

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
MAY 31, 2018**

Mayor Ritter called the Regular Meeting of the Township Committee of the Township of Chatham to order at 7:31 P.M.

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 5, 2018; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 5, 2018; and notice was filed with the Township Clerk on January 5, 2018.

Mayor Ritter led the flag salute.

Roll Call

Answering present to the roll call were Committeeman Selen, Committeeman Kelly, Deputy Mayor Swartz and Mayor Ritter. Committeeman Sullivan arrived during Executive Session.

Approval of Agenda

Deputy Mayor Swartz moved to approve the agenda. Committeeman Selen seconded the motion, which carried unanimously.

Proclamation – Gun Violence Awareness Day

Mayor Ritter read aloud the attached proclamation for Gun Violence Awareness Day. He also commented on the Township's efforts to raise awareness for mental health issues.

Fern Wolkin, the co-leader of the Morris County Moms Demand Action, thanked Mayor Ritter and the Township for issuing the proclamation. She provided statistics on gun violence in the United States. Mrs. Wolkin said that Moms Demand Action has partnered with other organizations on their fight against gun violence, and will participate in a Turn Morristown Orange rally on June 1st.

Jamie McLaughlin, a Moms Demand Action member and a survivor of gun violence, expressed her gratitude for the proclamation. She said it gives her hope for the future of the community and for unity.

Committeeman Kelly thanked Mayor Ritter for the proclamation. He said he will be wearing orange on June 1st in support of Gun Violence Awareness Day. Committeeman Kelly also said that there is little that can be done at the local level, and he hopes that higher levels of government will become aware of this issue. He also said that New Jersey has done a lot to try to improve gun safety, and there is a lot that can be done without infringing on the 2nd Amendment.

Reports

Committeeman Kelly reported that DPW is into their normal spring routine. They worked diligently to get Colony Pool ready, and are working on recreation fields. The annual street sweeping program is also underway, and potholes are being repaired. Committeeman Kelly also reported that there is a surplus of mulch available, and it can be delivered for a fee of \$25 for 3 cubic yards and \$50 for 6 cubic yards.

Deputy Mayor Swartz reported that the Tri-Town 55+ group celebrated the one year anniversary of the introduction of the rideshare program for seniors. The GoGoGrandparent program will provide a ride via Uber or Lyft for seniors. Deputy Mayor Swartz also reported that the Glorious Garden Tour tickets are still available. On June 9th, the Green Village Fire Department will be hosting a Firematics event.

Mayor Ritter noted that Committee Sullivan is late to the meeting because he is at an event hosted by Good Grief. He also reported that the EPA will be hosting public forums on June 4th at the Municipal Building regarding the Rolling Knolls Superfund Site remediation. Mayor Ritter also reported that Colony Pool had its opening weekend, and there was great attendance. Mayor Ritter further reported that he will be holding a Meal with the Mayor event at the Fairmount Country Store on June 9th, and he asked anyone interested in attending to email him.

Engineer Ruschke reported that the Lafayette Avenue Safe Routes to School Grant project is not likely to have ground broken for another two years, as the process is moving slowly. Grant applications for the 2018 cycle are due in August. Engineer Ruschke said that the Transportation Enhancement Grant program runs concurrently with the Safe Routes to School Grants, and the program drags out just as much as the SRTS program. For future projects, Engineer Ruschke said that the potentially affected residents will be notified so they can provide input. Morris County has also instituted a trail grant program. Engineer Ruschke also reported that the houses on Southern Boulevard scheduled for demolition will be taken down over the next few days, and the project was delayed due to weather and the need to have utilities disconnected. He also reported that an application form for tree removal permits has been developed, and there have not been many permits issued as applicants have not been completing the form properly. Engineer Ruschke noted that tree removal companies have been having homeowners fill out the application. Mayor Ritter asked if there should be an FAQ for the tree removal permit application. Engineer Ruschke said that FAQs can be developed, as well as a sample completed form. Mayor Ritter also asked if any trees need to be removed for the houses that the Township is having demolished. Engineer Ruschke said that the bid specs were carefully prepared so that trees would not need to be removed. Committeeman Kelly asked if there is an advantage to having homeowners fill out the tree removal permit application. Engineer Ruschke said he expected tree contractors to be completing the form. Administrator Ciccarone said that the old form was often filled out by homeowners, and it was a simpler form. He said that the process has now been complicated for homeowners. Deputy Mayor Swartz asked if there are many tree companies who do work in the Township. Engineer Ruschke said that this ordinance has a higher scrutiny, and some applications will require that the company have certain a licensed tree expert. Of those contractors who do work in the Township, many already have or are in the process of getting the appropriate certifications. Engineer Ruschke also said that he thinks some contractors are signing the form without having read the ordinance, and he hopes they will come to understand that the ordinance is being enforced. Deputy Mayor Swartz asked about the road improvements schedule. Engineer Ruschke said he hopes to have a resolution ready for the next meeting to award a contract through the Morris County Co-op for the paving to be done. Mayor Ritter asked about next steps for grant applications. Engineer Ruschke said that the Township Committee will need to determine how much of the Township needs sidewalks, and the key areas have already been dealt with. Administrator Ciccarone said that the Township is probably already done with Safe Routes to School, due to the current pending projects. Deputy Mayor Swartz asked if the Cougar Field area would be eligible for SRTS grants. Engineer Ruschke said that it probably would not. Administrator Ciccarone said that Pine Street might be too narrow for sidewalks.

Rob Walton of JCP&L addressed the response to recent storms in March, and he gave statistics on the storm damage. Deputy Mayor Swartz said that the concept of burying utility lines comes up in conversation a lot, and the estimated projected cost is \$1 million per mile. Mr. Walton said that since Hurricane Sandy, the estimated cost has risen to \$2.2 million per mile, and homeowners would have an added expense of having utility lines enter their house from a different spot. Mr. Walton also described how breakers are being replaced with reclosers. Committeeman Kelly asked if JCP&L has a policy on recreation trails under the electric transmission right-of-ways. Mr. Walton said there are examples of rights-of-way being used for recreation purposes, however JCP&L discourages structures under power lines.

Administrator Ciccarone asked that the Township Committee consider changing the June meeting schedule, and asked that the topic be added as a discussion item.

Hearing of Citizens

Mayor Ritter opened the Hearing of Citizens.

1. Maureen Kelly, 67 Mountain Ave, said that the Planning Board canceled their meeting scheduled for June 4th, and complimented the Board on how quickly they handled the tree protection ordinance. She asked that the Planning Board work as expeditiously regarding the issue of McMansions. The Township Clerk noted that one of the reasons the Planning Board meeting was cancelled was so that Board members could attend the EPA forum about Rolling Knolls. Administrator Ciccarone added that sometimes it is better that a process move slowly.

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

Public Hearing/Final Adoption of Ordinances

Ordinance 2018-12

ORDINANCE 2018-12 ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, REPEALING SECTION 30-34A, TITLED "REFERRAL TO TREE PROTECTION COMMITTEE" OF THE TOWNSHIP OF CHATHAM

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

Section 1. Section 30-34A, titled “Referral to Tree Protection Committee”, is hereby repealed.

Section 2. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Mayor Ritter opened the Public Hearing on Ordinance 2018-12.

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

Deputy Mayor Swartz moved to adopt Ordinance 2018-12. Committeeman Selen seconded the motion.

Roll call: Committeeman Selen, Aye; Committeeman Kelly, Aye; Committeeman Sullivan, Absent; Deputy Mayor Swartz, Aye; Mayor Ritter, Aye.

Further Reports

Committeeman Selen reported that his daughter won an award for Caring Student of the Year for 2018, which was awarded by the Morris County Counselors Association. She won the award for work she has done to benefit the children of Malawi.

Introduction of Ordinances

Ordinance 2018-13

ORDINANCE 2018-13 AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING SECTION 7-20 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP, TITLED “STOP INTERSECTIONS”, BY INSTALLING “STOP SIGNS” AT THE INTERSECTIONS OF HIGHLAND AVENUE WITH HALL ROAD AND HALL ROAD WITH WYNWOOD ROAD.

WHEREAS, the Township of Chatham Chief of Police recommended the installation of a “STOP” sign on Highland Avenue at its intersection with Hall Road and a “STOP” sign on Hall Road at its intersection with Wynwood Road.

WHEREAS, the Township Committee of the Township of Chatham desires, pursuant to N.J.S.A. 39:4-140, to follow the recommendations of the Chief of Police to promote the health, safety and welfare of its residents.

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

Section 1. Section 7-20 of the Revised General Ordinances of the Township of Chatham, titled “Stop Intersections”, is hereby amended to designate the following as “STOP” Intersections:

<u>Intersection</u>	<u>STOP Sign on:</u>
Highland Avenue and Hall Road	Highland Avenue
Hall Road and Wynwood Road	Hall Road

Section 2. All other provisions of Section 7-20 remain in effect.

Section 3. Severability.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. Effective Date.

This Ordinance shall take effect after final passage, adoption and publication according to law.

Mayor Ritter asked about traffic calming measures such as rumble strips. Deputy Mayor Swartz said that some measures such as rumble strips can affect snowplowing in the winter.

Committeeman Kelly noted that he is disappointed that residents from the affected neighborhood have not attended the meeting to speak for or against this ordinance. Chief Hennelly said that when a similar ordinance was adopted for Henry Drive, a couple residents complained after the ordinance went into effect. He also said that the complaints about the installation of prior stop signs will not apply to this ordinance, and he opined that there will not be any objection to this ordinance.

Deputy Mayor Swartz moved to introduce Ordinance 2018-13. Committeeman Selen seconded the motion.

Roll call: Committeeman Selen, Aye; Committeeman Kelly, Aye; Committeeman Sullivan, Absent; Deputy Mayor Swartz, Aye; Mayor Ritter, Aye.

Public Hearing on Ordinance 2018-13 will be scheduled for June 21, 2018.

Ordinance 2018-14

ORDINANCE 2018-14

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER II, TITLED “ADMINISTRATION”, ARTICLE IV, TITLED “THE MUNICIPAL COURT”, BY ADDING SECTION 2-21.8, TITLED “MUNICIPAL PROSECUTOR”

WHEREAS, N.J.S.A. 2B:25-1 and following require that each municipality shall, by ordinance, establish the office of Municipal Prosecutor; and

WHEREAS, the Revised General Ordinances of the Township of Chatham do not establish the office of Township of Chatham Municipal Prosecutor; and

WHEREAS, the Township Committee of the Township of Chatham desires to correct that oversight and establish the office of Municipal Prosecutor.

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

Section 1. Chapter II, titled “Administration”, Article IV, titled “The Municipal Court”, is hereby amended to add a new Section 2-21.8 titled “Municipal Prosecutor” as follows:

§2-21.8 Municipal Prosecutor.

§2-21.9 Established.

There is hereby established the office of Municipal Prosecutor in the Township pursuant to N.J.S.A. 2B:25-1 and following.

§2-21.10 Qualifications and Supervision.

The Municipal Prosecutor must be an attorney-at-law of the State of New Jersey, in good standing and will be under the supervision of the State of New Jersey Attorney General and/or the Morris County Prosecutor.

§2-21.11 Duties.

The Municipal Prosecutor shall appear in the Municipal Court of Chatham Township, New Jersey on behalf of the State of New Jersey, the County of Morris and/or the Township or any agencies or officers thereof. The Municipal Prosecutor shall perform such duties as are prescribed by law including the prosecutor of complaints for violations of the Revised General Ordinances of the Township and Morris County Ordinances or Resolutions.

§2-21.12 Appointment and Term.

The Municipal Prosecutor shall be annually appointed by the Township Committee for a term expiring on December 31 and until a successor shall have been qualified in accordance with law.

Section 2. Severability

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect upon final adoption and publication according to law.

Attorney Cruz said that when the new Tax Collector was appointed, it was noted that the Township Codebook did not contain an ordinance governing the position, and several other positions also did not appear in the Codebook. Ordinances 2018-1, 2018-15 and 2018-16 all formally create different positions.

Committeeman Selen moved to introduce Ordinance 2018-14. Committeeman Kelly seconded the motion.

Roll call: Committeeman Selen, Aye; Committeeman Kelly, Aye; Committeeman Sullivan, Absent; Deputy Mayor Swartz, Aye; Mayor Ritter, Aye.

Public Hearing on Ordinance 2018-14 will be scheduled for June 21, 2018.

Ordinance 2018-15

ORDINANCE 2018-15

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING CHAPTER II, TITLED "ADMINISTRATION", ARTICLE II, TITLED "MUNICIPAL OFFICIALS AND EMPLOYEES", BY ADDING SECTION 2-5 TITLED "TAX ASSESSOR"

WHEREAS, N.J.S.A. 40A:9-146 and following require that each municipality shall, by ordinance, establish the office of municipal Tax Assessor; and

WHEREAS, the Revised General Ordinances of the Township of Chatham do not establish the office of Township of Chatham Tax Assessor; and

WHEREAS, the Township Committee of the Township of Chatham desires to correct that oversight and establish the office of Tax Assessor.

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

Section 1. Chapter II, titled “Administration”, Article II, titled “Municipal Officials and Employees” is hereby amended to add a new Section 2.5 titled “Tax Assessor” as follows:

§2-5 Tax Assessor.

§2-5.1 **Office Created, Continued and Confirmed.** The office of Township of Chatham Tax Assessor is hereby created, continued and confirmed by the Township Committee.

§2-5.2 **Appointment, Term, Vacancy.** The Township Tax Assessor shall hold office for a term of four (4) years from the first day of January next following the appointment. Vacancies other than due to expiration of term shall be filled by appointment of the Township Committee for the unexpired term.

§2-5.3 **Tenure.** The Township Tax Assessor may obtain tenure as provided by law.

§2-5.4 **Qualifications.** The Township Tax Assessor shall meet those qualification requirements and hold those certifications required by law.

§2-5.5 **Duties.** The Township Tax Assessor shall perform all duties and obligations imposed or granted to a Tax Assessor by law, including but not limited to the following:

- a. Having, performing and discharging all the functions, powers and duties prescribed by law for a Tax Assessor.
- b. Making assessments for benefits for local improvements and, for that purpose, having and exercising the powers and duties of an assessor for local improvements as provided by law.
- c. Maintaining adequate assessment records of each separate parcel of real property assessed or exempt.
- d. Maintaining a current tax duplicate of the municipality and causing to be recorded thereon all changes in ownership or character of the real property assessed.
- e. Reporting to the Township Committee as to equalization proceedings and other matters involving the County Tax Board and making recommendations.
- f. Reporting to the Township Committee on all New Jersey Tax Court or County Tax Board litigation in which the Township is a party.

§2-5.6 **Deputy Tax Assessors.** There shall be as many Deputy Tax Assessors as shall be appointed by the Township Committee to hold office until removed by the Township Committee.

§2-5.7 **Compensation.** The Township Tax Assessor and Deputy Tax Assessors shall receive such salary or compensation as shall be fixed and determined by the Township Committee in accordance with law.

Section 2. Severability

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect upon final adoption and publication according to law.

Committeeman Kelly moved to introduce Ordinance 2018-15. Committeeman Selen seconded the motion.

Roll call: Committeeman Selen, Aye; Committeeman Kelly, Aye; Committeeman Sullivan, Absent; Deputy Mayor Swartz, Aye; Mayor Ritter, Aye.

Public Hearing on Ordinance 2018-15 will be scheduled for June 21, 2018.

Ordinance 2018-16

**ORDINANCE 2018-16
ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW
JERSEY, AMENDING CHAPTER II, TITLED “ADMINISTRATION”, ARTICLE II, TITLED
“MUNICIPAL OFFICIALS AND EMPLOYEES”, BY ADDING SECTION 2-6 TITLED
“ZONING OFFICER”**

WHEREAS, the Revised General Ordinances of the Township of Chatham do not establish the office of Township of Chatham Zoning Officer; and

WHEREAS, the Township Committee of the Township of Chatham desires to correct that oversight and establish the office of Zoning Officer.

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

Section 1. Chapter II, titled “Administration”, Article II, titled “Municipal Officials and Employees” is hereby amended to add a new Section 2.6 titled “Zoning Officer” as follows:

§2-6 Zoning Officer.

§2-6.1 Office Created, Continued and Confirmed. The office of Township of Chatham Zoning Officer is hereby created, continued and confirmed by the Township Committee.

§2-6.2 Appointment and Removal from Office. The Township Zoning Officer shall be appointed by and hold office until removed by the Township Committee.

§2-6.3 Qualifications. The Township Zoning Officer shall meet those qualification requirements and hold those certifications required by law.

§2-6.4 Duties. It shall be the duty of the Zoning Officer to enforce and administer the Land Development Regulations of the Township.

§2-6.5 Deputy Zoning Officers. There shall be as many Deputy Zoning Officers as shall be appointed by the Township Committee to hold office until removed by the Township Committee.

§2-6.6 Compensation. The Township Zoning Officer and Deputy Zoning Officers shall receive such salary or compensation as shall be fixed and determined by the Township Committee in accordance with law.

Section 2. Severability

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect upon final adoption and publication according to law.

Committeeman Selen moved to introduce Ordinance 2018-16. Committeeman Kelly seconded the motion.

Roll call: Committeeman Selen, Aye; Committeeman Kelly, Aye; Committeeman Sullivan, Absent; Deputy Mayor Swartz, Aye; Mayor Ritter, Aye.

Public Hearing on Ordinance 2018-16 will be scheduled for June 21, 2018.

Consent Agenda

RESOLUTION 2018-098

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:

- CFO – April
- Construction Official – April
- Police Department – April

RESOLUTION 2018-099

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 10, 2018.

RESOLUTION 2018-100

**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 10, 2018.

**RESOLUTION 2018-101
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 Chief Financial Officer 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:

BLOCK	LOT	NAME & ADDRESS	AMOUNT
48.12	7	Everbank c/o Lereta, LLC Attn: A'Lonna Trotter Reference contract #1351003711 1123 Parkview Drive Covina, CA 91724 RE: Morelli, Robert T. & Sara S. 14 Peppermill Road Chatham Township, New Jersey	\$4,706.07 (1st QTR 2018) <u>\$4,706.06 (2nd QTR 2018)</u> \$ 9,412.13 Total Overpayment of Taxes
35	8.08	Godovits, Alexander & Adrienn 14 Tree Top Lane Chatham, NJ 07928	\$11,231.30 (3 rd QTR 2018) Overpayment of Taxes

**RESOLUTION 2018-102
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
AUTHORIZING ESTIMATED TAX BILLING**

WHEREAS, due to the expected late adoption of the State of New Jersey's budget the Morris County Board of Taxation will be unable to certify the tax rate throughout the County, and the Township's Tax Collector will be unable to mail the tax bills on a timely basis;

WHEREAS, the Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range permitted estimated tax levies;

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 Municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the municipality for the third installment of 2018 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c. 72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2018 is hereby set at \$56,195,284.79.
3. In accordance with the law, the third installment of 2018 taxes shall not be subject to interest until the later of: the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

**RESOLUTION 2018-103
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN
THE COUNTY OF MORRIS, STATE OF NEW JERSEY,
REFUNDING OVERPAYMENT OF COMMERCIAL SEWER FEE**

WHEREAS, an overpayment of a commercial sewer fee 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>Account</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
1067-26	Hickory Square Assoc. Attn: Amy Sikkerbol 641 Shunpike Road Chatham, NJ 07928 RE: Electric Beach	\$717.55 2017 Commercial Sewer Bill Overpayment of Sewer

**RESOLUTION 2018-104
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>
Chatham Mall Associates c/o Corner Property Management PO Box 297 Springfield, NJ 07081	BOA 13-135-22	7761693246	\$1.22
William McGuinn 50 Mountain Ave Chatham, NJ 07928	Street Opening Permit 01-39-31	7760011083	\$167.00
Golden River Homes 2 Cramer Lane Mendham, NJ 07945	BOA 14-61-16	7761693550	\$240.00
WP Lloyd Custom Building 661 Shunpike Road Green Village, NJ 07935	Performance Guarantee 18-008	7764128897	\$2,250.00
Fenix-Chatham, LLC 41 Fairview Ave Madison, NJ 07940	PLNBD 16-9-1	7763180012	\$120.00
72 Southern Estates, LLC 145 Garfield St Berkeley Heights, NJ 07922	EIF 12-69-15.03	7761692933	\$321.89
72 Southern Estates, LLC 145 Garfield St Berkeley Heights, NJ 07922	Performance Bond 12-69-15	7761693139	\$5,034.20

RESOLUTION 2018-105
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE AND INSTALLATION OF A STANDBY GENERATOR AT THE RIVER ROAD FIREHOUSE

WHEREAS, the Township of Chatham seeks to purchase and have installed a standby generator at the River Road Firehouse; and

WHEREAS, the Township of Chatham joined the HGACBuy Cooperative in March 2018; and

WHEREAS, the Township Engineer has received a price quote from Cummins Sales and Service through the HGACBuy Cooperative for the purchase and installation of a Cummins Power Generation model C125N6 standby generator for the River Road Firehouse; and

WHEREAS, the cost of the generator set is \$35,514.00, and the cost of the Start Up and Site Load Bank Test is \$1,700.00.

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 purchase and installation of a Cummins Power Generation model C125N6 standby generator from Cummins Sales and Service is hereby authorized at a total cost of \$37,214.00, and the Mayor and Clerk are hereby authorized to execute a contract with Cummins Sales and Service in accordance with the quote specifications and terms of the HGACBuy Cooperative.

RESOLUTION 2018-106
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF AN AUTOMATIC TRANSFER SWITCH FOR THE RIVER ROAD FIREHOUSE

WHEREAS, the Township of Chatham seeks to purchase and have installed an automatic transfer switch at the River Road Firehouse; and

WHEREAS, the Township Engineer has received a price quote from Cummins Sales & Service for the purchase of an automatic transfer switch for the River Road Firehouse; and

WHEREAS, the total net package price of the automatic transfer switch is \$8,586.00.

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 purchase of an automatic transfer switch from Cummins Sales & Service is hereby authorized at a total cost of \$8,586.00, and the Mayor and Clerk are hereby authorized to execute a contract with Cummins Sales & Service.

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

Roll call: Committeeman Selen, Aye; Committeeman Kelly, Aye; Committeeman Sullivan, Absent; Deputy Mayor Swartz, Aye; Mayor Ritter, Aye.

Discussion

Pilgrim Pipeline Legal Services

Administrator Ciccarone said that the Township is one of several towns that joined a consortium of municipalities jointly hiring legal counsel to keep an eye on matters related to the Pilgrim Pipeline. The Township Committee set a specific monetary limit to the Township's participation in the consortium, and that limit has been met. The legal counsel has continued to work and is still sending bills, and Administrator Ciccarone asked the Township Committee to decide if they want the Township to continue to participate in the consortium. The original limit was \$5,000.

Mayor Ritter said that he thinks the Township should continue to participate in the consortium. Deputy Mayor Swartz asked if other towns are still participating. Attorney Cruz said that he knows of at least one other town that has authorized additional funding. Deputy Mayor Swartz said it would be good to have an additional layer of legal representation on this matter, and working as a coalition will be effective.

Committeeman Kelly opined that participating in the consortium will be a good investment.

Administrator Ciccarone asked the Township Committee to pass a motion approving participation at this meeting, subject to a memorialization resolution at the next meeting.

Committeeman Kelly moved to extend participation under the original terms for the remainder of 2018. Committeeman Selen seconded the motion.

Roll call: Committeeman Selen, Aye; Committeeman Kelly, Aye; Committeeman Sullivan, Absent; Deputy Mayor Swartz, Aye; Mayor Ritter, Aye.

June Meeting Schedule

Administrator Ciccarone asked the Township Committee to consider revising the June meeting schedule to have one meeting on June 21st rather than having meetings on the 7th and 28th.

Consensus of the Township Committee was to have one meeting on June 21st. The Township Clerk announced that the ordinances introduced at this meeting will have public hearing on June 21st.

Passing of Former Mayor Erv Hoag

Deputy Mayor Swartz noted that former Mayor Erv Hoag recently passed away. She noted that his widow, Susan Hoag, is also a former Mayor. Deputy Mayor Swartz also noted that Mayor Hoag was a World War II Veteran and served in the US Marine Corps. Deputy Mayor Swartz expressed her gratitude and that of the Township Committee for his service to the Township.

Hearing of Citizens/Petitions

Mayor Ritter opened the Hearing of Citizens.

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

Executive Session

**RESOLUTION 2018-P-07
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM IN THE COUNTY OF MORRIS, STATE OF 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. Litigation: Fair Share Housing Center v. Township of Chatham Docket No. MRS-L-000234-18
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.

Deputy Mayor Swartz moved to pass Resolution 2018-P-07 to enter Executive Session at 8:38 PM. Committeeman Selen seconded the motion.

Roll call: Committeeman Selen, Aye; Committeeman Kelly, Aye; Committeeman Sullivan, Absent; Deputy Mayor Swartz, Aye; Mayor Ritter, Aye.

The Township Committee returned to public session at 9:33 PM.

Committeeman Kelly moved to adjourn at 9:33 PM. Committeeman Selen seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk