

**TOWNSHIP OF CHATHAM**  
**TOWNSHIP COMMITTEE AGENDA**

**December 15, 2016**

December 13, 2016 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 8, 2016; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 8, 2016; and notice was filed with the Township Clerk on January 8, 2016.

**Flag Salute**

**Roll call**

**Approval of Agenda**

**Special Recognition**

1. Resolution 2016-224 Honoring Robert Sheetz

**Presentation**

1. Shunpike Road Corridor Study

**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.

**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 2016-225 Payment of Bills
2. Resolution 2016-226 Receipt of Reports
3. Resolution 2016-227 Approving Meeting Minutes
4. Resolution 2016-228 Approving Executive Session Minutes
5. Resolution 2016-229 Authorizing AT&T Land Lease Extension
6. Resolution 2016-230 Cancelling Various Unexpended Balances
7. Resolution 2016-231 Cancelling Stale Dated Checks
8. Resolution 2016-232 Authorizing Amendatory Grant
9. Resolution 2016-233 Budget Transfers

**Discussion: possible ordinance or resolution**

1. Request for Right-of-Way Adjustment

**Hearing of Citizens** (Time Permitting)

**Executive Session\*** – Resolution 2016-P-19

1. Litigation: In the Matter of the Township of Chatham for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan Docket No. MRS-L-1659-15
2. Collective Bargaining Agreement: PBA
3. Property acquisition or investment options: Open Space

**Adjourn**

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

**RESOLUTION 2016-225**

**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 \$826,353.83 and the prior month's payroll of \$397,501.69 Current Fund, \$46,547.48 Sewer No. 1, \$8,948.10 Sewer No. 2, and \$21,470.87 Police Private Employment be paid.

**BE IT FURTHER RESOLVED** that taxes due to the School District of the Chathams, for the month of December 2016, in the amount of \$3,631,994.00 be paid.

**BE IT FURTHER RESOLVED** that taxes due to the County of Morris, for Added and Omitted Taxes for 2016, in the amount of \$89,517.50 be paid.

Adopted: December 15, 2016

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2016-226**

**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 – November  
CFO – November  
Police Department – October

Adopted: December 15, 2016

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

DRAFT

**RESOLUTION 2016-227**

**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 December 1, 2016.

Adopted: December 15, 2016

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Curt Ritter, Mayor

DRAFT

**RESOLUTION 2016-228**

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

**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 December 1, 2016.

Adopted: December 15, 2016

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

DRAFT

## RESOLUTION 2016-229

### **A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN A LAND LEASE EXTENSION WITH NEW CINGULAR WIRELESS PCS, LLC (“AT&T”) FOR A PORTION OF THAT PROPERTY SHOWN AS BLOCK 13, LOT 26.**

**WHEREAS**, on May 10, 2012, the Township Committee of the Township of Chatham adopted Resolution 2012-088, titled “Resolution of the Township of Chatham, County of Morris, State of New Jersey, Awarding Temporary Communications Facility Lease to New Cingular Wireless PCS, LLC (“AT&T”) at the Municipal Building”; and

**WHEREAS**, on or about July 16, 2012, the Township of Chatham entered into a Land Lease Agreement with AT&T for a portion of that property shown as Block 13, Lot 26 on the Tax Map of the Township, and known as 58 Meyersville Road, Chatham, New Jersey (“Municipal Building”); and

**WHEREAS**, the purpose of the Lease Agreement was to allow AT&T to temporarily construct, install, maintain, repair, replace and operate federally licensed radio transmitting equipment during that period of the construction of the Public Service Electric and Gas Company 230kV North Central Reliability Project; and

**WHEREAS**, the Lease Agreement provided for an initial two (2) year term, with two (2) additional one (1) year terms; and

**WHEREAS**, because Public Service Electric and Gas Company has not authorized AT&T to return to the PSE&G transmission towers, AT&T remains at the Municipal Complex as a “holdover tenant” pending authorization to relocate; and

**WHEREAS**, AT&T informed the Township that removal of the temporary tower will result in the loss of service, including 911 service, to both AT&T and AT&T’s subtenant, T-Mobile Northeast LLC, and places the health, safety and welfare of Township residents in danger; and

**WHEREAS**, the Township Committee, in balancing requiring the removal of the temporary tower and the health, safety and welfare of Township residents, believes that it is in the best interests of Township residents to enter into a Land Lease Extension Agreement for a term not to exceed one (1) year or as soon as PSE&G authorizes the relocation to a PSE&G transmission tower, whichever is earlier, provided that, pursuant to N.J.S.A. 2A:42-6, AT&T and T-Mobile pay double rent since July 16, 2016 to the expiration of the Lease Agreement.

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

1. That the Mayor and Clerk are hereby authorized to sign the Lease Agreement in the form attached.
2. That this Resolution shall take effect immediately.

Adopted: December 15, 2016

THE TOWNSHIP OF CHATHAM  
IN THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

DRAFT

**RESOLUTION 2016-230**

**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, 2015 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 DEDR	\$0.51
Municipal Alliance Program Supplemental	\$769.34
Current Fund Appropriation	
Matching Funds for Grants	
-Municipal Alliance Program	\$1,490.88
General Capital Fund Schedule of Improvement Authorizations	
Ordinance 2014-013	\$53,229.16
General Capital Fund Accounts Receivable	
Contribution in Aid of Construction - Ordinance 2014-013	\$53,129.16

Adopted: December 15, 2016

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

THE TOWNSHIP OF CHATHAM  
IN THE COUNTY OF MORRIS

By \_\_\_\_\_  
Curt Ritter, Mayor

**RESOLUTION 2016-231**

**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 Payroll; 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>
33326	\$84.60	13-Aug-15
	<u>\$84.60</u>	

  

<u>Check #</u>	<u>Payroll</u> <u>\$ Amount</u>	<u>Date</u>
60546	\$163.92	15-Jul-15
60755	\$622.58	14-Aug-15
60809	\$29.39	28-Aug-15
	<u>\$815.89</u>	

Adopted: December 15, 2016

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

THE TOWNSHIP OF CHATHAM  
IN THE COUNTY OF MORRIS

By \_\_\_\_\_  
Curt Ritter, Mayor

**RESOLUTION 2016-232**

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN AN AMENDATORY GRANT TO JERSEY CENTRAL POWER AND LIGHT TO PERMIT T-MOBILE NORTHEAST, LLC, TO CO-LOCATE A CELLULAR ANTENNA ARRAY ON AN EXISTING UTILITY TOWER LOCATED ON MUNICIPAL PROPERTY ON RIVER ROAD AT BLOCK 63, LOT 2.01**

**WHEREAS**, on April 28, 2011, the Township Committee of the Township of Chatham adopted Ordinance 2011-08, titled “An Ordinance of the Township of Chatham, County of Morris, State of New Jersey Authorizing the Execution of an Amendatory Grant to Jersey Central Power and Light to Permit the Installation of a Cellular Antenna Array on an Existing Utility Tower Located on Municipal Property on River Road at Block 63, Lot 21.01”; and

**WHEREAS**, Ordinance 2011-08 has not been repealed by the Township Committee and remains in effect; and

**WHEREAS**, T-Mobile Northeast, LLC, requested that the Township Mayor and Clerk sign the Amendatory Grant authorized by Ordinance 2011-08; and

**WHEREAS**, T-Mobile agreed to increase the monthly rent from the original \$675.31 to \$806.36 in accordance with the escalator clause contained in the Amendatory Grant; and

**WHEREAS**, Ordinance 2011-08 clearly states that the installation includes the installation of a cellular antenna array and related communications equipment within the easement of JCP&L on Township property on River Road, Block 63, Lot 21.01; and

**WHEREAS**, the Township Committee desires to authorize the Mayor and Clerk to sign the Amendatory Grant on the same terms and conditions as Ordinance 2011-08.

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

1. That the Mayor and Clerk are hereby authorized to sign the Amendatory Grant in the form attached.
2. That all of the terms and conditions of Ordinance 2011-08 are hereby ratified and confirmed and remain in effect.
3. That this Resolution shall not be interpreted as a waiver of any necessary land use approvals or building permit requirements.
4. This Resolution shall take effect immediately.

Adopted: December 15, 2016

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

THE TOWNSHIP OF CHATHAM  
IN THE COUNTY OF MORRIS

By \_\_\_\_\_  
Curt Ritter, Mayor

**RESOLUTION 2016-P-19**

**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. Litigation: In the Matter of the Township of Chatham for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan Docket No. MRS-L-1659-15
  - b. Collective Bargaining Agreement: PBA
  - c. Property acquisition or investment options: Open Space
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: December 15, 2016

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk