

**TOWNSHIP OF CHATHAM  
TOWNSHIP COMMITTEE MEETING MINUTES  
SEPTEMBER 8, 2016**

Mayor Ritter called the regular meeting of the Township Committee of the Township of Chatham to order at 7:34 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**

Mayor Ritter announced that the Township Attorney needs more time to work on two resolutions which had appeared on the draft agenda as a Non-Consent Agenda. He asked for a motion to table the resolutions until a future meeting. Committeeman Gallop asked how soon the resolutions are likely to reappear on a Township Committee Agenda. Attorney Cruz said that they will likely be reconsidered at either of the next two Township Committee meetings. Committeeman Kelly asked about the reason for the delay. Attorney Cruz said that he needs additional time to work out some of the details which serve as the basis for the resolutions.

Deputy Mayor Sullivan moved to table Resolution 2016-182 and Resolution 2016-183 until a future Township Committee meeting. Committeeman Gallop seconded the motion.

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

Committeewoman Swartz moved to approve the agenda as amended. Deputy Mayor Sullivan seconded the motion, and it carried unanimously.

**Proclamation – Suicide Prevention Month**

Mayor Ritter provided background on efforts to raise awareness of suicide prevention. He also noted that fundraising for the American Foundation for Suicide Prevention's Out of the Darkness Walk on September 24, 2016 is now in excess of \$25,000. Mayor Ritter commended Lorraine Mackin from the AFSP and Detective Anthony LoPorto for their efforts in helping organize the Out of the Darkness Walk.

Mayor Ritter read aloud the attached proclamation.

Lorraine Mackin from the American Foundation for Suicide Prevention said that suicide is the tenth leading cause of death in the United States. She said that the AFSP appreciates the work that Chatham Township is conducting toward suicide prevention.

Logan Richardson, a Chatham High School Senior, said that she is reaching out to several clubs at Chatham High School to see if they want to participate in the walk.

**Oath of Office**

Mayor Ritter provided a brief biography for Officer Brian McGrath. The Oath of Office for Officer McGrath was administered by Mayor Ritter. Chief Hennelly presented Officer McGrath with his badge.

## **Reports**

Committeeman Kelly reported that Public Works is working on recreation field maintenance and regular road maintenance. The Open Space Committee is having a work day on the Hillside Avenue Trail on Saturday from 10:00 to 3:00. The Garden Committee is having a cleanup day on September 24<sup>th</sup> and 25<sup>th</sup>. Committeeman Kelly noted that Farmer Paul **Suszczynski recently passed away**.

Committeeman Gallop reported that fall sports are underway.

Committeewoman Swartz reported that the Sustainability Fair will be held on Saturday from 8:00 to 1:00 at the Chatham Train Station in conjunction with the Farmer's Market. The Senior Center's September calendar is posted on their website, and the Welcome Back Picnic will be held on September 23<sup>rd</sup>. Committeewoman Swartz noted that Stan Carnes and Jim Dillon are stepping down from the Senior Center's Board of Trustees. On October 29<sup>th</sup> the Senior Center will hold their annual Shred Event. Committeewoman Swartz further reported that the Madison-Chatham Coalition applied for a Drug Free Communities Grant, but unfortunately the grant went to other communities.

Deputy Mayor Sullivan reported that the Historical Society will be having a field trip to Acorn Hall in Morristown on September 18<sup>th</sup>. He further reported that Board of Health member Lorie Gardner will be making a presentation at the Chatham Library

Mayor Ritter reported that the Colony Pool season has ended, and it was a successful year. He further reported that the Communications Committee is preparing a September/October newsletter. A Perspectives video featuring the fire departments is also being developed. Mayor Ritter also noted that a newly designed Township website is under development as well. He encouraged residents to sign up for ACT Now! alerts. A presentation on domestic violence will be held on October 18<sup>th</sup>. As September is National Preparedness Month, Mayor Ritter encouraged residents to prepare for possible emergencies. He also said that the Chatham Emergency Squad is hosting a blood drive on September 10<sup>th</sup> at the Farmers Market.

Engineer Ruschke reported that the Colony Pool Wall Replacement Project was rebid. The low bidder was PM Construction, and the bid was within budget. Engineer Ruschke recommended that the contract be awarded, and he noted that there is a resolution for the award on the Consent Agenda. Bids will be received on September 22<sup>nd</sup> for electrical improvements related to the backup generator at the Municipal Building. The Wickham Woods Phase II project will likely begin in the next two weeks.

Administrator Ciccarone noted that the backup generator at the Municipal Building is already in place. The project which has gone out to bid is to make the installation of the generator more permanent. The bid also includes the purchase of a portable fuel tank. Administrator Ciccarone also reported that a new system to pay property taxes and sewer utility bills online has been implemented. The system also shows a history of payments. Committeewoman Swartz asked about the generator at the Municipal Building. Administrator Ciccarone said that it used to be located at the sewer plant, and was moved to the Municipal Building when a new generator was installed at the Tanglewood Plant.

Chief Hennelly reported that traffic enforcement in school zones will be increased, particularly pertaining speeding and distracted driving. Parking enforcement in neighborhoods near the schools will also be increased. Chief Hennelly further reported that it has been a slow summer regarding reported crime in the Township. He noted some car thefts and break-ins. Chief Hennelly also addressed a recent bear sighting on Mitchell Avenue.

## **Hearing of Citizens**

Mayor Ritter opened the Hearing of Citizens.

1. Fran Drew, 32 Inwood Road, addressed the proposed sidewalk for the east side of Lafayette Avenue. She presented pictures of the trees which will be removed for the installation of the sidewalk. Mrs. Drew said that at the October 22, 2015 Township Committee meeting, Engineer Ruschke said that Lafayette Ave is a connector road

requiring two sidewalks. She said that she asked Engineer Ruschke where the requirement can be found, and she was unable to find it in the section of the NJ Administrative Code which he sent her. Mrs. Drew also said that there is not any evidence that Lafayette Ave is unsafe. She also said that reducing speed and installing crosswalks are the best solutions, which have already been accomplished. Mrs. Drew also quoted Administrator Ciccarone that signage and crosswalks would be more effective than installing a sidewalk. Mrs. Drew also said that the Township Committee never passed a resolution to authorize the proposed project.

Administrator Ciccarone said that Engineer Ruschke's representation about a second sidewalk was that it would only be required if a new street were being installed. He also said that his comments regarding signage and crosswalks were his personal opinions, and he is not a traffic expert. Regarding legal authorization for the project, Administrator Ciccarone said that the Township Committee did in fact pass a resolution to authorize the grant application. The next formal action which could be taken would be the awarding of a contract. Administrator Ciccarone also said that a tree which Mrs. Drew claimed was in the Borough may actually be located in the Township, and he will send a copy of a survey to Borough Administrator Bob Falzarano.

Mayor Ritter noted that during the course of this project, attempts to save trees will be made. He also said that if the choice is between a tree and a child's safety, he will choose the child's safety.

2. Roseanne Maraziti, 50 Inwood Road, said that she was at the meeting when Engineer Ruschke addressed Lafayette Ave being a connector road, and it was generally understood that the requirement for a second sidewalk applied. She also expressed her desire to have the trees on her property preserved.
3. Rich Sloane, 124 Meyersville Road, said that there are 26 dead trees on the property at 622 River Road. He also addressed the width of Meyersville Road, and cited inconsistencies on the width. Mr. Sloane also commented on the white lines on the sides of Meyersville Road. He asked if anything could be done to make the road more consistent. Mayor Ritter said that Meyersville Road is a county road, and unfortunately the Township is limited what it can do. He said that the Township can reach out to the Freeholders to have the matter addressed.

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

### **Consent Agenda**

#### **RESOLUTION 2016-172 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 \$457,232.53 and the prior month's payroll of \$434,653.09 Current Fund, \$44,099.71 Sewer No. 1, \$8,068.94 Sewer No. 2, \$8,876.78 Recreation Trust and \$54,409.15 Police Private Employment be paid.

**BE IT FURTHER RESOLVED** that taxes due to the School District of the Chathams, for the month of September 2016, in the amount of \$2,963,374.00 be paid.

#### **RESOLUTION 2016-173 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 August 18, 2016.

#### **RESOLUTION 2016-174 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 August 18, 2016.

**RESOLUTION 2016-175  
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 &amp; ADDRESS</u>	<u>AMOUNT</u>
23	39	Melissa C. Hartzell 132 Ormont Road Chatham, NJ 07928	\$2,914.02 3 <sup>rd</sup> Quarter 2016
34	24	Justin C. LeBlanc & Athena S. Cheng 91 Lisa Drive Chatham, NJ 07928	\$3,649.86 3 <sup>rd</sup> Quarter 2016
62.07	12	Ramon Alvarez, III & Carly Alvarez 22 Sunset Drive Chatham, NJ 07928	\$3,294.64 3 <sup>rd</sup> Quarter 2016
73	8	Eric Henry & Christy Pratt-Henry 205 Longwood Avenue Chatham, NJ 07928	\$3,211.86 3 <sup>rd</sup> Quarter 2016
85	43.02	Jason & Jenifer Conley 17 Robin Hood Lane Chatham, NJ 07928	\$7,237.95 3 <sup>rd</sup> Quarter 2016
135	19.14	Lois J. Libretti 20 Sterling Drive Chatham, NJ 07928	\$10,200.52 3 <sup>rd</sup> Quarter 2016
48.10	9	Mendoza, Eugenio & Maria Cristina 1171 Tiara Court Miami, FL 33134  Former owners of:  108 Westminster Road Chatham Township, NJ Current Owner: Turner	\$5,773.72 3 <sup>rd</sup> Quarter 2016
64.04	4.06	Bagulho, Teresa	\$1,704.00

		127 Terrace Drive Chatham, NJ 07928	3 <sup>rd</sup> Quarter 2016
27	13	Kenney, Brian & Lata 270 Washington Avenue Chatham, NJ 07928  Former owners of: 94 Susan Drive Chatham Township, NJ Current Owner: Falkenberg	\$3,955.58 3 <sup>rd</sup> Quarter 2016

**RESOLUTION 2016-176  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY,  
REFUNDING TAX LIEN**

**WHEREAS**, due to payment by property owner of the lien amount, an overpayment of property taxes now exists; and

**WHEREAS**, the Tax Collector has recommended the refund of such tax lien

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following refund be made as indicated:

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
39	45	US Bank CUST FOR PC5 Sterling US Bank TLG 50 S 16 <sup>th</sup> Street, Suite 2050 Philadelphia, PA 19102  Certificate #14-00001 Agnew, Christopher S & Laura M	\$11,296.31 – Certificate \$600.00 – Premium

**RESOLUTION 2016-177  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM REFUNDING ZONING BOARD APPLICATION FEE**

**WHEREAS**, a fee was paid for a Zoning Board of Adjustment application; and

**WHEREAS**, the Township Engineer determined that the applicant does not require the variances requested and does not need to appear before the Zoning Board of Adjustment; and

**WHEREAS**, the Township Committee has considered the request submitted by the Zoning Board Manager to refund said fee;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following amount be refunded to the depositor of record:

<u>NAME</u>	<u>APP #</u>	<u>AMOUNT</u>
Barbara Landy 513 Green Village Road Green Village, NJ 07935	BOA-16-48.21-176	\$200.00

**RESOLUTION 2016-178  
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>
Martin & Holly Gilligan 4 Whitman Drive Chatham, NJ 07928	BOA 15-74-30	7763179768	\$219.40
Calusa Partners LLC Ed Triano 16 Pine Street Chatham, NJ 07928	BOA 15-85-34	7763179552	\$247.20
Knut Holzer 44 Hampton Road Chatham, NJ 07928	BOA 15-48.12-16	7763179841	\$321.30
Phone Store Realty 192 US Highway 22 Green Brook, NJ 08812	PLANBD 12-135-23	7761693113	\$672.00
Joseph & Mary McCabe 9 Hampton Road Chatham, NJ 07928	BOA 15-48.10-24	7763179916	\$707.30
Damon & Krissy Caputo 26 Thomas Grove Pittsford, NY 14534	ROI 09-122-1	7760011273	\$3,500.00
Damon & Krissy Caputo 26 Thomas Grove Pittsford, NY 14534	BOA 07-122-1	7760011186	\$60.00
Elaine True 50 Arrowhead Way Darien, CT 06820	BOH 16-48.18-145	7763179974	\$990.00

**RESOLUTION 2016-179**

**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 will receive \$20,073.00 from the County of Morris Municipal Alliance to Prevent Alcoholism and Drug Abuse DEDR 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 \$20,073.00 which will be available as a revenue from:

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

**Municipal Alliance to Prevent Alcoholism and Drug Abuse DEDR, and**

**BE IT FURTHER RESOLVED**, that a like sum of \$20,073.00 be and the same is hereby appropriated under the caption of:

**Public and Private Programs Offset by Revenues:**

Municipal Alliance to Prevent Alcoholism and Drug Abuse DEDR.

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

**RESOLUTION 2016-180**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING A**  
**REVISED EMPLOYEE HANDBOOK**

**WHEREAS**, the Township Committee adopted Resolution 2014-107 on May 22, 2014, approving a revised and updated employee handbook to assure compliance with all applicable laws and regulations; and

**WHEREAS**, the Township Committee wishes to approve a revised employee handbook, which incorporates the following changes/additions:

1. General Personnel Policy (added to page 6);
2. Employment Classifications (modified in section I.B);
3. Introductory Period (modified in II.C);
4. Political Activities (modified in II.F);
5. Electronic Communications Systems Policy (modified in section II.I);
6. Social Media Policy (modified in section II.J);
7. Personnel Records (modified in II.N);
8. Access to Personnel Files (added in II.O);
9. Union Rights (modified in II.R);
10. Bulletin Board Policy (added in II.T);
11. Direct Deposit (modified in III.G);
12. Compensation (modified in III.H);
13. Equal Opportunity Policy (modified in section IV.F);
14. Disability and Pregnancy Accommodation (modified in section IV.G);
15. Unacceptable Activities/Workplace Violence (modified in section IV.I);
16. Township-Owned Vehicles (modified in section IV.K);
17. Other Benefits (modified in section V.G);
18. Safety Policy (added in Section VII.A);
19. Smoking (modified in Section VII.F);
20. Family and Medical Leave Act (modified in Section VIII);
21. Anti-Harassment/Anti-Discrimination Policy (modified in Section XI); and
22. Whistleblower Protections (modified in Section XIII).

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that a revised employee handbook be and the same are hereby adopted and shall be available to employees and the public in the office of the Township Clerk.

**RESOLUTION 2016-181**

**RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ACCEPTING THE BID OF PM CONSTRUCTION FOR THE 2016 COLONY POOL CONCRETE WALL REPLACEMENT PROJECT**

**WHEREAS**, the Township of Chatham has prepared the necessary bid documents and published the appropriate advertisements to enable it to seek bids for the Colony Pool Concrete Wall Replacement Project; and

**WHEREAS**, bids were duly received and opened on September 1, 2016 at 11:00 a.m.; and

**WHEREAS**, the bid of PM Construction, with the Total Base amount of \$242,700.00 and a Supplemental A in the amount of \$6,600.00 for a total bid amount of \$249,300.00 was the lowest responsible bid, has been reviewed for compliance with the instructions to bidders and specifications and has been found to be fully conforming, is within the estimate for the cost thereof, and therefore may be awarded; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that, for the reasons set forth above, the bid of PM Construction is hereby accepted, and the Mayor and Clerk are hereby authorized to execute a contract with PM Construction in accordance with the bid specifications.

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

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

**Hearing of Citizens**

Mayor Ritter opened the Hearing of Citizens.

1. Joe Basralian, 24 Fairfax Terrace, asked if Resolution 2016-182 and Resolution 2016-183 have been tabled.

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

**Executive Session**

**RESOLUTION 2016-P-13  
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: 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
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.

Committeewoman Swartz moved to pass Resolution 2016-P-13 to enter Executive Session at 8:35 PM. 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 Township Committee returned to public session at 10:59 PM.

Mayor Ritter moved to adjourn at 10:59 PM. Committeeman Kelly seconded the motion, and it carried unanimously.

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Gregory J. LaConte  
Township Clerk