

**TOWNSHIP OF CHATHAM**  
**TOWNSHIP COMMITTEE AGENDA**

**February 8, 2018**  
February 5, 2018 Draft

**Meeting Called to Order**

**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.

**Flag Salute**

**Roll call**

**Approval of Agenda**

**Reports:**

**Hearing of Citizens/Petitions** Note: This is an opportunity for any member of the public to be heard about issues which are not topics scheduled for Public Hearings tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to three minutes.

**Public Hearing/Final Adoption of Ordinances**

1. Ordinance 2018-01 Liquor License Fees Amendment
2. Ordinance 2018-02 Cap Bank Ordinance

**Introduction of Ordinances**

1. Ordinance 2018-03 LOSAP

**Consent Agenda** (routine items that may be passed by a single roll call vote; any Committee member may call for a separate discussion or vote on any item)

1. Resolution 2018-043 Payment of Bills
2. Resolution 2018-044 Approving Meeting Minutes
3. Resolution 2018-045 Approving Executive Session Minutes
4. Resolution 2018-046 Refunding Overpayment of Taxes
5. Resolution 2018-047 Awarding Contract for House Demolition Project
6. Resolution 2018-048 Releasing Escrow Balances
7. Resolution 2018-049 Appointing Members to Environmental Commission
8. Resolution 2018-050 Appointing Library Trustee
9. Resolution 2018-051 Appointing Member to Mayors' Wellness Committee
10. Resolution 2018-052 Reaffirming Support of Sustainable Land Use

**Discussion: possible ordinance or resolution**

**Hearing of Citizens** (Time Permitting)

**Executive Session\*** – 2018-P-02

1. 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
2. Litigation: Fair Share Housing Center v. Township of Chatham  
Docket No. MRS-L-000234-18

**Adjourn**

\*In accordance with the Open Public Meetings Act, items to be discussed in Executive Session will be made public as soon as known.

**ORDINANCE 2018-01**

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,  
STATE OF NEW JERSEY, AMENDING CHAPTER VI OF THE TOWNSHIP CODE TO  
AMEND THE ANNUAL RENEWAL FEE FOR LIQUOR LICENSES**

**BE IT ORDAINED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the Revised General Ordinances of the Township of Chatham, 1995, are hereby amended in pertinent part to modify subsection 6-3.7 of Chapter VI, Alcoholic Beverage Control, to increase the renewal fees for plenary retail consumption licenses and plenary retail distribution licenses as follows:

1. **6-3.7 License Fees, Maximum Number.**

The annual fees of licenses for the sale or distribution of alcoholic beverages in the Township shall be as follows:

<i>Class of License</i>	<i>Annual Fee</i>	<i>Number</i>
Plenary Retail Consumption License	\$2500.00	3
Plenary Retail Distribution License	\$1879.20	2

2. All other terms and provisions of subsection 6-3.7, Chapter VI, Alcoholic Beverage Control, of the Township Code shall remain unchanged.

3. This ordinance shall take effect as provided by law.

Introduced: January 18, 2018

Adopted:

Attest:

TOWNSHIP OF CHATHAM, COUNTY OF  
MORRIS, STATE OF NEW JERSEY

BY: \_\_\_\_\_  
Curt Ritter , Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**ORDINANCE 2018-02**

**ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Chatham in the County of Morris finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$389,486.90 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Chatham, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Chatham shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 389,486.90, and that the CY 2018 municipal budget for the Township of Chatham be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: January 18, 2018

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

I, Gregory J. LaConte, Township Clerk of the Township of Chatham in the County of Morris, New Jersey, hereby certify the foregoing to be a true complete copy of an ordinance introduced by the Township Committee of the Township of Chatham at a regular meeting held on January 18, 2018.

Date Issued: \_\_\_\_\_

\_\_\_\_\_  
Township Clerk

**ORDINANCE 2018-03**

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,  
STATE OF NEW JERSEY, AMENDING CHAPTER 2-53 CREATING A LENGTH OF  
SERVICE AWARDS PROGRAM (LOSAP) FOR THE CHATHAM EMERGENCY  
SQUAD**

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

**Section Chapter 2-53.4 Criteria for Eligibility is hereby amended to read as follows:**

- a. For the purposes of this Chapter "Active volunteer member" means a person who has been so designated by the governing board of the Chatham Emergency Squad (CES) and who is faithfully and actually performing volunteer service in the Chatham Emergency Squad. LOSAP shall provide for annual contributions to each eligible, active volunteer member of the CES, who meets the criteria as follows:
1. The number of points required for an active year of service for an active volunteer CES member is one hundred (100).
  2. Under LOSAP a year of active emergency service shall be credited for each calendar year in which an active volunteer member accumulates points that are granted in accordance with a schedule adopted by the Township Committee and Borough Council, the sponsoring agencies. The program shall provide that points shall be granted for activities designated by the sponsoring agencies, which activities may include the following: (1) Training courses; (2) Drills; (3) Sleep-in or standby. A "standby" means line of duty activity of the CES, lasting for four hours, not falling under one of the other categories; (4) Completion of a one-year elected or appointed position in the organization; (5) Election as a delegate to an emergency service convention; (6) Attendance at official meetings of the sponsoring agency; (7) Participation in emergency responses; or (8) Miscellaneous activities including participation in inspections and other non-emergency first aid or rescue activities not otherwise listed.
  3. An active volunteer member of the CES shall not be eligible if on disciplinary probation or inactive status. If a CES member has been on leave of absence (LOA) from duty crews, but is able to attain the points required as stated below within the calendar year, he/she will be considered active and eligible for **LOSAP**.
  4. Any new, active volunteer member of the CES shall become eligible to participate in **LOSAP** the calendar year he/she becomes an "active" member as defined above or is no longer on inactive status, so long as the credit points are earned.

Introduced: February 8, 2018

TOWNSHIP OF CHATHAM, COUNTY OF  
MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

## LOSAP POINT SYSTEM

A year of service shall be credited under LOSAP for each calendar year in which an active CES volunteer accumulated at least one hundred (100) points. Points shall be granted in accordance with a system adopted by the Township Committee and Borough Council. In considering the categories below, all or any portion of this list can be used with additional flexibility in the point maximums. Such system shall provide that points shall be granted for activities designated and selected from the following:

### CES

#### **1. TRAINING COURSES AND DRILLS EXCLUDING DUTY CREW TRAININGS SESSIONS -TWENTY (20) POINTS MAXIMUM.**

- a. Two ((2) points for offsite EMT related training courses and drills offering CEUs
- b. Two (2) points for onsite training courses and drills at CES
- c. Two (2) points per day for multi-day courses and drills held onsite or offsite.

#### **2. MEMBERSHIP BUSINESS MEETINGS.**

- a. Two (2) points for each membership business meeting attended. Minimum of three (3) meetings per year.

#### **3. OTHER MEETINGS INCLUDING EXTERNAL MEETINGS REPRESENTING THE CES – TEN (POINTS MAXIMUM.**

- a. One (1) point for each hour at external meeting(s) representing the Emergency Squad and other internal meetings such as Trustee meetings.

#### **4. PARTICIPATION ON CREWS AND CALLS AND INDIVIDUAL WORK.**

- a. Individual Work .One (1) point for each hour worked. Must be pre-approved. Points earned for individual work shall be limited to fifteen (15) per year.
- b. Weekly Duty Shifts (including coverage). One (1) point per duty crew shift. One half (1/2) point for a partial shift.
- c. Weekend Duty Shifts including holiday shifts covered by Weekend Duty Crew. Two (2) points for a full weekend shift. One (1) point for a partial shift.
- d. Area Responses: (for other than duty crew callouts) One (1) point per call with a trip to the hospital. One half (1/2) point per call if scene only.
- e. Coverage: Covering for a duty crew member for any portion of a crew shift will earn the person covering whatever points the scheduled person would have received.
- f. Duty crew out calls, planned transports, planned lift assists, Two (2) points per call, transport or lift assist with a trip to/from medical facility. One (1) point per call if scene only.
- g. Special and Community Events: Working special events, such as parades, fireworks, sports events, races, festivals, etc, shall earn two (2) points per event, with a maximum of twenty (20) points.

**RESOLUTION 2018-044**

**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 January 18, 2018.

Adopted: February 8, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

DRAFT

**RESOLUTION 2018-045**

**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 January 18, 2018.

Adopted: February 8, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

DRAFT

**RESOLUTION 2018-046**

**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>
139	12	Pizzi, Peter J & Elizabeth AJ 158 Spring Valley Road Morristown, NJ 07960	\$10,716.98 3 <sup>rd</sup> Quarter 2018  Overpayment of Taxes

Adopted: February 8, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Curt Ritter, Mayor

**RESOLUTION 2018-048**

**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>
Susan Drive Inc. c/o Man Shi 7609 New Heart Drive Plano, TX 75024	BOA 14-20-17 Re: 35 Susan Drive	7763179495	\$1,890.90
Thomas DeZenzo 24 Maple Street Chatham, NJ 07928	ROI 16-83-30	7763180137	\$178.00
T-Mobile Northeast LLC Attn: Gregory Meese, Esq. 50 Tice Blvd., Suite 380 Woodcliff Lake, NJ 07677	BOA 12-62-52/54	7761693097	\$442.50

Adopted: February 8, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Karen M. Swartz, Deputy Mayor

## RESOLUTION 2018-052

### RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY MORRIS, STATE OF NEW JERSEY REAFFIRMING SUPPORT OF SUSTAINABLE LAND USE

**WHEREAS**, land use is an essential component of overall sustainability for a municipality; and

**WHEREAS**, poor land use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and degradation of natural resources; and

**WHEREAS**, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space and allow for continued use of vital natural resources; and

**WHEREAS**, given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

**WHEREAS**, the Township Committee adopted Resolution 2009-150 on July 9, 2009 to support sustainable land use planning, and desires to reaffirm that pledge;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, with the intent of making the Township of Chatham a truly sustainable community, reaffirms the following pledge:

1. **Facilities Siting** - To consider factors, to the extent reasonable, such as walkability, bikability, access to transit and proximity to other uses when siting new or relocated municipal facilities, recognizing that the actions of a municipality when locating its own facilities can set a positive example and encourage other public and private sector entities to employ sustainable land use measures when locating their own facilities.
2. **Housing Variety** – Through the application, to the extent reasonable, of the Township's Housing Element and Fair Share Plan, to foster a diverse mix of housing types to meet the needs of people from all ages and walks of life, recognizing that a variety of housing options from single family homes to one-bedroom apartments, including low and moderate income housing, is vital to allow residents to live and work in a municipality through various stages of their lives.
3. **Natural Resources Preservation** – To continue its existing program for preservation of open space and create recreational opportunities, recognizing that, as the most densely populated state in the nation, open space is at a premium, and that preservation of open space for its ecological and recreational value is critical for a sustainable future, and further to review and to update, as appropriate, the existing Natural Resources Inventory to identify and assess the extent of the Township's resources and to link natural resource management and protection to carrying capacity analysis and land use planning and zoning.

4. **Transportation Choices** – Where appropriate, to create transportation choices within the Township by considering all modes of transportation, including walking, biking, public transit and automobiles, when planning transportation projects, given that emissions from transportation, mainly passenger cars, make up the largest share of the state’s carbon footprint, creating transportation alternatives at the local level is critical to reducing the state’s overall carbon footprint.
5. **Mix of Uses** – Where appropriate, to use the zoning power to create a mix of uses in areas that make the most sense for the Township, recognizing that allowing for a mix of compatible land uses can reduce the need for automobile transportation.
6. **Green Design** – To incorporate, as appropriate, green design principles and renewable energy generation when updating site plan and subdivision requirements, because green design strategies, including energy efficiency, water conservation, indoor environmental quality, use of recycled materials, construction waste reduction, reduced auto use, tree preservation, native planting and avoidance of environmentally sensitive features, not only improve the environmental performance of buildings, but lessen the environmental impact of those buildings.
7. **Regional Cooperation** – To work cooperatively with neighboring municipalities concerning land use decisions and to consider the respective concerns of each community, recognizing that local land use decisions often have regional impacts, even though decided exclusively by one municipality.
8. **Parking Regulations** – To reevaluate parking requirements with the goal of limiting the amount of required parking spaces and promoting shared parking, recognizing that flexible parking requirements decrease the amount of land dedicated to parking lots, storm water runoff, land clearing, and heat island effects, while promoting alternatives to individual automobile use., with special emphasis placed on appropriate locations for safe and secure bicycle parking.
9. **Legal Effect** – This Resolution is a policy statement of the Chatham Township Committee. It is a statement of goals that the Committee pledges to attempt to accomplish. However, these pledges create no legal obligation on behalf of the Township and have no legal weight.

Adopted: February 8, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Karen M. Swartz, Deputy Mayor

**RESOLUTION 2018-P-02**

**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
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.

Adopted: February 8, 2018

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Curt Ritter, Mayor