

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE AGENDA

February 16, 2017
February 14, 2017 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 6, 2017; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 6, 2017; and notice was filed with the Township Clerk on January 6, 2017.

Flag Salute – Girl Scouts Troop 95667

Roll call

Approval of Agenda

Reports:

1. Zoning Board of Adjustment Annual Report

Introduction of Budget

Resolution 2017-052 Approving Year 2017 Municipal Budget

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.

Introduction of Ordinances

1. Ordinance 2017-04 Open Space Tax
2. Ordinance 2017-05 Road Opening Permits
3. Ordinance 2017-06 Salary Ordinance

Public Hearing/Final Adoption of Ordinances

1. Ordinance 2017-03 Colony Pool Fees

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 2017-053 Payment of Bills
2. Resolution 2017-054 Receipt of Reports
3. Resolution 2017-055 Approving Meeting Minutes
4. Resolution 2017-056 Approving Executive Session Minutes
5. Resolution 2017-057 Appointing Planning Board Alternate Member
6. Resolution 2017-058 Refunding Overpayment of Taxes
7. Resolution 2017-059 Releasing Escrow Balances
8. Resolution 2017-060 Appointing Member to Recreation Advisory Committee
9. Resolution 2017-061 MACC Grant
10. Resolution 2017-062 Refunding Overpayment of Permit Fee
11. Resolution 2017-063 Settling Tax Appeal

Discussion: possible ordinance or resolution

1. School District of the Chathams Lease Agreement

Hearing of Citizens (Time Permitting)

Executive Session* – Resolution 2017-P-03

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

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 2017-03

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY, ESTABLISHING POOL MEMBERSHIP FEES FOR
COLONY RECREATION CENTER COMMENCING 2017**

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Section 20-1 of the Township Code is hereby amended to read as follows:

1. **20-1 POOL MEMBERSHIP FEES AT THE COLONY RECREATION CENTER.**

a. The following schedule of Colony Recreation Center Fees for Pool Membership is hereby established:

Chatham Township Resident Rates	
Family – includes parent(s) and children under 23 years old	\$475
Individual – 14 years and older	\$235
Senior Citizen – 62 or older	\$50
Senior Citizen couple – one must be 62 or older	\$80
Babysitter/nanny/parent helper (must accompany family member)	\$145
Adult twilight daily fee (4:30 P.M. until closing) (Township Residents only)	\$5
Non-Resident Rates	
Family – includes parent(s) and children under 23 years old	\$675
Individual – 14 years and older	\$300
Senior Citizen – 62 or older	\$100
Senior Citizen couple – one must be 62 or older	\$150
Babysitter/nanny/parent helper (must accompany family member)	\$175
Daily Guest – accompanied by Member	\$8.50

No refunds will be made after opening day.

b. *Reduced Fees for Emergency Response Organization Volunteers.* Active members of the Chatham Emergency Squad, Green Village Volunteer Fire Department, and Chatham Township Volunteer Fire Department, who are eligible for the Length of Service Award Program (LOSAP), shall be entitled to a fifty (50%) percent reduction in the fee for the appropriate pool membership category listed above.

2. The Township Administrator, in consultation with the Colony Recreation Center liaison, may authorize special promotional events and offer special discounts to promote Colony Recreation Center membership.

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

Introduced: February 2, 2017
Adopt:

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

Attest:

BY: _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2017-04

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY, AMENDING THE PROVISIONS FOR THE FUNDING OF
OPEN SPACE ACQUISITION**

WHEREAS, the Township Committee of the Township of Chatham wishes to reduce the tax levy for the contribution to the Open Space Reserve as set forth at Chapter 2, Article VIII, Section 2-75, Open Space Trust Fund for the tax year 2017;

NOW, THEREFORE, 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, are amended to provide for modifications to Chapter II, Subsection 2-75.2, Funding of the Reserve for Open Space Acquisition, as follows:

1. 2-75.2 Funding of the Reserve for Open Space Acquisition.

The Reserve for Open Space Acquisition shall be funded through the dedication to the fund of an amount of _____ (\$____) cent per one hundred (\$100.00) dollars of assessed valuation for the tax levy for the year 2017. The Reserve shall also be permitted to accept donations and testamentary bequests. The funds accumulated within the Reserve may be utilized for the acquisition of land, easements, or development rights in land within the Township, including use for active and passive recreation, the development and maintenance of municipal properties to be used for active and passive recreation, or as a down payment for the issuance of bonds for the same purposes at the discretion of the Township Committee. Any and all interest accruing on said funds shall be placed into the Reserve for Open Space Acquisition. Unless the Township Committee takes further action, the annual tax levy for the Reserve for Open Space Acquisition shall return to two (\$.02) cents per hundred (\$100.00) dollars of assessed valuation commencing with the tax levy for the year 2018.

2. All other provisions of Chapter II, Article VIII, Section 2-75, shall remain unchanged.

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

Introduced: February 16, 2017

Adopted:

Attest:

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

BY: _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

ORDINANCE 2017-06

**AN ORDINANCE TO PROVIDE MINIMUM AND MAXIMUM RANGES FOR
COMPENSATION FOR CERTAIN POSITIONS OF EMPLOYMENT IN THE
TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY,
EFFECTIVE JANUARY 1, 2017**

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

Section 1. The following offices and positions of employment in the Township of Chatham in the County of Morris are hereby established and the persons occupying such offices and positions shall be compensated at the rates, or within the ranges, set forth below. Actual compensation, consistent with the salary ranges established herein, is established by Township Resolution.

<u>Office or Position of Employment</u>	<u>Minimum</u>	<u>Maximum</u>
Member of Township Committee	1,200	2,400
Township Administrator	100,000	187,000
Township Clerk/Registrar	40,000	75,000
Deputy Clerk	30,000	60,000
Secretary Bd. Of Health	4,500	10,000
Chief Financial Officer/Treasurer	45,000	110,000
Assistant Treasurer/HR Assistant	30,000	50,000
Administrative Assistant	40,000	60,000
Accounting Clerk	24,000	55,000
Receptionist or Clerk Typist	24,000	55,000
Secretary	24,000	45,000
Chief of Police	125,000	155,000
Emergency Management Coordinator	2,500	10,000
Public Works Manager	90,000	135,000
Director Water Pollution Control	50,000	100,000
Tax Collector/Utility Collector	40,000	75,000
Ass't. Tax & Utility Collector	30,000	50,000
Tax Assessor (Part-time)	25,000	40,000
Ass't. Assessor	25,000	40,000

Escrow Accounting Clerk	3,500	5,000
Director of Recreation and Colony Recreation Center	30,000	45,000
Board Manager Planning/Zoning	5,000	10,000
Planning Board Secretary	\$250 per	meeting
Zoning Board Secretary	\$250 per	meeting
Secretary Environmental Commission	\$150 per	meeting
Construction Office Control Person	40,000	64,000
Construction Official/Building Sub-code Official/Inspector	50,000	95,000
Zoning officer/Deputy Zoning Officer (PT)	2,500	15,000
Fire Sub-code Official/Inspector	10,000	18,500
Fire Prevention Official/Inspector	10,000	18,500
Dog Licensing Clerk	2,000	5,000
Video Producer Governmental Access Channels	5,000	11,000

Seasonal and Hourly Positions

Pool Manager	15,000	25,000
Assistant Pool Manager	6,000	17,500
Snack Bar Manager	4,600	12,000
Playground Director	4,000	7,000
Swim Team Coach	1,500	4,500
Swim Team Ass't. Coach	500	1,500
Tennis Clinic Manager	1,500	3,000
Lifeguards	7.15 HR	18.00 HR
Gate Attendants	6.50 HR	15.00 HR
Recreation Aides and instructors	6.50 HR	15.00 HR
Laborer	7.15 HR	15.00 HR
Crossing Guards	7.50 HR	30.00 HR
Clerk Typist PT	7.50 HR	17.500 HR
Building Inspector	25.00 HR	45.00 HR
Plumbing Sub-code Official/Inspector	25.00 HR	45.00 HR
Electrical Sub-code Official	25.00 HR	45.00 HR

Section 2. Overtime for eligible employees shall be at the rate of straight time for hours exceeding 35 per week and one and one-half times employee's regular rate of pay for hours exceeding 40 per week.

Section 3. Employees covered by a collective bargaining agreement shall be entitled to compensation as provided in their respective agreements.

Section 4. Salaries provided herein shall be effective January 1, 2017, for those employed with the Township as of the adoption date of the ordinance.

Section 5. When required by law, the Township shall pay at least the minimum wage established for the State of New Jersey.

Section 6. This ordinance shall take effect upon publication as provided by the law.

Introduced: February 16, 2017

Adopted:

Attest:

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

BY: _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2017-053

**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 \$1,426,630.47 and the prior month's payroll of \$409,394.56 Current Fund, \$49,511.42 Sewer No. 1, \$9,651.36 Sewer No. 2, and \$17,266.79 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of February 2017, in the amount of \$2,963,374.00 be paid.

BE IT FURTHER RESOLVED that taxes due to the County of Morris, for the First Quarter of 2017, in the amount of \$2,192,836.62 be paid.

Adopted: February 16, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor

RESOLUTION 2017-054

**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:

Construction Official – January
CFO – January
Tax Collector – Annual Report, January

Adopted: February 16, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor

DRAFT

RESOLUTION 2017-055

**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 February 2, 2017.

Adopted: February 16, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2017-056

**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 February 2, 2017.

Adopted: February 16, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor

DRAFT

RESOLUTION 2017-058

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 & ADDRESS</u>	<u>AMOUNT</u>
48.04	39	FEARON, TERRENCE J 67 Old Highway #28 Whitehouse, NJ 08889 Former Owner of 6 Glenmere Drive	\$1,895.50 Totally Disabled Veteran 4 th Quarter 2016 Overpayment of taxes
62	15	John J. & Jodi B. Van Slyck 67 Huron Drive Chatham, NJ 07928	\$5,190.93 4 th Quarter 2016 Overpayment of taxes
62.11	32	Wing-Kuen Tam & Wing Yee Tam 153 Van Houton Avenue Chatham, NJ 07928	\$5,324.86 4 th Quarter 2016 Overpayment of taxes

Adopted: February 16, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2017-059

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>
Lynne Otrok 182 Sea Hammock Eay Ponte Vedra Beach, FL 32082	BOH 16-4821-17402 503 Green Village Rd	7764128219	\$675.00
North Creek Contractors 11 Pleasantville Road Basking Ridge, NJ 07920	ROI 14-69-2 11 Hilltop Terrace	7763179502	\$888.90
Viola Construction Co., Inc 22 Old Quarry Road Bernardsville, NJ 07924	ROI 15-102.08-14 59 Dale Drive	7763179817	\$984.00

Adopted: February 16, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor

RESOLUTION 2017-061

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AUTHORIZE THE MUNICIPAL ALLIANCE COMMITTEE TO SUBMIT A GRANT APPLICATION FOR THE FISCAL YEAR 2018

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township of Chatham, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem across all communities in our society and amongst people of all ages; and

WHEREAS, further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough of Chatham and the Township of Chatham have combined efforts and established the Municipal Alliance Committee of the Chathams; and,

WHEREAS, the Municipal Alliance Committee of the Chathams was approved for Municipal Alliance grant funding for Grant Year July 2016- June 2017; and

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse has agreed to make \$20,073.00 grant funding allocation available to the Municipal Alliance Committee of the Chathams for Grant Year July 2017-June 2018, contingent upon meeting the Municipal Alliance Committee of the Chathams contribution of 25% Cash Match (\$5,018.25) and a 75% In-kind Match (\$15,054.75) for a total Alliance Budget of \$40,146.00; and

WHEREAS, the Borough of Chatham and Township of Chatham will equally contribute the Cash Match and In-Kind Match required for the grant funding.

BE IT RESOLVED, by the Township Committee of the Township of Chatham that it does hereby authorize the Mayor to execute the Municipal Alliance Grant Application Grant Year July 2017-July 2018; and

BE IT RESOLVED, that the Mayor is permitted to execute any supplement or amendment to the Municipal Alliance Grant Application that increases the grant funding allocation; and

BE IT RESOLVED, that all other Township officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

Adopted: February 16, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor

DRAFT

RESOLUTION 2017-062

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM REFUNDING CONSTRUCTION PERMIT FEE

WHEREAS, the Township Committee has considered the request submitted by the Construction Official with regard to the fee that was paid for a construction permit that was submitted to the Township and overcharged;

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>PERMIT #</u>	<u>AMOUNT</u>
Innovative Construction & Design 1871 Berkshire Drive Union, NJ 07083	16-0760	\$600.00

Adopted: February 16, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2017-063

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A SETTLEMENT OF THE TAX APPEAL OF ROD PRAT AND RITA PRAT

WHEREAS, Rod Prat and Rita Prat have appealed their assessment for the year 2011 in the Tax Court of New Jersey, Docket No. 009669-2011; and

WHEREAS, the Tax Assessor of the Township of Chatham has recommended acceptance of a proposed settlement of these appeals;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the above-referenced tax appeals be settled and municipal counsel shall be authorized to execute a Stipulation of Settlement for the year 2011 in the following amounts:

BLOCK: 102.04
LOT: 71
STREET ADDRESS: 38 Rolling Hill Drive
YEAR: 2011

	Original Assessment	County Board Judgment	Requested 2011 Tax Court Judgment
Land:	\$ 734,300.00	Direct Appeal	\$ 734,300.00
Improvements:	<u>\$2,302,200.00</u>		<u>\$2,165,700.00</u>
Total:	\$3,036,500.00		\$2,900,000.00

Interest due on any refund will be waived by plaintiff, provided she receives payment of the total refund due within 60 days following the date of entry of Judgment by the Tax Court.

The provisions of the Freeze Act, N.J.S.A. 54:51A-8, shall not apply to a final disposition of this case.

Adopted: February 16, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Curt Ritter, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2017-P-03

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. 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 16, 2017

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Curt Ritter, Mayor