

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE MEETING MINUTES
MAY 26, 2016

Mayor Ritter called the regular meeting of the Township Committee of the Township of Chatham to order at 7:35 PM.

Mayor Ritter led the Flag Salute.

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.

Roll Call

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

Approval of Agenda

Committeeman Kelly moved to approve the agenda. Committeewoman Swartz seconded the motion, and it carried unanimously.

Reports

Committeeman Kelly said that the Municipal Alliance has been busy. The Parents Who Host Lose the Most campaign is underway, which includes placement of a wrecked car at the Chatham High School as a reminder of the consequences of drunk driving. Regarding the Open Space Committee, Committeeman Kelly reported that a work session was held for the Averett Property to plot out walkways. A public work day will be scheduled during the summer, and an Eagle Project will also be conducted at the site. Committeeman Kelly reported that the County has been busy maintaining the walkways at the Giralda Farms Preserve site. He also reported that the Skate Park has been reopened. An auction of surplus DPW equipment was conducted, with every piece being sold. The auction raised over \$11,000 for the Township.

Committeeman Gallop reported that the spring sports season has finished. He noted the efforts of the Public Works Department in maintaining the fields. Committeeman Gallop asked about increasing the netting at Shunpike Field to protect against foul balls. He also asked the Public Works repair a stuck gate by the home team dugout at Shunpike Field.

Committeewoman Swartz reported that the Tri-Town 55+ Survey Forums were held.

Mayor Ritter reported that the May/June Newsletter has been released, and the CES Perspectives video has been released. The Township website is also undergoing updates. He also reported the Colony Pool will open during Memorial Day Weekend. Deputy Mayor Sullivan noted that the log roll has been installed. Mayor Ritter reported that a suicide prevention seminar is being held on June 2nd at the Municipal Building. He further reported that a Memorial Day observance will be held at 8:30 AM on Memorial Day at the Green Village Firehouse.

Engineer Ruschke reported that paving in the Wickham Woods neighborhood is tentatively scheduled for the third week of June. Phase II of that project is almost ready for bidding. For the Woodland Road Sidewalk Project, Engineer Ruschke reported that a preliminary layout has been prepared. A wetlands transition area permit will need to be sought from the NJDEP.

New Jersey American Water

Operations Manager Nick Pinto and Construction Supervisor Ken Taylor of New Jersey American Water were present to discuss a project being conducted on Southern Boulevard. Mr. Pinto described the equipment that will be replaced, and the work will be conducted from Woodmont Drive to Fairmount Avenue. The contractor will coordinate traffic control with the

Police Department. Work will occur between 9:00 AM and 3:00 PM during the remainder of the school year, and will be from 9:00 AM to 4:00 PM after schools close for the summer. Main replacement will begin on May 31st, and the final phase of the work is scheduled to be completed by Labor Day. Anyone in the postal route impacted by the work was notified by postcard, and the school bus company was also informed. Final paving will only need to be performed on the side of the street on which work is being performed. Deputy Mayor Sullivan asked if NJAW has a staging area. Mr. Pinto said that there have been two sites identified. Deputy Mayor Sullivan also asked about traffic control. Mr. Pinto said that some areas they should be able to have alternating traffic, others they may need to cut it down to one lane. Committeewoman Swartz thanked Mr. Pinto and Mr. Taylor for attending the meeting so that information can be disseminated to residents. Deputy Mayor Sullivan asked about a 24-inch pipe that was previously installed. Mr. Pinto said that it was installed in the 1990's, and still has more of a useful life.

Jersey Central Power & Light

Rob Walton reported that JCP&L is applying to the Board of Public Utilities for a rate increase. Mr. Walton said that JCP&L has not had a rate increase since 2003, and the proposed rate increase will be an average of \$6 per household.

Hearing of Citizens

Mayor Ritter opened the Hearing of Citizens.

Seeing no members of the public coming forward, Mayor Ritter closed the Hearing of Citizens.

Introduction of Ordinances

Ordinance 2016-16

ORDINANCE 2016-16

ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, NAMING AN UNNAMED STREET LOCATED IN THE TOWNSHIP OF CHATHAM MEMORIAL WAY

WHEREAS, there currently exists a public roadway in the Township of Chatham which is unnamed; and

WHEREAS, the Township Committee of the Township of Chatham finds it to be in the best interest of the Township to honor those who served in the Armed Forces and particularly those who sacrificed their lives for the preservation of freedom in the United States of America by naming that unnamed street in the Township as Memorial Way.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Chatham, in the County of Morris, and State of New Jersey, that the unnamed street located in the Township of Chatham, which is the south side of the triangle known as Memorial Park bounded by Green Village Road on the north and Meyersville Road on the west, be and is hereby named Memorial Way; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication according to law; and

BE IT FURTHER ORDAINED that upon adoption of this Ordinance, the Township Clerk is hereby authorized and directed to forward a certified copy of same to the Township Engineering Department, the Township Tax Assessor, the Township Office of Emergency Management, the Township Police Department, the Township Fire Departments, the Post Master of the local post office, the County of Morris and the New Jersey Department of Transportation.

Mayor Ritter said that Memorial Way will be part of the triangle by the Green Village Firehouse. Committeewoman Swartz noted that this concept had its genesis several years ago. She also noted that the Green Village Fire Department has ceremonies for Memorial Day and Veterans Day at that site, and they have proposed the name Memorial Way.

Deputy Mayor Sullivan moved to introduce Ordinance 2016-16. Committeewoman Swartz seconded the motion.

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

Public Hearing for Ordinance 2016-16 will be scheduled for June 9, 2016.

Consent Agenda

**RESOLUTION 2016-120
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 – April
- Construction Official – April
- CFO – April
- Police Department – April
- Fire Official – January, February, March

**RESOLUTION 2016-121
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 May 12, 2016.

**RESOLUTION 2016-122
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 May 12, 2016.

**RESOLUTION 2016-123
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 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	23	Sanders, Keith & Susan 3 Hampton Road Chatham, NJ 07928	\$4,581.97 2 nd Quarter 2013
135	19.42	Servais, John & Ann Marie 45 Sterling Drive Chatham, NJ 07928	\$4,714.63 2 nd Quarter 2016
16	5	Burns, John E. Jr. & Jodi 35 Pembroke Road Chatham, NJ 07928	\$3,101.92 1 st & 2 nd Quarter 2016
62.05	3	Rocamboli, David & Enid 41 Van Houton Avenue Chatham, NJ 07928	\$1,335.00 1 st quarter 2015

**RESOLUTION 2016-124
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>
East Park Builders 7 Young Court East Hanover, NJ 07936	EIF 11-54-2.01 & 2.02	7761692651	\$32.20

RESOLUTION 2016-125

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2016 BUDGET

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Chatham has received \$25,718.55 from the State of New Jersey Clean Communities Account Fund and wishes to amend its 2016 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$25,718.55 which is now available as a revenue from:

Miscellaneous Revenues – Section F: Special Items of General revenue – Public and Private Revenues Offset with Appropriations:

Clean Communities Program, and

BE IT FURTHER RESOLVED, that a like sum of \$25,718.55 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Clean Communities Program.

BE IT FURTHER RESOLVED, that the Township Clerk forward a copy of this resolution to the Director of Local Government Services.

RESOLUTION 2016-126

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING SUBMITTAL OF A GRANT APPLICATION AND APPROVING EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SHUNPIKE ROAD SIDEWALK PROJECT (FALMOUTH ROAD TO PINE STREET)

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SRS-2016-Shunpike Road Sidewalk – Falmouth R - 00029 to the New Jersey Department of Transportation on behalf of the Township of Chatham.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Chatham and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION 2016-127

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TEMPORARILY NAMING AN UNNAMED STREET LOCATED IN THE TOWNSHIP OF CHATHAM MEMORIAL WAY

WHEREAS, there currently exists a public roadway in the Township of Chatham which is unnamed; and

WHEREAS, the Township Committee of the Township of Chatham finds it to be in the best interest of the Township to honor those who served in the Armed Forces and particularly those who sacrificed their lives for the preservation of freedom in the United States of America by naming that unnamed street in the Township as Memorial Way; and

WHEREAS, on May 26, 2016, the Township Committee of the Township of Chatham introduced an Ordinance to effectuate the naming of Memorial Way; and

WHEREAS, because the public hearing on the Ordinance will not occur until after Memorial Day, the Township Committee desires to temporarily name that unnamed road as Memorial Way in honor of the observance of Memorial Day and until the Ordinance is adopted.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, in the County of Morris, and State of New Jersey, that the unnamed street located in the Township of Chatham, which is the south side of the triangle known as Memorial Park bounded by Green Village Road on the north and Meyersville Road on the west, be and is hereby temporarily named Memorial Way.

RESOLUTION 2016-128

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO RENEW MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2021

WHEREAS, the Morris County Cooperative Pricing Council (“MCCPC”) was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Township of Chatham desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency, to renew its membership in the MCCPC for the period of October 1, 2016 through September 30, 2021.

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

1. The Township Committee of the Township of Chatham hereby authorize the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2016, pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for renewal of membership in the MCCPC for a five (5) year period from October 1, 2016, through September 30, 2021.
2. The Township Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate Township officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

RESOLUTION 2016-129

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING MEMBER TO THE BOARD OF HEALTH

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following appointment be made effective immediately:

Board of Health:

1. Lorie Gardner (2017)

RESOLUTION 2016-130

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, 2016

WHEREAS, application for the renewal of an Alcoholic Beverage License in the Township of Chatham for the fiscal year beginning July 1, 2016 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, 2016, 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, 2016, 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.

RESOLUTION 2016-131

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING AND CERTIFYING THE CONTINUAL OWNERSHIP AND MAINTENANCE BY THE TOWNSHIP OF CHATHAM FOR THE USEFUL LIFE OF THE PROJECT AFTER THE CONSTRUCTION IS COMPLETED FOR THE SBUNPIKE ROAD SIDEWALK PROJECT (FALMOUTH ROAD TO PINE STREET) PROPOSED IN THE 2016 NEW JERSEY DEPARTMENT OF TRANSPORTATION, SAFE ROUTES TO SCHOOL GRANT APPLICATION

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Chatham formally certifies the continual ownership and maintenance by the Township of Chatham for the useful life of the project after the construction is completed.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application, identified as SRS-2016-Shunpike Road Sidewalk – Falmouth R – 00029, which includes the aforementioned maintenance agreement, to the New Jersey Department of Transportation on behalf of Township of Chatham.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Township of Chatham and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Deputy Mayor Sullivan indicated that notices were sent out to the property owners impacted by the Safe Routes to School Grant. Mr. LaConte elaborated that notices were sent out prior to the last meeting that the topic was on for discussion, and follow up notices were sent prior to this meeting that the application is slated for approval. Deputy Mayor Sullivan also noted that the resolution is solely to apply for the grant. He also commented on the scope of the project, and Engineer Ruschke confirmed that the proposal does not include any narrowing of the road. Engineer Ruschke said that the Township will work with the impacted property owners regarding spots where retaining walls, tree replacement and landscaping work will be necessary. Deputy Mayor Sullivan asked if the scope of the project can be modified later if impacted residents decide later on to oppose the project. Engineer Ruschke said that the application is for a defined length. Administrator Ciccarone noted that the whole purpose of the project is connectivity. Committeewoman Swartz asked about the repositioning of a sidewalk. Engineer Ruschke said that in the case of Spring Street, the intent of the project was not changed, and Administrator Ciccarone said that the Township would not change the currently proposed application to move the sidewalk to the north side of Shunpike Road. Committeeman Kelly opined that the approval of this application indicates a conceptual position in support of connectivity. Administrator Ciccarone concurred that the application is consistent with plans to have sidewalks on Shunpike Road, and Engineer Ruschke said that the project is consistent with the Walkway & Bikeway plan. Deputy Mayor Sullivan asked about the maintenance of sidewalks. Administrator Ciccarone said that the Township will maintain the sidewalk free of defects, but will not be responsible for removal of snow and ice.

Committeewoman Swartz moved to approve the Consent Agenda. Committeeman Gallop seconded the motion.

Roll call: Committeeman Gallop, Aye (Abstain on 2016-130); Committeeman Kelly, Aye; Committeewoman Swartz, Aye; Deputy Mayor Sullivan, Aye (Abstain on 2016-126); Mayor Ritter, Aye (Abstain on 2016-130).

Hearing of Citizens

Mayor Ritter opened the Hearing of Citizens.

There being no public comment, Mayor Ritter closed the Hearing of Citizens.

Executive Session

**RESOLUTION 2016-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: Township of Chatham Affordable Housing Declaratory Judgment Action and Fair Share Housing Center's Request for Mediation
 - b. Contract Negotiations: Telecommunications Land Lease
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.

Mayor Ritter announced that the Township Committee does not anticipate taking action following Executive Session.

Committeeman Kelly moved to pass Resolution 2016-P-08 to enter Executive Session at 8:12 PM. Committeeman Gallop seconded the motion.

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

The Township Committee returned from Executive Session at 9:50 PM.

Committeewoman Swartz moved to adjourn at 9:50 PM. Committeeman Gallop seconded the motion, and it carried unanimously.

Gregory J. LaConte
Township Clerk