**WHEREAS**, the Spring Street Lease expires on July 1, 2015; and

**WHEREAS**, the River Road Lease expires on August 31, 2015; and

**WHEREAS**, each Lease allowed for at least one (1) six (6) month extension; and

**WHEREAS**, T-Mobile requested that each Lease be extended for six (6) months as provided in each Lease and for the rents stated in each Lease to allow for the transition of moving to the Public Service Electric & Gas Company transmission liens.

**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 Township of Chatham hereby agrees to a six (6) month extension to the Land Lease Agreement as provided therein.
2. The Mayor and Clerk are authorized to sign any necessary extension documents.
3. This Resolution shall take effect immediately.

#### **RESOLUTION 2015-134**

### **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**, an 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 Chattam Wine & Liquor LLC;

**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, 2015, as follows:

To Chattam Wine & Liquor LLC., trading as Buy Rite Liquor, for premises situated at 650 Shunpike Road, Unit 1A Chatham, New Jersey (Lic. No. 1405-44-004-006).

**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.

Mayor Sullivan addressed Resolution 2015-128 supporting a change in federal regulations for CDBG’s for veterans groups, and urged the Township Committee to support the resolution. He also noted that the renewal of the contract with the Madison Health Department is for a five year period.

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

**Roll call:** Committeeman Gallop, Absent; Committeeman Kelly, Aye; Committeewoman Swartz, Aye; Deputy Mayor Ritter, Aye (Nay on Resolution 2015-133); Mayor Sullivan, Aye.

Mayor Sullivan explained that the following resolutions involve COAH, which is essentially dead. The Courts have decided that municipalities have until July 8<sup>th</sup> to decide if they will file a declaratory judgment. After July 8<sup>th</sup>, the Township will have five months to develop a plan for further guidelines. Attorney Cruz explained that the first resolution authorizes him to file a declaratory judgment action to seek approval for the Township’s 3<sup>rd</sup> Round housing plan for affordable housing. He also provided some background on the Township’s voluntary participation in the COAH process. Attorney Cruz also said that Resolution 2015-132 is for the retention of an expert for the determination of a housing obligation, and the expert is being retained by a consortium of municipalities. Committeeman Kelly said that this is an action being taken as the next step to come up with a reasonable number for the Township’s affordable housing obligation, and is not in opposition to affordable housing. Attorney Cruz said that the housing plan will be reviewed by the Township Committee, the Planning Board and the Courts.

**RESOLUTION 2015-130**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY,**  
**AUTHORIZING THE TOWNSHIP OF CHATHAM ATTORNEY TO FILE A**  
**DECLARATORY JUDGMENT ACTION**

**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 authorize the Township Attorney to file a Declaratory Judgment Action consistent with the Supreme Court Decision no later than July 8, 2015.

**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 Township of Chatham desires to file a Declaratory Judgment Action in furtherance of the Supreme Court Decision.
2. The Township of Chatham Attorney is hereby authorized to file the Declaratory Judgment Action consistent with the Supreme Court Decision no later than July 8, 2015.

3. This Resolution shall take effect immediately.

Committeeman Kelly moved to pass Resolution 2015-130. Committeewoman Swartz seconded the motion.

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

**RESOLUTION 2015-132**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF CHATHAM RETAINING AN EXPERT FOR THE DECLARATORY JUDGMENT ACTION**

**WHEREAS**, the Township of Chatham anticipates filing a Declaratory Judgment Action in the Superior Court of New Jersey, Somerset 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**, Fair Share Housing Center ("FSHC"), through the services of David Kinsey, prepared what it considers to be the statewide fair share numbers ("FSHC Numbers") for use by the 15 vicinage Mt. Laurel Judges to calculate a municipality's affordable housing obligation pursuant to the Supreme Court Decision; and

**WHEREAS**, the Township of Chatham desires to participate in the preparation of a statewide fair share analysis to be undertaken by Rutgers, The State University of New Jersey ("Rutgers"), through Dr. Robert W. Burchell, Principal Investigator, and various other experts employed by Rutgers in order to establish a rational and reasonable methodology ("Burchell Fair Share Analysis") for determination of a municipality's obligation to provide a realistic opportunity through its land use ordinances for its fair share of the region's affordable housing needs in accordance with the Mount Laurel Doctrine as set forth in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision") and prior decisions of the Courts of New Jersey, and the Fair Housing Act, N.J.S.A. 52:27D-301 et seq.; and

**WHEREAS**, Rutgers, utilizing Dr. Burchell as the Principal Investigator and author, agreed to prepare the Burchell Fair Share Analysis within 90 days of being retained to establish his view of the proper way to determine each municipality's fair share obligation; and

**WHEREAS**, Dr. Burchell estimates the cost to prepare the initial Burchell Fair Share Analysis will be \$70,000.00; and

**WHEREAS**, it is anticipated that there will be a need for Dr. Burchell to analyze any challenges to his conclusions and prepare a rebuttal report to said challenges which is not included in the \$70,000.00; and

**WHEREAS**, it is anticipated that if each municipality contributes \$2,000.00, there will be sufficient monies to pay the cost to prepare the initial Burchell Fair Share Analysis, to analyze any challenges to the Initial Fair Share Analysis and to Prepare a Rebuttal Report given the number of municipalities that have expressed an interest in retaining Burchell; and

**WHEREAS**, a Municipal Shared Services Defense Agreement ("MSSDA"), has been prepared (a) so that monies can be collected to enter into an agreement with Rutgers ("Rutgers Agreement") and so that Burchell, along with various other experts from Rutgers, can perform the tasks described above; and (b) so that the rights and responsibilities of each municipality that wishes to sign the Agreement to retain Rutgers are defined; and

**WHEREAS**, the MSSDA provides that the Law Offices of Jeffrey R. Surenian and Associates, LLC ("Surenian") will serve as the administrative entity to sign the Rutgers Agreement on behalf of the municipalities that signed the MSSDA and paid the \$2,000.00 fee; and

**WHEREAS**, it is imperative, given the time constraints, for municipalities that wish to retain Burchell to sign the MSSDA and pay the \$2,000.00 fee so that Burchell can conduct the necessary analysis; and

**WHEREAS**, notwithstanding the foregoing, it is possible that the MSSDA may need to be changed as a result of ongoing negotiations with the Rutgers Agreement following execution of the MSSDA and the payment of the \$2,000.00 fee; and

**WHEREAS**, in such an event, any member that objects to the changes that Rutgers may require shall have the opportunity to relinquish membership in the Municipal Group and to receive back the \$2,000.00 payment as more specifically set forth in the MSSDA.

**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 terms and conditions of the MSSDA attached hereto are hereby approved, ratified and confirmed.
2. The amount of \$2,000.00 is hereby authorized to be expended by the Township of Chatham for Rutgers through Dr. Robert Burchell, Principal Investigator, to prepare the Burchell Fair Share Analysis.
3. A certification of funds authorizing the aforesaid expenditure has been signed by the Chief Financial Officer of the Township of Chatham.
4. The Mayor and Clerk are hereby authorized to execute the MSSDA to memorialize the participation of the Township of Chatham in the preparation of the Burchell Fair Share Analysis and to take any and all actions reasonably required to effectuate said Agreement.
5. The Township of Chatham hereby authorizes Jeffrey R. Surenian, Esq., to execute on behalf of the Township of Chatham the Research Agreement with Rutgers to initiate and complete Burchell Fair Share Analysis and to do such other actions to effectuate the purposes of said Research Agreement.
6. If further changes to the MSSDA are needed as a result of finalizing the Rutgers Agreement, within ten (10) days of notification by Jeffrey R. Surenian, Esq., of the changes, the Township of Chatham will inform Mr. Surenian if it objects to the changes and wishes to withdraw from the Municipal Group and obtain a refund of the \$2,000.00 paid.
7. This Resolution shall take effect immediately.

Attorney Cruz reiterated that the Township is one of several participatory municipalities, and the Township can opt out if the share becomes more than \$2000.

Committeeman Kelly moved to pass Resolution 2015-132. Committeewoman Swartz seconded the motion.

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

#### **Hearing of Citizens/Petitions**

Mayor Sullivan opened the Hearing of Citizens.  
Seeing no public coming forward, Mayor Sullivan closed the Hearing of Citizens.

Committeeman Kelly moved to adjourn at 9:40 PM. Mayor Sullivan seconded the motion and it carried unanimously.

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Gregory J. LaConte  
Township Clerk