

**TOWNSHIP OF CHATHAM**  
**TOWNSHIP COMMITTEE MEETING MINUTES**  
**JUNE 9, 2016**

Mayor Ritter called the regular meeting of the Township Committee of the Township of Chatham to order at 7:33 PM.

The Green Village Fire Department presented the colors and 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**

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

**Presentation: Morris County Mosquito Control Commission**

Mayor Ritter introduced Kris McMorland, the Director of Mosquito Control for Morris County, who provided a presentation on efforts to control the mosquito population and prevent the spread of disease. Mr. McMorland began by providing background on the Division of Mosquito Control. He then provided information on the various species of mosquito, and also discussed arboviruses and how they are spread. Mr. McMorland addressed the zika virus, and said that the type of mosquitoes that spread zika do not live in New Jersey. He also cited efforts to cut down on potential breeding habitats for mosquitoes. Mr. McMorland also said that people should follow CDC recommendations when travelling in areas where mosquito-borne diseases are common, and he provided recommendations on bug repellent.

Mayor Ritter asked if the Division of Mosquito Control has plans to perform any spraying in Chatham Township. Mr. McMorland said that larval control has been underway since March. He also said that the Division is limited in what they can do in the Great Swamp due to federal regulations. Spraying is determined by virus activity.

Mrs. Swartz asked about citronella products. Mr. McMorland said that he does not recommend citronella, as it is not effective unless in very high quantities.

Mayor Ritter opened the floor for the public to ask questions.

1. Paula DelCoro asked about the range of travel for mosquitoes. Mr. McMorland said that flight ranges vary greatly by species, but the ones of concern have a limited range. He also noted that catch basins are often a habitat for mosquitoes. Mrs. DelCoro also asked about the mosquito magnets. Mr. McMorland said that the science behind them works, but they also serve to attract mosquitoes.

Mayor Ritter noted the contact information for the Division of Mosquito Control, and said that the PowerPoint presentation will be made available on the Township website.

**Reports**

Committeeman Kelly reported that the Open Space Committee is moving forward with a walking trail on the Averett Property, and they need authorization from the Township Committee for \$600 - \$700 for supplies for an Eagle Project. The project will include a picnic table, a

freestanding bench and a kiosk/bulletin board at the trailhead. The consensus of the Township Committee was to authorize the expenditure.

Committeewoman Swartz reported that NJAW provided information about its current project along Southern Boulevard, which has since been posted on the Township website and on Twitter. She also reported that the Department of Public Works has completed the preparation work for Colony Pool, and crack sealing will be performed on the Colony Tennis Courts once material arrives. The Skate Park repairs have also been performed and the park is reopened. Recreation fields have also been prepared for the baseball season. Street sweeping has been completed, and the road crew will be performing pruning of trees along roadways. Committeewoman Swartz reported that the Senior Center had a great kickoff event for their Glorious Garden Tour. They have received help from the Boy Scouts for this event.

Deputy Mayor Sullivan reported that the Historical Society held a picnic celebrating its 25<sup>th</sup> anniversary, and it was well attended.

Mayor Ritter reported that a suicide prevention presentation was held at the Municipal Building. The presentation was well attended, and it is posted on the Township website. Mayor Ritter also reported that there have been several black bear sightings recently. He addressed not much can be done to relocate them unless they break into a home or attack a person.

Engineer Ruschke reported that Wickham Woods paving is scheduled for the third week of June, and he is trying to get a specific date from the contractor so that residents can be notified. Phase II of Wickham Roads road improvements has been budgeted, and Engineer Ruschke said that the project should be going out to bid soon. Replacement of a retaining wall at Colony Pool has also been budgeted, and that project will be performed after the season has ended. The partial demolition of the Chatham Glen Treatment Plant has begun. The Woodland Road Sidewalk Project will require a permit from the NJDEP, and paperwork for that will soon be submitted. Committeeman Kelly asked if any deadlines are approaching for Safe Routes to School Grants. Engineer Ruschke said that there is a June 27<sup>th</sup> deadline, and the application is substantially complete.

Administrator Ciccarone said that there are further improvements needed at the Tanglewood Treatment Plant and some of the pump stations. The projects will cost approximately \$800,000 for which a bond ordinance will be placed on the next Township Committee agenda for introduction. Additional substantial work at the Tanglewood Treatment Plant will need to be performed, and an application will be submitted for an Environmental Infrastructure Trust Loan. The target for the work to be performed is 2018.

Committeewoman Swartz asked about the work to be performed at pump stations. Engineer Ruschke said that the generator at the Southside Pump Station is showing wear, and an overhaul will be performed. The Chatham Heights Pump Station also requires a new generator and some additional electrical repair work. Committeewoman Swartz asked if there would be any inconvenience to neighbors. Engineer Ruschke indicated that there would not be any impact on neighbors, as all of the work would be within the fenced areas.

### **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.

### **Public Hearing/Final Adoption 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 this matter was brought to the attention of the Township Committee by Committeewoman Swartz, and the new street sign is on hand to be presented to the Green Village Fire Department.

Mayor Ritter opened the Public Hearing on Ordinance 2016-16.

1. Chief Matthew Behre of the Green Village Fire Department thanked the Township Committee for letting the Department name the street and for honoring those who have sacrificed their lives in the US Armed Forces.

Seeing no further comment, Mayor Ritter closed the Public Hearing.

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

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

The new street sign was presented to the Green Village Fire Department, and a group photo was taken.

### **Consent Agenda**

#### **RESOLUTION 2016-132**

#### **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 \$426,083.84 and the prior month's payroll of \$382,946.24 Current Fund, \$41,681.11 Sewer No. 1, \$7,752.87 Sewer No. 2, and \$5,180.04 Police Private Employment be paid.

**BE IT FURTHER RESOLVED** that taxes due to the School District of the Chathams, for the month of June 2016, in the amount of \$2,890,596.00 be paid.

#### **RESOLUTION 2016-133**

#### **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 26, 2016.

#### **RESOLUTION 2016-134**

#### **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 26, 2016.

**RESOLUTION 2016-135**  
**RESOLUTION REQUESTING MADISON BOROUGH TO APPROVE AN APPLICATION FOR**  
**PHASE 2 OF THE GROTTA FUND FOR SENIOR CARE AGE FRIENDLY COMMUNITIES**  
**GRANT**

**WHEREAS**, The Madison/Chatham Tri-Town 55+ Coalition for Age Friendly Communities has met all requirements in Phase I of the Grotta Fund for Senior Care to apply for the \$75,000 Phase 2 Age Friendly Communities Grant on behalf of Madison and The Chathams; and

**WHEREAS**, this coalition will function to assess the assets and needs of the communities to become or maintain age friendly status; and

**WHEREAS**, the grant will run in two parts for up to \$25,000 from October 1, 2016 through December 31, 2016 in Part A and up to \$75,000 (less the amount spent in Part A) from January 1, 2017 through September 30, 2017 for Part B and will be renewable for two additional years, and

**WHEREAS**, there is a 100% match request that will be met through existing resources and in-kind donations and will not require additional funds from any of the involved communities; and

**WHEREAS**, additional resources will need to be included in the Madison Department of Health's budget, not to exceed \$75,000, which will be paid by way of a grant should the application be successful.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham in the county of Morris in the State of New Jersey to recommend and support the Madison Borough governing body to approve that the Madison/Chatham Tri-Town 55+ coalition and Madison Health Department to make application for the \$75,000 Phase 2 Age Friendly Communities grant.

**IT IS FURTHER RESOLVED** that this Resolution shall become effective immediately upon passage.

**RESOLUTION 2016-136**  
**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**, an 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 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, 2016, 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. 1405-44-004-007).

**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 2016-137**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN**  
**THE COUNTY OF MORRIS, NEW JERSEY, IN SUPPORT OF SENATE BILL S-2254 AND**  
**ASSEMBLY BILL A-3821 WHICH AFFIRMS THE LEGISLATIVE INTENT OF THE FAIR**  
**HOUSING ACT**

**WHEREAS**, the Township of Chatham supports the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and

**WHEREAS**, pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the Fair Housing Act (FHA) to the courts, hundreds of municipalities filed declaratory judgment actions to voluntarily comply with their State imposed affordable housing requirements; and

**WHEREAS**, recently the Ocean County Superior Court included a distinct "gap period" analysis retroactively over an additional 16 year period, separate and apart from the normal 10 year present and prospective need; and

**WHEREAS** the Fair Housing Act (FHA) and existing case law, requires that "present and prospective fair share of the housing need in a given region ... shall be computed for a 10-year period." [N.J.S.A. 52:27D-307(c)]; and

**WHEREAS**, the “gap issue” arises out of COAH’s inability to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need, as well as constant litigation by certain groups; and

**WHEREAS**, any retroactive “gap” obligations could have significant and unfunded impacts on municipalities, may double count households under both present and prospective need and will likely result in forcing municipalities and their property taxpayers to subsidize development; and

**WHEREAS**, Senate Bill S-2254 sponsored by Senators Greenstein and Bateman and Assembly Bill A-3821, sponsored by Assemblymen DeAngelo and Benson, re-affirm the legislative intent of the Fair Housing Act so as to preclude significant, unfair impacts and instead progress toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities, facilitate municipal compliance and the provision of affordable housing.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham that:

1. The Township of Chatham strongly urges New Jersey Legislators to reaffirm the legislative intent of the Fair Housing Act (FHA) immediately and clarify that affordable housing need is the sum of present and prospective need for a ten year period.
2. The Township of Chatham supports Senate Bill S-2254 and Assembly Bill A-3821.
3. Copies of this resolution be distributed to the Governor and Lieutenant Governor, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, the Legislative Sponsors, Senator Richard J. Codey and Assemblyman John F. McKeon, Senator Jeff Van Drew, Senator Ronald Rice, Assemblyman Jerry Green and Assemblywoman Mila Jasey and the New Jersey League of Municipalities.

**RESOLUTION 2016-138**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING FIRE DEPARTMENT MEMBERSHIPS**

**WHEREAS**, the Township of Chatham has designated the Green Village Volunteer Fire Department and the Chatham Township Volunteer Fire Department as the official fire companies for the Township; and

**WHEREAS**, members of both departments are eligible for membership in N.J. State Firemen’s Association as provided by applicable law; and

**WHEREAS**, in order to become members of the association, the Township is required to certify that each applicant is an active member of the respective Fire Department;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the following named individual has been admitted to active membership in the respective department as approved by the Township Committee.

<u>NAME</u>	<u>FIRE DEPARTMENT</u>
Conor C. McNally	Chatham Township Volunteer Fire Department
Giovanni J. Casale	Chatham Township Volunteer Fire Department

Committeewoman Swartz asked for clarification on Resolution 2016-137. Attorney Cruz said the resolution supports proposed legislation which would clarify that there is not an affordable housing obligation for what is known as the “gap period.” He noted that the legislation has bipartisan support and may be acted upon by the end of June.

Mayor Ritter noted the two new members of the Chatham Township Fire Department.

Committeeman Gallop moved to approve the Consent Agenda. Committeeman Kelly seconded the motion.

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

**Discussion**

Registration and Maintenance of Properties Pending Foreclosure

**ORDINANCE 2016-17**

**ORDINANCE OF THE TOWNSHIP OF CHATHAM AMENDING CHAPTER XI, TITLED  
"BUILDING AND HOUSING" OF THE REVISED GENERAL ORDINANCES OF THE  
TOWNSHIP TO ADD ARTICLE 11-9, TITLED "REGISTRATION AND MAINTENANCE OF  
PROPERTIES PENDING FORECLOSURE"**

**WHEREAS**, vacant or abandoned buildings or structures can cause harm to the health, safety, and welfare of the community and its residents, including detriment to nearby properties, and increased risk of fire or public health and safety risks, and such vacant or abandoned structures may result in increased costs to the Township of Chatham for police calls, fire calls, and property maintenance to protect the neighborhood; and

**WHEREAS**, N.J.S.A. 40:48-2.12a, N.J.S.A. 46:10B-51 and other statutes authorize and permit municipalities to adopt an Ordinance to provide that the care, maintenance and security of vacant or abandoned structures upon which a Summons and Complaint in a foreclosure action has been filed shall be the responsibility of the foreclosing creditor, and to regulate the notification by foreclosing creditors to the Township; and

**WHEREAS**, pursuant to that authority, the Township Committee adopts this Ordinance to require such notification and assist and allow such responsibilities to be placed upon the appropriate parties so that the detrimental effects regarding abandoned and vacated properties may be reduced or mitigated.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the Code of the Township of Chatham, Chapter XI, titled "Building and Housing", is hereby amended to add a new Article 11-9, titled "Registration and Maintenance of Property Pending Foreclosure", as follows:

**ARTICLE 11-9**

**REGISTRATION AND MAINTENANCE OF  
PROPERTIES PENDING FORECLOSURE**

§11-9.1 Purpose.

The intent of this Ordinance is to provide for the enforcement of the Township Property Maintenance Code and other applicable law against and to vacant and abandoned properties pending foreclosure.

§11-9.2 Responsibility for Maintenance of Vacant and Abandoned Properties in Foreclosure.

A creditor filing a Complaint in a foreclosure action shall be responsible for the care, maintenance, security, and upkeep of the exterior of the vacant and abandoned residential property. If the creditor is located out of the State of New Jersey, the creditor must appoint an in-State representative or agent to act for the foreclosing creditor.

§11-9.3 Service of Notice, Contents.

A. A creditor filing a Complaint in a foreclosure action on residential property located in the Township of Chatham shall, within ten (10) days of serving the Summons and Complaint, serve the Township Clerk with a Notice advising that a Summons and Complaint in a foreclosure action has been filed against the subject property. The Notice shall contain and include the information set forth in (C) below and shall be provided by mail.

B. Any creditor that has filed a Complaint in a foreclosure action on any residential property which is pending in Superior Court shall provide to the Township Clerk with the Notice as described in (C) below for any residential properties in the Township for which the creditor has pending foreclosure actions.

C. The Notice shall state:

- (i) The name and contact information for the representative (located within the State of New Jersey) of the creditor who is responsible for property maintenance and will respond to Township communications regarding the property;
- (ii) Whether the property being foreclosed on is an affordable unit pursuant to the "Fair Housing Act";
- (iii) The street address, lot and block number of the property; and

- (iv) If the creditor is located out of State, the Notice should include the full name and contact information of the representative/agent located within the State of New Jersey authorized to act on behalf of the entity/creditor, accept service on behalf of the entity/creditor, and to receive and act on notifications regarding maintenance of the property in foreclosure.

§11-9.4 Responsibilities of Creditor Filing a Fore-closure Action as to Vacant and Abandoned Property.

Any creditor having filed a Complaint in an action in foreclosure on a property, and that creditor having been notified by the Construction Code Official in writing that the property appears to be or is abandoned or vacant, shall be responsible within thirty (30) days of said notification as follows:

- (i) Investigate and inspect the property as required to determine if the property is abandoned and vacant, and notify the Construction Code Official in writing of that determination.
- (ii) Secure the building and structure on the property from unauthorized entry.
- (iii) Perform such appropriate repairs or maintenance of the exterior grounds of the property, including yards, fences, sidewalks, walkways, driveways as may be needed or directed by the Construction Code Official so that the property is free from trash, debris, or excessive grass or weed growth, or safety hazards.
- (iv) Continue to maintain the structures in a secure condition and the grounds in a clean, properly maintained state.

§11-9.5 Violation of State or Local Law at Property on List; Responsibility of Creditor.

If the owner of a residential property vacates or abandons any property upon which a Complaint in a foreclosure action has been filed or if a property is otherwise vacated and/or abandoned subsequent to the filing of the Complaint in a foreclosure action, but prior to the vesting of title in any third party, the foreclosing creditor shall have the responsibility to abate any nuisance or correct any violations of the Property Maintenance Code and applicable law in the same manner and to the same extent as the title owner of the property, to such standard or specification as may be required by the Property Maintenance Code or applicable law.

§11-9.6 Notification of Violation.

In the event of a violation of the Property Maintenance Code or applicable law, the Township shall serve the creditor with a Notice that shall include a description of the condition(s) that gave rise to the violation and shall provide a period of thirty (30) days, or ten (10) days if the condition presents an imminent threat to public health and safety as determined by the Construction Code Official, for the creditor to remedy the violation or condition. The creditor must remedy and/or repair the conditions noticed within the specific period.

§11-9.7 Repair by Township.

If the Township expends public funds in order to abate a nuisance or correct a violation on a residential property in which the creditor was given notice pursuant to §11-9.6 but failed to abate the nuisance or correct the violation as directed, the Township shall have the same recourse against the creditor as it would have had against the title owner of the property including but not limited to the recourse in the Property Maintenance Code and applicable law.

§11-9.8 Enforcement.

The Construction Code Official is hereby authorized to enforce this Ordinance and is further authorized to contact the New Jersey Bankers Association, with a current address of 411 North Avenue East, Cranford, New Jersey, for assistance in enforcing this Ordinance.

§11-9.9 Violation and Penalties.

Any person or corporation shall, upon conviction by any court having jurisdiction of a violation of this Section 11-9, be subject to a fine not to exceed \$2,500 per day commencing as of the date

after the expiration of the ten (10) day period provided in §11-9.3B. Any person or corporation upon conviction by any Court of a violation of §11-9.5 and/or §11-9.6 shall be subject to a fine not to exceed \$1,500 per day, to commence thirty-one (31) days after receipt of the notice or, if the violation presented an imminent risk to public safety and health and was so noticed, commencing eleven (11) days after receipt of the notice.

**BE IT FURTHER ORDAINED** that a copy of this Ordinance shall be sent to the New Jersey Bankers Association.

**BE IT FURTHER ORDAINED** that if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereto.

This Ordinance shall take effect upon adoption and publication as required by law.

Mayor Ritter said that this ordinance will serve the purpose of addressing properties in foreclosure that fall into disrepair. Attorney Cruz said that legislation was approved that allows for banks to be held responsible for maintaining properties once they initiate foreclosure proceedings.

Committeewoman Swartz asked if there is a point at which the Township would take ownership of a property. Attorney Cruz said that the Township would only initiate tax foreclosure proceedings if the property taxes go unpaid. This ordinance allows the Township to remediate property maintenance deficiencies and place a lien on the property.

Attorney Cruz noted that the New Jersey Bankers Association's assistance with the enforcement of this ordinance will be sought. Mayor Ritter said that this ordinance will help the Township to remedy properties that are not in compliance with property maintenance.

Deputy Mayor Sullivan asked if this is a function of the mortgage crisis, and where fines come into play if the Township remediates a property. Mayor Ritter said that this ordinance allows the Township to charge the bank for the remediation, and fines would help bring attention to the necessity of the property maintenance. Administrator Ciccarone said that it is not a widespread problem, but the instances can be very frustrating.

Attorney Cruz said that it is also possible to craft an ordinance to address abandoned properties. He also said that the Municipal Court Judge would have discretion regarding any fines imposed, and the ordinance is modeled on a statute.

Committeeman Kelly asked about houses that are deteriorating but are not covered by this ordinance. Attorney Cruz said that the property maintenance ordinance would allow the Township to deal with houses in disrepair that are not part of a foreclosure proceeding.

Administrator Ciccarone said that there have been properties where the Township has taken corrective action, but the Township has attempted to avoid being heavy handed. Most cases are quickly resolved following a notice of violation, and others have ultimately been cleaned up by Public Works crews. Administrator Ciccarone also said that there is usually compliance once contact is made with someone responsible for a property, however it can sometimes be difficult to find the right contact person with a bank.

Committeeman Kelly asked if this ordinance relates to an item listed in the 2015 Audit. Administrator Ciccarone said that the Audit refers to properties that have tax liens, all of which are vacant. He also said that former Township Attorney Carl Woodward is working on that project, and the matter is nearing completion.

Committeeman Kelly moved to introduce Ordinance 2016-17. 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 2016-17 will be scheduled for June 23, 2016.

**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-09  
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. Property acquisition or investment options
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 Gallop moved to pass Resolution 2016-P-09 to enter Executive Session at 8:48 PM. Committeeman Kelly 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 10:05 PM.

Committeewoman Swartz moved to adjourn at 10:05 PM. Committeeman Gallop seconded the motion, and it carried unanimously.

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Gregory J. LaConte  
Township Clerk