

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
FEBRUARY 16, 2017**

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 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.

Girl Scouts Troop 95667 led the flag salute.

Roll Call

Answering present to the roll call were Committeeman Maurer, Committeeman Kelly, Committeeman Sullivan, Deputy Mayor Swartz and Mayor Ritter.

Approval of Agenda

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

Zoning Board of Adjustment Annual Report

The Annual Report of the Zoning Board of Adjustment was presented by Chairman Tony Vivona. Mr. Vivona described the activities of the Board over 2016, and commented on the applications which were reviewed. Mr. Vivona noted that applications dealing with cellular antennas dominated the Board's schedule, and he discussed the applications. He also said that the Board is concerned about the impact of lot development, and the Board restates the recommendation that consideration be given to ordinances which would regulate the massiveness of homes. Mr. Vivona provided examples of regulations which should be considered.

Committeeman Sullivan asked if there are any zoning ordinances which should be addressed. Mr. Vivona addressed homes on corner lots. The Board would also like to see a limitation on the size of homes, as the homes being built are not affordable for people of average means.

Committeeman Kelly asked for an update on the Buxton Water Tower litigation. Mr. Vivona said that a new court date has not yet been set, and residents have retained an attorney.

Committeeman Maurer spoke about fencing on corner lots. Mr. Vivona said that a front yard fence can only be 5 feet tall, and a rear yard fence can be six feet tall. He also commented that fence issues need to be addressed, as an approved application was challenged.

Committeeman Kelly asked if the recommendations of the Zoning Board should be referred to the Planning Board for consideration. Administrator Ciccarone said that referring the recommendations to the Planning Board is an appropriate step. He also commented on the question of fencing regulations on corner lots.

Mayor Ritter thanked Mr. Vivona for the report and for his continued service.

Reports

Committeeman Kelly reported that during a recent snowstorm, Public Works crews worked from 4:00 AM to 6:00 PM. He noted that the snow removal took more time because DPW did not have any private plow companies able to assist with the effort. Committeeman Kelly also noted that there are sidewalks around town that are still covered with snow and ice, and he would like to see some outreach to encourage residents to clear sidewalks after storms. Committeeman

Kelly also reported that the Garden Committee will have their annual kickoff meeting on February 27th at the Chatham Library. He noted that there are still some plots available.

Committeeman Sullivan reported that Washington's Birthday is approaching. He also addressed a story in the Chatham Courier about a vigil for Muslims. He also noted that parents have the right to question teachers, school officials and the Board of Education regarding school policies.

Committeewoman Swartz expressed her expectation that residents will come to public meetings and find out what is going on in government and in the school system. She also said that residents who do come forward and participate in the government process should not be demonized. Committeewoman Swartz also reported on the upcoming NJ American Water main replacement project on Lafayette Ave, and said that notices were sent to the neighborhoods affected.

Engineer Ruschke reported that the Wickham Woods Phase II Drainage Improvements Project will be complete in the upcoming week. The Colony Pool Wall Replacement Project is moving slowly due to weather issues. The Electrical Improvements Project and the Chatham Heights Lift Station Improvements Project are still in the contract phase, and should be moving forward soon. Regarding the proposal for an ordinance regarding road opening permits, Engineer Ruschke asked that the topic be pulled from tonight's agenda so that the Township Committee can have time to review his proposal. Engineer Ruschke also reported that he and Administrator Ciccarone have been discussing 2017 road improvements, and should have a plan finalized soon. Mayor Ritter asked if the delays in the Colony Pool project will hinder opening the pool on time in the spring. Engineer Ruschke said that Colony Pool should be able to open on time.

Administrator Ciccarone reported that the contractor for the water main replacement on Lafayette Ave is ready to mobilize. He said that the Police Department will be handling traffic control during construction.

Introduction of Budget

Administrator Ciccarone gave a presentation regarding the 2017 Municipal Budget. He began with a summary of the current municipal debt. The Results of Operations was also presented. Administrator Ciccarone also presented the Summary of Anticipated Revenues, and at the end of 2016 there was a surplus of \$4,719,104.00. Administrator Ciccarone reported that the cap has been set by the State at .5% for this year while the levy cap is fixed at 2% over the prior year. The total allowable increase within the appropriations Cap is \$434,351.24, and the proposed increase is \$112,673.00. Administrator Ciccarone provided an overview of the revenues for the 2017 Budget. The purpose of the reserve for uncollected taxes was also explained. The Levy Cap Bank Calculation was also presented. The total allowable levy for 2017 is \$8,456,880.00, and the proposed levy is \$8,255,055.00. The proposed municipal purposes tax rate is \$0.0272 per \$100 assessed value, including the Open Space Tax. Administrator Ciccarone also provided a comparison of the municipal, county and school tax rates. A pie chart showing the breakdown of how local taxes are used was presented. Administrator Ciccarone addressed the disclosure of structural imbalances. A modest increase in the sewer utility rate may be necessary in 2018. Administrator Ciccarone also provided a summary of the 2017 Capital Budget. He also said that the budget presentation will be posted on the Township website.

Mayor Ritter complimented Administrator Ciccarone on the budget preparation, and said that the budget demonstrates the fiscal responsibility of the Township Committee.

Administrator Ciccarone noted that money the original draft of the budget had an appropriation for down payment for the purchase of open space property. However, it was brought to his attention by Committeeman Kelly that the down payment money can come from the Open Space Trust Fund. As such, the tax rate will be less than it would have been if the money was appropriated from the operating budget.

Committeewoman Swartz asked about the utilization of capital surplus and why 2017 is the last year that such money will be used. Administrator Ciccarone said that the money will no longer be available. He also explained that structural imbalances identify areas of concern that may need to be addressed in future years.

**RESOLUTION 2017-052
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING
2017 MUNICIPAL BUDGET**

BE IT RESOLVED of the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2017.

GENERAL REVENUE

Surplus Anticipated	\$ 3,100,000.00
Miscellaneous Revenue Anticipated	\$ 1,968,871.15
Receipts from Delinquent Taxes	\$ 435,000.00
Library Levy	\$ 1,064,612.00
Amount to be Raised by Taxation for Municipal Purposes	<u>\$ 8,255,054.60</u>
Total Revenues	\$ 14,823,537.75

GENERAL APPROPRIATIONS

Operation Including Contingent (within cap)	\$ 10,004,720.00
Deferred Charges & Statutory Expenditures- Municipal (within cap)	\$ 1,123,477.00
Operations (outside cap)	\$ 1,196,016.15
Capital Improvements	\$ 50,000.00
Municipal Debt Service	\$ 1,033,468.76
Reserve for Uncollected Taxes	<u>\$ 1,415,855.84</u>
Total Appropriations	\$ 14,823,537.75

BE IT FURTHER RESOLVED that said Budget be published in the Chatham Courier in the issue of February 23, 2017.

The Governing Body of the Township of Chatham does hereby approve the following as the Budget for the year 2017:

Ayes: Ritter Swartz Kelly Maurer Sullivan	Nays:	Abstain:	Absent:
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Notice is hereby given that the within budget is a true copy of the budget approved by resolution of the governing body on the 16th day of February, 2017.

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building on March 23, 2017 at 7:30 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2017 may be presented by taxpayers or other interested persons.

Committeeman Kelly moved to pass Resolution 2017-052. Committeeman Maurer seconded the motion.

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

Hearing of Citizens

Mayor Ritter opened the Hearing of Citizens.

1. Doug Booth, 10 Overlook Road, asked that the Township Committee consider adopting an ordinance to require residents to clear sidewalks of snow and ice, and he said that failure to clear sidewalks creates a dangerous situation. Administrator Ciccarone said that the Township Committee has in the past opted not to adopt such an ordinance because not everyone in the Township has a sidewalk. He noted that when the issue was previously discussed by the Township Committee, during a public hearing several

residents spoke against it due to the inequity that would be created. Mr. Booth asked if the Township faces any additional liability by not having such an ordinance. Administrator Ciccarone said that he does not think there is additional liability. He also said that homeowners who clear their sidewalks face increased liability if dangerous conditions still exist. Mr. Booth also asked if the Americans With Disabilities Act requires sidewalks to be cleared. Administrator Ciccarone said that it is not required. Mr. Booth said that it is unacceptable to expect children to step into the road because sidewalks are not cleared. Mr. Booth asked that reconsideration be given to the cancellation of the SBS Summer Camp. Administrator Ciccarone commented on the reasons why the camp was discontinued. Mayor Ritter noted that a lot of consideration went into the decision.

Committeeman Kelly suggested that the Township actively encourage residents to clear off sidewalks of snow and ice. Mayor Ritter suggested that perhaps the Safe Routes to School Committee could visit homes where sidewalks have not been cleared to survey why the work has not been done.

2. Kathy Abbott, 40 Wynwood Road, spoke in favor of having an ordinance to require removal of snow on sidewalks. She noted that the existing sidewalks were built in connection with schools. Mrs. Abbott further suggested that residents who are unable to shovel their sidewalks can hire someone else to do it. She also presented information on a Supreme Court case stating that residents face no liability when they clear their sidewalks and ice forms later. She also said that the cost of clearing a sidewalk is a small portion of homeownership. Committeeman Sullivan noted that the Township should refrain from directing homeowners how to spend their money. Mrs. Abbott said that an ordinance requiring snow removal on sidewalks could be limited to a defined radius from schools. Committeewoman Swartz asked about the Senior Center's efforts to help seniors get their sidewalks shoveled. Mayor Ritter asked if the Safe Routes to School Committee has made any effort to see which homes consistently fail to shovel sidewalks. Committeeman Sullivan commented on situations where plows push heavy compacted snow onto sidewalks. Mrs. Abbott also commented on the discontinuation of the SBS Camp, and said that the Camp could be better marketed.
3. Dorothy Lee, 10 Pembroke Road, spoke in favor of reinstating the SBS Summer Camp.
4. Carole Bhalla, 14 Pembroke, addressed the lack of marketing for the SBS Camp in past years. She also asked about liability issues which were raised in connection to the Camp. Administrator Ciccarone said that there were not any particular incidences related to the Camp which led to the decision to discontinue the service. He said that the liability concerns were raised as part of a wider analysis as to the viability of the Camp, which also included a cost-benefit analysis. Mrs. Bhalla said that some people are unable to afford private camps.
5. Helen Angelis, 92 Westminster Road, spoke in favor of reinstating the SBS Camp.
6. Mr. Booth asked who is responsible for the maintenance of the sidewalk in front of Cougar Field. Administrator Ciccarone said that it is a County road, however the County refuses to take responsibility for the sidewalk.

Seeing no further members of the public coming forward, Mayor Ritter closed the Hearing of Citizens.

Introduction of Ordinances

Ordinance 2017-04

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 one-half (\$0.005) 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.

Committeeman Sullivan spoke in favor of reducing the open space tax to \$0.005 per \$100 assessed value.

Committeeman Maurer asked for the rationale of reducing the tax to \$0.01 per \$100 assessed value. Mayor Ritter said that it would look better for the Township when applying for open space grants if the Township would be contributing to the purchase as well.

Administrator Ciccarone noted the need for money for a down payment when bonding for an open space purchase which the Township Committee is considering. He also said that the money could come from either the open space trust or from the general budget. Administrator Ciccarone further noted that voters have repeatedly supported having an open space tax of \$0.02 per \$100 assessed value.

Committeeman Kelly spoke in favor of limiting the reduction of the open space tax.

Committeewoman Swartz spoke in favor of reducing the open space tax to \$0.005 per \$100 assessed value. She also noted that the Township's commitment to open space preservation has been long established.

Administrator Ciccarone said that if the open space tax is set at \$0.005 rather than \$0.01 per \$100 assessed value, then the general tax rate would have to be raised by \$0.005 if the Township Committee pursues the purchase of a particular open space parcel.

Committeeman Kelly spoke in favor of having money available for the potential relocation of the Skate Park.

Committeeman Maurer expressed a concern that it would be difficult to lower the open space tax at a later time if it is raised. Administrator Ciccarone noted that the tax automatically reverts to \$0.02 per \$100 assessed value, and the ordinance being considered is to lower the tax. He also opined that a time may come when the open space tax becomes obsolete due to a lack of available open space.

Mayor Ritter moved to introduce Ordinance 2017-04 with a tax rate of \$0.01 per \$100 assessed value. Committeeman Kelly seconded the motion.

Roll call: Committeeman Maurer, Nay; Committeeman Kelly, Aye; Committeeman Sullivan, Nay; Deputy Mayor Swartz, Nay; Mayor Ritter, Aye.

Deputy Mayor Swartz moved to introduce Ordinance 2017-04 with a tax rate of \$0.005 per \$100 assessed value. Committeeman Sullivan seconded the motion.

Roll call: Committeeman Maurer, Aye; Committeeman Kelly, Nay; Committeeman Sullivan, Aye; Deputy Mayor Swartz, Aye; Mayor Ritter, Aye.

Public Hearing on Ordinance 2017-04 will be scheduled for March 9, 2017.

Ordinance 2017-06

**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	0.00	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.

Section 7. Salaries for Members of the Township Committee shall be set within the ranges established herein except that there shall be no increase until the current terms of all Members are completed in 2019.

Administrator Ciccarone explained that this ordinance sets the ranges of salaries, while the specific salaries will be set at a later time by resolution. He also noted that municipalities are required to have a salary ordinance.

Committeeman Kelly noted that the ordinance changes the upper limit for the salary range for Township Committee members. He suggested that while the range can be amended, that the actual salaries for the Township Committee members not be raised until after the completion of all current terms of office. Administrator Ciccarone said that language can be added to set that condition.

Committeeman Kelly moved to introduce Ordinance 2017-06. Committeeman Maurer seconded the motion.

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

Public Hearing on Ordinance 2017-06 will be scheduled for March 9, 2017.

Public Hearing/Final Adoption of Ordinances

**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.

Mayor Ritter opened the Public Hearing on Ordinance 2017-03.
Seeing none, Mayor Ritter closed the Public Hearing.

Committeeman Sullivan moved to adopt Ordinance 2017-03. Deputy Mayor Swartz seconded the motion.

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

Consent Agenda

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.

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
- Police Department – January

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.

**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.

**RESOLUTION 2017-057
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPOINTING ALTERNATE MEMBER TO THE PLANNING BOARD**

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following appointment be made effective immediately:

<u>Planning Board Alternate Member</u>	<u>Term Expires</u>
Jude Tarasca, Alt. 2	December 31, 2017

**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

**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:

NAME	Project	A/C NUMBER	AMOUNT
Lynne Otok 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
Peter, Erich & Andrea 217 Southern Blvd. Chatham, NJ 07928	BOA 10-108-13	7760011301	\$179.00

**RESOLUTION 2017-060
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPOINTING ALTERNATE MEMBER TO THE CHATHAM JOINT RECREATION
ADVISORY COMMITTEE**

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following appointment be made effective immediately:

<u>Joint Recreation Advisory Committee</u>	<u>Term Expires</u>
Richard B. Terranova, Alternate	December 31, 2019

**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.

**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

**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.

Mayor Ritter announced the names of the new appointees to the Planning Board and the Recreation Advisory Committee.

Mayor Ritter announced the names of the Board appointees.

Deputy Mayor Swartz moved to approve the Consent Agenda. Committeeman Sullivan seconded the motion.

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

Discussion

School District of the Chathams Lease

Administrator Ciccarone said that the School District of the Chathams has requested to expand their lease of office space in the Municipal Building to include some offices that are not currently in use by the Township. The Special Needs Services staff would be moving to the Municipal Building because their current facility is no longer usable. Administrator Ciccarone also noted that the rent payments will increase to \$60,000.00 per year. He also noted that the School District is considering the construction of a new facility.

Administrator Ciccarone also noted that the School District’s total cost to rent space in the Municipal Building includes their phone and cable service. Mayor Ritter asked if there is any additional office space in the Municipal Building. Administrator Ciccarone said that the only remaining available office space is the former Municipal Court office, which is currently being used for storage.

Committeewoman Swartz noted that the Senior Center gets nervous when changes are made in building usage.

Administrator Ciccarone noted that the lease term with the School District is for two years with optional renewals.

**RESOLUTION 2017-064
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM APPROVING A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF
CHATHAM AND THE SCHOOL DISTRICT OF THE CHATHAMS**

WHEREAS, the lease agreement for a portion of the building located at 58 Meyersville Road, Chatham, New Jersey, with the Township as Landlord and the School District of the Chathams as Tenant has expired; and

WHEREAS, both parties wish to enter into a new lease agreement for a term of two years, with an option of an additional three years;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham in the County of Morris, State of New Jersey, that a lease agreement be entered into for a term of two years, commencing March 1, 2017 and terminating February 28, 2019;

BE IT FURTHER RESOLVED that the rent be the sum of Sixty Thousand Dollars (\$60,000.00) per year for the term of the lease payable in equal quarterly installments on the first day of each quarter, commencing March 1, 2017. This amount includes all utility costs.

Committeeman Kelly moved to pass Resolution 2017-064. Committeeman Sullivan seconded the motion.

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

Hearing of Citizens/Petitions

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

Deputy Mayor Swartz moved to adjourn at 9:58 PM. Committeeman Maurer seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk