

**MINUTES
PLANNING BOARD
TOWNSHIP OF CHATHAM
JANUARY 6, 2014**

Mrs. Lydia Chambers called the Reorganization Meeting of the Planning Board to order at 7:32 P.M.

Adequate Notice of the meetings of the Planning Board of the Township of Chatham was given as required by the Open Public Meetings Act as follows: Notice in the form of a Resolution setting forth the schedule of meetings for the year 2013 and January, 2014 was published in the Chatham Courier and the Morris County Daily Record, a copy was filed with the Municipal Clerk and a copy was placed on the bulletin board in the main hallway of the Municipal Building.

Answering present to the roll call were Mrs. Chambers, Mrs. Abbott, Mr. Brower, Ms. Hagner, Mr. Ciccarone, Mr. Travisano, Mr. Hurring, Mr. Franko, Mrs. Swartz and Mr. McCaffrey. Mr. Saluzzi was absent.

Oaths of Office

The newly appointed members took their oaths of office en masse. Mr. Robertson administered the oaths.

Selection of Chairperson

Mrs. Swartz nominated Tom Franko to serve as the Chairperson of the Planning Board for the year 2014. Mr. Hurring seconded the nomination.

Roll Call: Mrs. Chambers, Aye; Ms. Hagner, Aye; Mr. Ciccarone, Aye; Mr. Brower, Aye; Mr. Travisano, Aye; Mr. Hurring, Aye; Mr. Franko, Abstain; Mrs. Abbott, Aye; Mrs. Swartz, Aye; Mr. Saluzzi, Absent; Mr. McCaffrey, Aye.

Selection of Vice-Chairperson

Mr. Franko nominated Jack Hurring to serve as Vice-Chair. Mr. Ciccarone seconded the nomination.

Roll Call: Mrs. Chambers, Aye; Ms. Hagner, Aye; Mr. Ciccarone, Aye; Mr. Brower, Aye; Mr. Travisano, Aye; Mr. Hurring, Abstain; Mr. Franko, Aye; Mrs. Abbott, Aye; Mrs. Swartz, Aye; Mr. Saluzzi, Absent; Mr. McCaffrey, Aye.

Selection of Secretary

Ms. Hagner nominated Karen Swartz to serve as the Planning Board Secretary. Mrs. Abbott seconded the nomination.

Roll Call: Mrs. Chambers, Aye; Ms. Hagner, Aye; Mr. Ciccarone, Aye; Mr. Brower, Aye; Mr. Trivisano, Aye; Mr. Hurring, Aye; Mr. Franko, Aye; Mrs. Abbott, Aye; Mrs. Swartz, Abstain; Mr. Saluzzi, Absent; Mr. McCaffrey, Aye.

Resolutions

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PLANNING BOARD LEGAL SERVICES WITH WILLIAM P. ROBERTSON, ESQ. OF MILLER, ROBERTSON AND RODGERS, P.C. FOR 2014

WHEREAS, the Planning Board of the Township of Chatham has a need to acquire the legal services for the Chatham Township Planning Board as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year, and

WHEREAS, Miller, Robertson and Rodgers has completed and submitted a Business Entity Disclosure Certification which certifies that Miller, Robertson and Rodgers has not made any reportable contributions to a political or candidate committee in the Township of Chatham in the previous one year, and that the contract will prohibit the Miller, Robertson and Rodgers from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are or will be available upon adoption of the budget for year 2014; and

NOW THEREFORE, BE IT RESOLVED that subject to the Planning Board’s review and approval of the Contract for Professional Services the Township of Chatham authorizes the Mayor and Clerk to enter into a contract with William P. Robertson, Esq. with the Miller, Robertson and Rodgers as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that this contract is awarded without formal competitive bidding as a “Professional Service” in accordance with 40A: 11-5 (1) (a) of the Local Public Contracts Law because the services required are those of a recognized profession for which bid specifications are not appropriate or required; and

BE IT FURTHER RESOLVED that a copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township of Chatham; and

BE IT FURTHER RESOLVED that a notice of this resolution shall be printed as provided by law in the Chatham Courier.

Mr. Brower moved to pass the Resolution to appoint Mr. Robertson as Planning Board Attorney for 2014. Mr. Trivisano seconded the motion.

Roll Call: Mrs. Chambers, Aye; Ms. Hagner, Aye; Mr. Ciccarone, Aye; Mr. Brower, Aye; Mr. Trivisano, Aye; Mr. Hurring, Aye; Mr. Franko, Aye; Mrs. Abbott, Aye; Mrs. Swartz, Aye; Mr. Saluzzi, Absent; Mr. McCaffrey, Aye.

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PLANNING BOARD ENGINEERING SERVICES WITH JOHN K. RUSCHKE, P.E. OF HATCH MOTT MAC DONALD FOR 2014

WHEREAS, the Planning Board of the Township of Chatham has a need to acquire the engineering services for the Chatham Township Planning Board as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Hatch Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald has not made any reportable contributions to a political or candidate committee in the Township of Chatham in the previous one year, and that the contract will prohibit the Hatch Mott MacDonald from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are or will be available upon adoption of the budget for year 2014; and

NOW THEREFORE, BE IT RESOLVED that subject to the Planning Board's review and approval of the Contract for Professional Services the Township of Chatham authorizes the Mayor and Clerk to enter into a contract with John K. Ruschke, with the Hatch Mott MacDonald as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that this contract is awarded without formal competitive bidding as a "Professional Service" in accordance with 40A: 11-5 (1) (a) of the Local Public Contracts Law because the services required are those of a recognized profession for which bid specifications are not appropriate or required; and

BE IT FURTHER RESOLVED that a copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township of Chatham; and

BE IT FURTHER RESOLVED that a notice of this resolution shall be printed as provided by law in the Chatham Courier.

Mr. Hurring moved to pass the resolution appointing Mr. Ruschke as Planning Board Engineer for 2014. Mr. Brower seconded the motion.

Roll Call: Mrs. Chambers, Aye; Ms. Hagner, Aye; Mr. Ciccarone, Aye; Mr. Brower, Aye; Mr. Travisano, Aye; Mr. Hurring, Aye; Mr. Franko, Aye; Mrs. Abbott, Aye; Mrs. Swartz, Aye; Mr. Saluzzi, Absent; Mr. McCaffrey, Aye.

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PLANNING BOARD PLANNING SERVICES WITH FRANK
BANISCH, P.P OF BANISCH ASSOCIATES, INC. FOR 2014**

WHEREAS, the Planning Board of the Township of Chatham has a need to acquire the planning services for the Chatham Township Planning Board as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Banisch Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Banisch Associates, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Chatham in the previous one year, and that the contract will prohibit the Banisch Associates, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are or will be available upon adoption of the budget for year 2014; and

NOW THEREFORE, BE IT RESOLVED that subject to the Planning Board's review and approval of the Contract for Professional Services the Township of Chatham authorizes the Mayor and Clerk to enter into a contract with Frank Banisch, P.P., with the Banisch Associates, Inc. as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that this contract is awarded without formal competitive bidding as a "Professional Service" in accordance with 40A: 11-5 (1) (a) of the Local Public Contracts Law because the services required are those of a recognized profession for which bid specifications are not appropriate or required; and

BE IT FURTHER RESOLVED that a copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township of Chatham; and

BE IT FURTHER RESOLVED that a notice of this resolution shall be printed as provided by law in the Chatham Courier.

Mr. Travisano asked if the professional services appointments were being done as part of an RFQ, or if the non-fair and open process was being used. Mr. Robertson said that these contracts are being awarded through the non-fair and open process. Ms. Hagner added that the Township now awards such contracts with payment on a per meeting basis.

Mrs. Chambers moved to pass the resolution appointing Frank Banisch as Township Planner. Mr. Travisano seconded the motion.

Roll Call: Mrs. Chambers, Aye; Ms. Hagner, Nay; Mr. Ciccarone, Aye; Mr. Brower, Aye; Mr. Travisano, Aye; Mr. Hurring, Aye; Mr. Franko, Aye; Mrs. Abbott, Aye; Mrs. Swartz, Aye; Mr. Saluzzi, Absent; Mr. McCaffrey, Aye.

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, APPOINTING GREGORY J.
LACONTE AS RECORDING SECRETARY FOR THE PLANNING BOARD**

WHEREAS, the Planning Board of the Township of Chatham, County of Morris, State of New Jersey, desires to appoint Gregory J. LaConte as Recording Secretary for the Board for the period commencing January 1, 2014 and ending December 31, 2014.

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

1. Gregory J. LaConte is hereby appointed as Recording Secretary for the Planning Board of the Township of Chatham, County of Morris, State of New Jersey, for a term commencing January 1, 2014 and terminating December 31, 2014.
2. The compensation to be paid to Gregory J. LaConte for services rendered to the Board shall be in accordance with the salary Ordinance of the Township of Chatham. Services to be rendered and encompassed by said annual salary shall include attendance at work, regular and special meetings of the Board and submission of written minutes summarizing events occurring at each Board meeting.
3. The amount of compensation for attendance at special meetings of the Board shall be in the amount as stipulated.
4. This Resolution shall take effect upon adoption.

5. A certified copy of the Resolution shall be forwarded by the Secretary of the Board to the Township Committee.

Mrs. Hagner moved to pass the resolution appointing Gregory J. LaConte as Planning Board Recording Secretary. Mr. Brower seconded the motion.

Roll Call: Mrs. Chambers, Aye; Ms. Hagner, Aye; Mr. Ciccarone, Aye; Mr. Brower, Aye; Mr. Travisano, Aye; Mr. Hurring, Aye; Mr. Franko, Aye; Mrs. Abbott, Aye; Mrs. Swartz, Aye; Mr. Saluzzi, Absent; Mr. McCaffrey, Aye.

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, APPOINTING KALI P. TSIMBOUKIS AS MANAGER FOR THE PLANNING BOARD

WHEREAS, the Planning Board of the Township of Chatham, County of Morris, State of New Jersey, desires to appoint Kali P. Tsimboukis as Manager for the Board for the period commencing January 1, 2014 and ending December 31, 2014.

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

Kali P. Tsimboukis is hereby appointed as Manager for the Planning Board of the Township of Chatham, County of Morris, State of New Jersey, for a term commencing January 1, 2014 and terminating December 31, 2014.

The compensation to be paid to Kali P. Tsimboukis for services rendered to the Board shall be in accordance with the salary Ordinance of the Township of Chatham..

This Resolution shall take effect upon adoption.

A certified copy of the Resolution shall be forwarded by the Secretary of the Board to the Township Committee.

Mrs. Chambers moved to pass the resolution appointing Kali Tsimboukis as Planning Board Manager. Mr. Ciccarone seconded the motion.

Roll Call: Mrs. Chambers, Aye; Ms. Hagner, Aye; Mr. Ciccarone, Aye; Mr. Brower, Aye; Mr. Travisano, Aye; Mr. Hurring, Aye; Mr. Franko, Aye; Mrs. Abbott, Aye; Mrs. Swartz, Aye; Mr. Saluzzi, Absent; Mr. McCaffrey, Aye.

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, DESIGNATING NEWSPAPERS AND FIXING CHARGES FOR NOTICES OF PUBLIC MEETINGS OF SAID PLANNING BOARD DURING 2014

WHEREAS, THE "Open Public Meetings Act," R.S. 10;4-6 "and following, requires that notification be given of meetings of public bodies as therein defined and in the manner therein set forth.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of Chatham, County of Morris, State of New Jersey, as follow:

1. The Chatham Courier and the Morris County Daily Record are hereby designated for the calendar year 2014 as the two newspapers to receive notice of meetings of the Planning Board as required by any and all sections of the Open Public Meetings Act, it appearing that these newspapers are most likely to inform the local public of such meetings.
2. The Chatham Courier and the Morris County Daily Record are hereby designated as the official newspapers of the Township in which to publish legal notices regarding matters and applications

before the Planning Board; the Township Committee having previously designated the Chatham Courier and the Morris County Daily Record as the Official Newspapers of the Township.

3. The public place for the posting of notices of meetings of the Planning Board for the calendar year 2014, and revisions thereof, shall be the bulletin board in the main hallway of the Municipal Building, 58 Meyersville Road, Chatham, New Jersey.
4. The sum of \$ 35.00 is hereby affixed as the fee to be paid by any person requesting that copies of any regular meeting schedule of the Planning board for the calendar year 2014, and revisions thereof, and notices of Planning Board meetings during the calendar year 2013 not included in such schedule, or revisions thereof, be mailed to such persons as specified in R.S. 10:4-19, provided, however, that no charge shall be made to any news media requesting the mailing of notices to its business office.
5. This Resolution shall take effect upon adoption.
6. A certified copy of the Resolution shall be mailed by the Secretary of the Board to the Chatham Courier and the Morris county Daily Record, and a certified copy shall be filed with the Clerk of the Township of Chatham and the Secretary of the Planning Board.

Mr. Ciccarone moved to pass the resolution designating the official newspapers. Mrs. Abbott seconded the motion.

Roll Call: Mrs. Chambers, Aye; Ms. Hagner, Aye; Mr. Ciccarone, Aye; Mr. Brower, Aye; Mr. Travisano, Aye; Mr. Hurring, Aye; Mr. Franko, Aye; Mrs. Abbott, Aye; Mrs. Swartz, Aye; Mr. Saluzzi, Absent; Mr. McCaffrey, Aye.

RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, ESTABLISHING A REGULAR MEETING SCHEDULE FOR THE PLANNING BOARD OF THE TOWNSHIP OF CHATHAM DURING 2014 AND JANUARY, 2015

WHEREAS, the “Open Public Meetings Act”, R.S.10:4-6 and following, requires that public bodies provide adequate notice of meetings.

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

1. During the calendar year 2014 and January 2015, public meetings (work meetings, and regular meetings) will be held by the Planning Board at the Municipal Building, 58 Meyersville Road, Chatham Township, on the following dates and at the following times:

	WORK MEETING (1st Monday, 7:30 p.m.)	REGULAR MEETING (3rd Monday, 7:30 p.m.)
2014	February 3	February 24
	March 3	March 17
	April 7	April 21
	May 5	May 19
	June 2	June 16
	July 7	July 21
	August 4	August 18
	September 8	September 22
	October 6	October 20
	November 3	November 17

	December 1	December 15
2015	January 5	January 19

2. Formal action may be taken at either the work or regular meetings listed above
3. During the calendar year 2014 and January 2015 additional public meetings will be held by the Planning Board for purposes of site inspections at 9:00 a.m., prevailing time, starting at the Municipal Building , 58 Meyersville Road, Chatham, or such other location as announced by the Board, on the following dates:

SITE VISITS 9:00 A.M.

2014 **1ST Saturday**

February 1
 March 1
 April 5
 May 3
 June 7
 July 12
 August 2
 September 6
 October 4
 November 1
 December 6

2015 January 3

TCC MEETINGS 8:00 A.M
2ND Thursday

2014 February 13
March 13
April 10
May 8
June 23
July 10
August 14
September 11
October 9
November 13
December 11

2015 January 8

Ms. Hagner moved to pass the resolution setting the meeting schedule. Mr. Hurring seconded the motion.

Roll Call: Mrs. Chambers, Aye; Ms. Hagner, Aye; Mr. Ciccarone, Aye; Mr. Brower, Aye; Mr. Travisano, Aye; Mr. Hurring, Aye; Mr. Franko, Aye; Mrs. Abbott, Aye; Mrs. Swartz, Aye; Mr. Saluzzi, Absent; Mr. McCaffrey, Aye.

Approval of Minutes

Mr. Travisano moved to approve the minutes of the December 16, 2013 meeting. Mr. Brower seconded the motion, and it carried unanimously with abstentions from Mr. Ciccarone, Mrs. Swartz and Mrs. Abbott.

Bhee Properties Application Update

Mr. Brower asked for an update on the status of the Bhee Properties application. Mr. Robertson said that he has spoken with their attorney several times. The client intends to submit plans within the next week, and they have asked if the Planning Board will consent to carry the application into February. Once the submitted plans are deemed complete, they would re-notice the neighbors of the hearing date. Mr. Robertson said that he informed the applicant's attorney that the Board is running out of patience, and will consider dismissal without prejudice if the matter is not brought to resolution soon. Mr. Franko noted that a letter was distributed to the Board from the Morris County Planning Board laying out several County requirements for this application.

Mr. Brower and Mr. Franko acknowledged Mrs. Chambers for her time as Planning Board Chairperson.

Mr. Ciccarone moved to adjourn at 7:51 PM. Mr. Travisano seconded the motion, and it carried unanimously.

Gregory J. LaConte
Planning Board Recoding Secretary