

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE AGENDA

April 25, 2019
April 25, 2019 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 4, 2019; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 4, 2019; and notice was filed with the Township Clerk on January 4, 2019.

Flag Salute

Roll call

Approval of Agenda

Proclamation – Donate Life Month

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 2019 Municipal Budget

1. Resolution 2019-105 Adopting 2019 Municipal Budget

Public Hearing/Final Adoption of Ordinances

1. Ordinance 2019-07 Accepting Deed of Conservation Easement for Block 61 Lot 16

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 2019-106 Receipt of Reports
2. Resolution 2019-107 Approving Meeting Minutes
3. Resolution 2019-108 Approving Executive Session Minutes
4. Resolution 2019-109 Cancelling Various Unexpended Balances

Discussion: possible ordinance or resolution

1. Bylaws Amendments
2. Colony Pool Fees

Hearing of Citizens (Time Permitting)

Executive Session* – Resolution 2019-P-06

1. Potential Litigation – Aptive Environmental, LLC, v. Township of Chatham

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 2019-07

**ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
ACCEPTING DEED OF CONSERVATION EASEMENT FROM GOLDEN RIVER
HOMES, LLC, FOR A CONSERVATION EASEMENT ON AND OVER LOT 16 IN
BLOCK 61 AS SHOWN ON THE TOWNSHIP OF CHATHAM TAX MAP AND
COMMONLY KNOWN AS 11 SUNSET DRIVE**

WHEREAS, Golden River Homes, LLC, is the owner in fee of real property located at 11 Sunset Drive and designated on the Township of Chatham Tax Map as Lot 16, Block 61 (“Property”); and

WHEREAS, approval was granted to Golden River Homes, LLC, by the Township of Chatham Board of Adjustment to build a single family house with variances on the Property as memorialized by Resolution BOA17-61-16, adopted June 21, 2018, and Golden River Homes, LLC, agreed to subject a portion of the Property to a conservation easement in recognition of environmental values and consistent with the requirements and purposes of the Township Land Development Ordinance.

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

Section 1. The attached Deed of Conservation Easement is hereby accepted.

Section 2. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 3. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect according to law.

Introduced: April 11, 2019

Adopted:

Attest:

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

BY: _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2019-106

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:

CFO – March
Construction Official – March
Police Department – March
State Training Fees – 1st Quarter
Registrar of Vital Statistics – 1st Quarter
Dog/Cat Licensing – 1st Quarter

Adopted: April 25, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Tayfun Selen, Mayor

DRAFT

RESOLUTION 2019-107

**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 April 11, 2019.

Adopted: April 25, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2019-108

**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 April 11, 2019.

Adopted: April 25, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

DRAFT

RESOLUTION 2019-109

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, CANCELLING VARIOUS UNEXPENDED BALANCES

WHEREAS, The Report On Examination of Financial Statements (Audit) for the year ended December 31, 2018 revealed a number of miscellaneous items including unallocated receipts, appropriated reserves, reserves for special deposits, unexpended improvement authorizations, and state aid receivables and reserves, and

WHEREAS, The Chief Financial Officer has determined that these items may all be cancelled,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby cancels the following items:

General Capital Fund Schedule of Improvement Authorizations	
Ordinance 2017-010	\$426.47
Ordinance 2017-012	\$162,411.82
Total	\$162,838.29

Adopted: April 25, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2019-P-06

**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: Aptive Environmental, LLC, v. Township of Chatham
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: April 25, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

By _____
Tayfun Selen, Mayor

Gregory J. LaConte, Clerk

RESOLUTION 2019-

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM ADOPTING RULES AND ORDER OF BUSINESS OF THE TOWNSHIP COMMITTEE

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, that the following Rules and Order of Business of the Township Committee are hereby adopted:

RULES AND ORDER OF BUSINESS OF THE TOWNSHIP COMMITTEE

ARTICLE I.

Robert's Rules of Order Newly Revised.

The deliberations of the Township Committee shall be governed by Robert's Rules of Order Newly Revised.

ARTICLE II.

Selection of Mayor and Deputy Mayor.

Section 1. The Mayor and Deputy Mayor shall be selected at the Reorganization Meeting.

Section 2. The Mayor and Deputy Mayor shall serve a term expiring on December 31st.

Section 3. The Annual Reorganization Meeting shall be chaired by the Township Clerk until such time that the Mayor has been selected by the Township Committee.

ARTICLE III.

Meetings.

Section 1. The Mayor shall preside at all meetings of the Township Committee. In the absence of the Mayor, the Deputy Mayor shall perform all the duties of the Mayor. The Mayor shall on all occasions preserve order and shall cause the arrest or removal of all persons who interrupt the proceedings of the Township Committee.

Section 2. The Mayor shall decide all questions of order subject to appeal to the Township Committee.

Section 3. Each member of the Township Committee, including the Mayor, shall have the right to make and second motions and nominations and to vote thereon.

Section 4. Regular meetings shall be held as scheduled at the annual organization meeting each year or as rescheduled by resolution adopted at a regular meeting.

Section 5. Special meetings shall be held as provided by Code of the Township of Chatham and applicable State law. Upon the filing of a proper call for a Special meeting, the Township Clerk shall give at least two (2) business days' notice thereof with a copy of the call to all members of the Township Committee by delivery to each member personally or to each member's residence. Copies of the notice shall be promptly released to the news media and posted in a prominent place in the Township Hall.

Section 6. Regular and Special meetings of the Township Committee shall be open to the public. A portion of all meetings shall be set aside for citizens to address the Township Committee on any matter of interest.

Section 7. All items of business on a consent agenda will be delivered to each member of the Township Committee at least 2 days prior to the meeting at which it is to be considered, unless circumstances do not permit advance delivery.

Section 8. No new business will be considered after 11 PM. This rule may be waived by an affirmative vote of a majority of the Township Committee Members then present. In all instances Township Committee meetings will adjourn no later than 12 AM (midnight).

Section 9. All Township Committee meetings will be conducted in accordance with the requirements of the Open Public Meetings Act. (N.J.S.A. 10:4-6 et seq.)

ARTICLE IV.

Order of Business.

Section 1. The following shall be the normal order of business of all Regular meetings of the Township Committee:

1. Meeting called to order.
2. Open Public Meetings Act announcement.
3. Salute to flag.
4. Roll Call.
5. Review and acceptance of agenda.
6. Special Recognition/Awards.
7. Reports.
8. Hearing of citizens.
9. Public Hearing and final adoption of ordinances.
10. Introduction of ordinances.
11. Adoption of resolutions.
12. Miscellaneous business.
13. Hearing of Citizens (Time Permitting)
14. Closed session resolution; if applicable.
15. Adjournment.

Section 2. The final agenda shall be adopted as amended, if need be, by vote of the Township Committee at the start of each meeting.

Section 3. Hearing of Citizens

(a). During the first public portion on the Agenda, speakers may comment upon items on the Agenda that are not the subject of a separate public hearing scheduled for that meeting. Speakers may comment for up to five (5) minutes on topics on the Agenda. Speakers may speak once and may not yield their time to another speaker.

(b). During public hearings, Section 3(a) will also apply.

(c). During the second public comment period, speakers may comment upon any topic, including Agenda items, for the good and general welfare of the Township of Chatham. Speakers may comment for up to five (5) minutes on any topic for the good and general welfare of the Township. Speakers may speak once and may not yield their time to another speaker.

(d). During all public portions, residents of the Township of Chatham will be called upon to speak before non-Township residents.

Section 4. Sub-Committee chairpersons and liaisons will provide short update reports to the Township Committee during the report section of meetings.

Section 5. The Chief of Police, Public Works Manager, Recreation Director and Township Administrator shall report on a quarterly basis to the Township Committee, during the report section of meetings.

ARTICLE V.

Committees and Boards.

Section 1. The Township Committee hereby creates four Standing Committees, each consisting of two (2) members of the Township Committee as follows:

1. Public Safety/Emergency Management
2. Administration/Finance
3. Public Works/Sewer Utilities
4. Communications

Note: The Township Administrator shall supervise all departments, attend all meetings of the Standing Committees and implement the policies adopted by the Township Committee. The Standing Committees are not authorized to exert any administrative control over the departments assigned.

Section 2. Except as otherwise required by State statute and the Code of the Township of Chatham, the Mayor shall appoint members to the various Township boards with the approval of the Township Committee.

Section 3. The Township Committee may appoint advisory committees for special purposes composed of no more than 2 Members of Township Committee and such other Administrative staff members and members of the general public as it deems necessary and appropriate.

Section 4. At the time of creation of an advisory committee, the Township Committee shall establish the duration of the advisory committee. No advisory committee shall take a position on behalf of the Township Committee without the Township Committee's approval.

Section 5 . A member of the Township Committee, appointed by the Committee, shall serve as liaison to the following Boards, Commissions and Community Groups and other Entities:

- Mayor's Wellness Campaign
- Board of Education
- Environmental Commission
- Senior Citizens Center/Senior Club of the Chathams
- Municipal Alliance Committee
- Chamber of Commerce
- Fire and Rescue
- Historical Society
- Public Utilities

Section 6. A member(s) of the Township Committee, appointed by the Committee, shall serve as a member of the following Boards and Committees:

- Joint Recreation Advisory Committee
- Joint Municipal Court Committee (2 members)
- The Board of Health
- The Board of Trustees of the Joint Library of the Chathams (Mayor or Mayor's designee)
- Open Space Committee
- Joint Community Garden

ARTICLE VI.

Ordinances.

Section 1. All proposed ordinances, supplements to and amendments of ordinances shall be presented in writing at a regular meeting, except in those instances when the Township Committee decides to act on an ordinance at a special meeting.

Section 2. Every ordinance duly passed by the Township Committee shall be recorded by the Township Clerk in the Township Ordinance Book, with a proper index. Each ordinance entered in the Ordinance Book shall be compared with the original and shall not be entered unless it is identical in content with such original. The Township Clerk shall enter at the foot of the ordinance the date it was passed and the number and page of the Minute Book containing the minutes of the meeting at which it was passed. Each ordinance entered in the Ordinance Book shall be signed by the Mayor or Deputy Mayor and the Township Clerk.

Section 3. The Township Ordinance Book is hereby established as the original permanent record of the Ordinances of the Township.

Section 4. All ordinances shall be introduced, considered, read, heard, adopted and published in accordance with applicable law and inserted in the correct place in the Code of the Township of Chatham.

ARTICLE VII.

Filings.

Section 1. The Township Committee shall file with the Township Clerk all ordinances, resolutions, reports, petitions, correspondence and other papers considered by or presented to the Township Committee.

ARTICLE VIII.

Minutes.

Section 1. The Township Clerk shall keep minutes of all Township Committee meetings as provided by law.

Section 2. Draft minutes for all meetings shall be delivered to the Township Committee Members no later than the Friday preceding the next regular meeting. Such minutes shall be clearly marked as a draft minutes.

Section 3. Minutes will be filed into the minute book and released to the public only by the Township Clerk and only after approval by the Township Committee.

Section 4. All open sessions of the regular and special meetings may be recorded.

Section 5. The recordings, if made, will be kept by the Township Clerk as required by law.

Section 6. The approved minutes shall become the official record of the meeting.

ARTICLE IX.

Newly Elected Township Committee Members

Section 1. Upon certification of election results, the Township Clerk shall begin sending newly elected Township Committee members the meeting agendas and supporting documentation.

Section 2. Upon certification of election results, newly elected Township Committee members shall be invited to attend Executive Sessions prior to swearing-in provided that the newly elected Township Committee Member agrees to be bound by confidentiality requirements.

ARTICLE X.

Code of Conduct.

Section 1. No member of the Township Committee, including the Mayor, can conduct business for, or on behalf of, the Township without express, specific approval of the Township Committee. This includes all correspondence, written or otherwise, negotiations, and the like.

Section 2. It is the responsibility of each Committee member to disclose to the Township Attorney any personal or private interest, directly or otherwise, in any question or measure proposed or pending before the Township Committee. The Township Attorney will determine whether a conflict of interest exists.

Section 3. A member of the Township Committee who has a conflict of interest on a particular matter shall neither vote on nor take part in discussion of same.

Section 4. A member of the Township Committee shall not use or disseminate confidential information acquired by or available to them for personal gain or for personal, non-Township business related reasons. Any member who is aware of a breach of confidentiality, is expected to bring forth that information to the appropriate officials in a timely manner.

ARTICLE XI.

Township Administrator.

Section 1. The Township Administrator shall be the Chief Administrative Officer of the Township, shall supervise all Departments, perform the duties of Township Administrator as specified in the Code of the Township and shall be responsible to the Township Committee for the proper and efficient administration of Township affairs. The Township Administrator shall prepare the annual budget

Section 2. The Township Administrator shall make reports to the Township Committee as requested. The municipal budget shall be prepared by the Township Administrator and presented to the Township Committee at a public meeting in January or such time as fixed by the State Division of Local Government Services.

Section 3. It is intended that the Township Committee shall act in all matters as a body. Members of the Township Committee shall not seek individually to influence the official acts of the Township Administrator or any other officer or to interfere in any way with the performance by such officers of their duties.

Adopted: April 25, 2019

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS

Attest:

Gregory J. LaConte, Clerk

By _____
Tayfun Selen, Mayor