

**MINUTES
PLANNING BOARD
TOWNSHIP OF CHATHAM
JANUARY 11, 2016**

Mr. Thomas Franko called the Reorganization Meeting of the Planning Board to order at 7:28 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 2015, and January, 2016 was published in the *Chatham Courier* and the *Morris County Daily Record*, a copy filed with the Municipal Clerk and a copy placed on the bulletin board in the main hallway of the Municipal Building.

Oaths of Office

The newly appointed members took their oaths of office en masse. Amanda C. Wolfe, Esq. administered the oaths.

Roll Call

Answering present to the roll call were Mr. Franko, Mr. Hurring, Mr. Brower, Mr. Ciccarone, Mr. Saluzzi, Mr. Sullivan, Mrs. Swartz, Mr. Travisano and Mr. Nelson. Ms. Hagner and Mr. Murray were absent.

Also present was Amanda C. Wolfe, Esq, filling in for Board Attorney Steven Warner. Board Engineer John Ruschke and Township Frank Banisch were not present.

Selection of Chairperson

Mr. Hurring nominated Thomas Franko to serve as the Chairman of the Planning Board for the year 2016. Mr. Nelson seconded the motion, and the motion carried unanimously.

Selection of Vice-Chairperson

Mr. Franko nominated Jack Hurring to serve as Vice-Chair. Mr. Nelson seconded the nomination. The motion carried unanimously.

Selection of Secretary

Mr. Nelson nominated Karen Swartz to serve as the Planning Board Secretary. Mr. Travisano seconded the nomination, and the motion carried unanimously.

Resolutions

RESOLUTION PB-2016-01

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR PLANNING BOARD LEGAL SERVICES WITH STEVEN K. WARNER, ESQ., OF
VENTURA, MIESOWITZ, KEOUGH & WARNER, P.C FOR 2016**

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 up to December 31, 2016, and

WHEREAS, VENTURA, MIESOWITZ, KEOUGH & WARNER, P.C has completed and submitted a Business Entity Disclosure Certification which certifies that VENTURA, MIESOWITZ, KEOUGH & WARNER, P.C 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 VENTURA, MIESOWITZ, KEOUGH & WARNER, P.C 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 2016; 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 VENTURA, MIESOWITZ, KEOUGH & WARNER, P.C 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.

RESOLUTION PB-2016-02

**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 2016**

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 2016; 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.

RESOLUTION PB-2016-03
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 2016

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 2016; 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.

RESOLUTION PB-2016-04
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 2016

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, THERE FORE, 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 2016 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 2016, 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 2016, and revisions thereof, and notices of Planning Board meetings during the calendar year 2016 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.

RESOLUTION PB-2016-05

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSY, 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, 2016 and ending December 31, 2016.

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, 2016 and terminating December 31, 2016.
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

February 6
March 5
April 2
May 7
June 4
July 9
August 1
September 3
October 1
November 5
December 3

2017

January 7

The Secretary of the Planning Board shall cause the Resolution to be published in both the Chatham Courier and the Morris County Daily Record, posted on the bulletin board in the main hallway of the Municipal Building 58 Meyersville Road, Chatham Township, New Jersey, and a copy filed with the Township Clerk.

RESOLUTION PB-2016-07
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, 2016 and ending December 31, 2016.

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

1. 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, 2016 and terminating December 31, 2016.
2. 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.
3. This Resolution shall take effect upon adoption.
4. A certified copy of the Resolution shall be forwarded by the Secretary of the Board to the Township Committee.

Mr. Ciccarone commented on the pending retirement of Kali Tsimboukis.

Mr. Nelson moved to approve the resolutions. Mr. Brower seconded the motion.

Roll Call: Mr. Franko, Aye; Mr. Hurring, Aye; Mrs. Swartz, Aye; Mr. Brower, Aye; Mr. Ciccarone, Aye; Ms. Hagner, Absent; Mr. Sullivan, Aye; Mr. Saluzzi, Aye; Mr. Travisano, Aye; Mr. Nelson, Aye; Mr. Murray, Absent.

Mr. Brower said that the Board should do something to honor Mrs. Tsimboukis at a meeting. Mr. Ciccarone said that the Township Committee usually does something to honor retirees. Mr. Brower said that the Planning Board should do something as well.

Approval of Minutes

Mr. Nelson moved to approve the minutes of the December 21, 2015 meeting. Mr. Hurring seconded the motion. The motion carried unanimously, with abstentions from Mr. Ciccarone, Mr. Sullivan and Mr. Travisano.

Other Business

Mr. Brower made a motion to honor Mrs. Tsimboukis at a Planning Board meeting in March. Mr. Nelson seconded the motion, and the motion carried unanimously.

Public Hearing

Mr. Franko opened the floor to the public.
Seeing no comment, Mr. Franko closed the Public Hearing.

Mr. Ciccarone moved to adjourn at 7:39 PM. Mr. Travisano seconded the motion, and it carried unanimously.

Gregory J. LaConte
Planning Board Recording Secretary