

**MINUTES**  
**TOWNSHIP COMMITTEE**  
**REGULAR MEETING**  
**May 25, 2017**

Mayor Ritter called the Regular Meeting of the Township Committee of the Township of Chatham to order at 7:33 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.

Mayor Ritter led the flag salute.

**Roll Call**

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

**Approval of Agenda**

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

**Reports**

Committeeman Sullivan reported that former Administrator/Clerk Alice Lundt passed away recently, and he commented on her various accomplishments. He noted that a memorial service will be held.

Deputy Mayor Swartz reported that DPW is busy preparing Colony Pool for opening day. Mulch is being spread at the playgrounds around town. Deputy Mayor Swartz also reported that DPW will be doing preparation work for road maintenance projects. She also noted that Christie Tragno has taken over as the recycling coordinator. The CTEC Facebook page is now live, and Deputy Mayor Swartz thanked Cara Feeser for her work in developing the page. Deputy Mayor Swartz also thanked those who sent well wishes when she was recently recovering from surgery.

Mayor Ritter reported that an opioid awareness program was conducted in conjunction with the Morris County Prosecutor's Office, and a video recording thereof will be posted on the Township website. He further reported that Colony Pool registrations are now available. Mayor Ritter further commented on recent discussion in the press about parking at the Chatham Train Station. Mayor Ritter noted that the Township is beholden to the Borough regarding parking at the Train Station. He also said that the Township has reached out to Uber regarding potential programs. He also reported that there is an app available to find commercially available parking spots near the train station. Mayor Ritter further reported that NJ Transit has released information that the Morris-Essex Line will go through the Hoboken line during July and August when Amtrak is performing track repair.

Engineer Ruschke reported the Colony Pool Wall Replacement is substantially complete enough for the pool to open, and there are still some punch list items to be completed. He also reported that he sent a proposed milling and paving schedule to the contractor for the 2017 road improvement program, and he hopes to have the schedule posted on the Township website soon. Engineer Ruschke also provided an update on the Safe Routes to School Grant for a new sidewalk on Lafayette Ave. The DOT is negotiating with a consultant to design the sidewalk. Engineer Ruschke said that late fall is the earliest that the work might begin. Committeewoman Swartz asked about saving trees within the route of the sidewalk, as well as public discourse regarding any design concerns. Engineer Ruschke said that the property owners can convey easements to allow the sidewalk to go around trees that would otherwise need to be removed. He also said that there will be a public hearing or field meeting so residents can provide input.

Chief Hennelly spoke about the difference between peddlers, solicitors and canvassers. He provided the definition of the terms as outlined in the Township's code book. Chief Hennelly also described the requirements for each type of permit, as well as the exemptions from the ordinance. He also said that the hours allowed for solicitors is from 9:00 AM to 5:00 PM on weekdays and Saturdays, excluding federal holidays. Canvassers can operate from 9:00 AM to 9:00 PM on weekdays. Thus far, only two companies have obtained solicitor permits this year. Chief Hennelly also noted that any applicants who apply for a solicitor or canvasser permit who meet the eligibility requirements are granted said permits.

Administrator Ciccarone reported that the bond ordinance on the agenda for introduction will appropriate \$105,000 for the Woodland Road Sidewalk Project. He noted that the Township received a grant for the project, which has been included in the 2017 budget. The Township recently went out to bid for the project, and the extra money is necessary in order to award the contract. Engineer Ruschke described the sidewalk to be installed.

Mayor Ritter asked about the temporary cell tower at Esternay Field. Administrator Ciccarone said that when the Township gave T-Mobile notice to vacate the premises, a court order was subsequently issued allowing them to remain for an extended period of time. A diversion application was then submitted to Green Acres. Administrator Ciccarone said that the new playground which T-Mobile has agreed to install has arrived. T-Mobile will be able to move the cellular antennas to the power lines in October, at which time the temporary tower will be removed and the new playground will be installed.

### **Hearing of Citizens**

Mayor Ritter opened the Hearing of Citizens.

1. Michael Neibert, 41 Park View Road, addressed the animal control ordinance. He said that the ordinance does not cover dogs attacking other dogs. Mr. Neibert said that a neighbor's dog has attacked his dog three times. He asked that the animal control ordinance be amended to allow him to take his neighbor to court over this matter.

Attorney Cruz described the powers held by the animal control officer, and he suggested that the matter be referred accordingly. He also opined that amending the ordinance might not adequately address the issue. Administrator Ciccarone said that he will follow up with the animal control officer. Attorney Cruz also said that if any mediation agreements between Mr. Neibert and his neighbor have been violated, he should contact the Municipal Court.

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

### **Public Hearing/Final Adoption of Ordinances**

Ordinance 2017-09

**ORDINANCE 2017-09  
ORDINANCE AUTHORIZING ACCEPTANCE OF DEEDS (ROAD DEDICATION)  
FOR A PORTION OF BLOCK 33, LOT 1 (NOW DESIGNATED AS LOTS 1, 1.01, 1.02,  
14, 14.01, 17 AND 20; BLOCK 32, LOTS 2, 6 AND 8 AND BLOCK 9, LOT 1 (NOW  
DESIGNATED AS LOTS 1 AND 1.01); CONSERVATION EASEMENTS FOR A  
PORTION OF BLOCK 32, LOT 2.01; BLOCK 9, LOTS 1 AND 1.01; AMENDED  
CONSERVATION EASEMENT FOR BLOCK 32, LOT 2.01; VEGETATION-TREE  
NON DISTURBANCE AGREEMENT BLOCK 33, LOTS 14, 14.01, 17 AND 20; GRANT  
OF EASEMENT FOR STORMWATER MANAGEMENT AND MONITORING;  
AMENDMENT TO GRANT OF EASEMENT FOR MAINTENANCE AND  
MONITORING OF STORMWATER MANAGEMENT AND OTHER COMMON  
IMPROVEMENTS ALL FROM FENIX-CHATHAM I, LLC, FENIX-CHATHAM II,  
LLC AND LONG VIEW AT CHATHAM, LLC, FOR THAT DEVELOPMENT  
COMMONLY KNOWN AS HIGH GATE AT CHATHAM**

**WHEREAS**, the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, wishes to accept Deeds (Road Dedication) for a portion of Block 33, Lot 1; now designated as Lots 1, 1.01, 1.02, 14, 14.01, 17 and 20; Block 32, Lots 2, 6 and 8 and Block 9, Lot 1 (now designated as Lots 1 and 1.01)(“Deeds”); Conservation Easements for a portion of Block 32, Lot 2.01; Block 9, Lots 1 and 1.01; Amended Conservation Easement for Block 32, Lot 2.01; Vegetation-Tree Non Disturbance Agreement Block 33, Lots 14, 14.01, 17 and 20; Grant of Easement for Stormwater Management and Monitoring; Amendment to Grant of Easement for Maintenance and Monitoring of Stormwater Management and other Common Improvements all from Fenix-Chatham I, LLC, Fenix-Chatham II, LLC and Long View at Chatham, LLC (“Easements”) for that development commonly known as High Gate at Chatham; and

**WHEREAS**, these dedications are required by various Township of Chatham Planning Board Resolutions; and

**WHEREAS**, Fenix-Chatham I, LLC; Fenix-Chatham II, LLC and Long View at Chatham, LLC, agreed to donate the Deeds and Easements at no cost to the Township; and

**WHEREAS**, the Township Attorney and Township Engineer for the Township of Chatham reviewed the Deeds and Easements and find each acceptable.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that it hereby authorizes acceptance of the identified Deeds and Easements.

**BE IT FURTHER ORDAINED** that the Township of Chatham Mayor and Clerk are hereby authorized to sign the Deeds and Easements as may be required.

This Ordinance shall become effective according to law.

Mayor Ritter opened the Public Hearing on Ordinance 2017-09.

1. Arlene Driscoll, 145 Terrace Drive, asked about the purpose of the ordinance. Engineer Ruschke explained that High Gate was a major subdivision, and several easements are required in accordance with the Planning Board’s approval of the project. Mrs. Driscoll asked about the creation of new roads. Engineer Ruschke explained that there were preexisting paper streets which were developed as part of this project. Mrs. Driscoll also asked where the project is located. Engineer Ruschke described the location. Attorney Cruz added that it is normal to have an ordinance like this when a development is being completed.

Seeing no further comment, Mayor Ritter closed the Public Hearing.

Committeeman Kelly moved to introduce Ordinance 2017-09. Committeeman Sullivan seconded the motion.

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

**Introduction of Ordinances**

Ordinance 2017-09

**ORDINANCE 2017-10**

**BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE WOODLAND ROAD PATHWAY EXTENSION PROJECT IN, BY AND FOR THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$105,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

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

Section 1. The Township of Chatham, in the County of Morris, State of New Jersey (the "Township") is hereby authorized to undertake the Woodland Road Pathway

Extension Project in, by and for the Township. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor, and shall be undertaken in accordance with plans and specifications prepared or to be prepared by the Township Engineer and hereby approved and incorporated herein by this reference thereto. Such plans and specifications are on file or shall be placed on file with the Township Clerk and made available for public inspection during regular business hours.

Section 2. The sum of \$105,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Township, and (2) it is necessary to finance said purpose by the issuance of obligations of said Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$243,000, including the sum of \$138,000 previously appropriated as a grant from the New Jersey Department of Transportation (the "State Grant") and the \$105,000 appropriated by this ordinance, and (4) \$5,250 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$99,750, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$2,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$5,250, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purpose. The sum of \$5,250 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Township of an aggregate principal amount not exceeding \$99,750 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$99,750 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance

by \$99,750 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds in addition to the State Grant previously appropriated, received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 12. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Deputy Mayor Swartz moved to introduce Ordinance 2017-10. Committeeman Sullivan seconded the motion.

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

Public Hearing on Ordinance 2017-10 will be scheduled for June 8, 2017.

Ordinance 2017-11

**ORDINANCE 2017- 11**

**ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND SUBSECTION 30-75.2 TITLED “MAP AND SCHEDULE” OF CHAPTER XXX, TITLED “LAND DEVELOPMENT” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM TO CHANGE THE ZONING DISTRICT CLASSIFICATION ON THE OFFICIAL ZONING MAP TO THE R-2 RESIDENCE DISTRICT FOR THE FOLLOWING PROPERTY:  
BLOCK 144, LOT 33 FRONTING ON GREEN VILLAGE ROAD NEAR ITS INTERSECTION WITH HICKORY PLACE**

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

**SECTION 1.** Subsection 30-75.2 titled “Map and Schedule” of Section 30-75 titled “Zone Districts and Enforcement” of Chapter XXX titled “Land Development” of the Revised General Ordinances of the Township of Chatham is hereby amended as follows:

- A. Change the zoning district classification on the official zoning map to the R-2 Residence District for the following property:

Block 144, Lot 33

- B. The “Official Zoning Map, Township of Chatham, Morris County, New Jersey”, dated March, 1999, is hereby replaced by the “Official Zoning Map, Township of Chatham, Morris County, New Jersey”, dated March, 1999, revised as of May, 2017, and is hereby adopted and replaces “Appendix III Item 1: Zoning Map” to the “Appendix to Land Development”, with the “Schedule of Zoning Requirements” remaining as shown in Appendix I.

**SECTION 2.** All other Ordinances, part of Ordinances, or other local requirements that are inconsistent or in conflict with this Ordinance are hereby repealed to the extent of any inconsistency or conflict, and the provisions of this Ordinance apply.

**SECTION 3.** Notwithstanding that any provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, all remaining provisions of the Ordinance shall continue to be of full force and effect.

**SECTION 4.** This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted Ordinance by the Clerk with the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16.

Engineer Ruschke said that Oak Knoll requested the rezoning of a portion of their property, and the property is currently located within three different zones. He also said that in 2001, Oak Knoll applied to the Planning Board for a conditional use to develop the property as a recreational field. There was an oversight at the time, and the PI-2 zone was not cited in the application. The PI-2 zone does not allow recreational fields except as a conditional use. The current request is to convert the property to be completely within the R2 zone. Engineer Ruschke said that a prior Planning Board application saw the consolidation of several lots, which is how the property came to have three zoning designations. Administrator Ciccarone said that this is a matter that should have been addressed 16 years ago in connection with Oak Knoll’s previous application.

Committeeman Sullivan moved to introduce Ordinance 2017-11. Deputy Mayor Swartz seconded the motion.

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

Public Hearing on Ordinance 2017-11 will be scheduled for June 8, 2017.

Resolutions

**RESOLUTION 2017-108**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM**  
**AUTHORIZING A SETTLEMENT AGREEMENT WITH THE VERNON GROVE**  
**CONDOMINIUM ASSOCIATION, INC., EXTENDING THE AFFORDABILITY CONTROLS**  
**AT VERNON GROVE**

**WHEREAS**, on July 7, 2015, the Township of Chatham (“Township”) filed a Declaratory Judgment Complaint with the Superior Court of New Jersey, Morris County, Law Division (“Court”), captioned 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; and

**WHEREAS**, a component of the Township’s proposed Third Round Housing Element and Fair Share Plan is to extend the affordability controls on the seventy-two (72) units known as the Vernon Grove Condominium (“Condominium”); and

**WHEREAS**, on June 23, 2016, the Township Committee of the Township of Chatham adopted Resolution 2016-146, titled “Resolution of the Township Committee of the Township of Chatham Extending Affordable Controls at Vernon Grove and Sutton Woods”; and

**WHEREAS**, on August 30, 2016, the Township recorded Declarations of Restrictive Covenant Extension of Affordability Controls applicable to both the Vernon Grove and Sutton Woods Condominiums; and

**WHEREAS**, on July 18, 2016 and August 29, 2016, the Vernon Grove Condominium Association, Inc. (“Association”), filed with the Court an objection to the extension of the affordability controls; and

**WHEREAS**, in addition to the Association’s objection, individual Unit Owners at the Condominium filed with the Court objections to the extension of the affordability controls; and

**WHEREAS**, the Association met with its members to determine whether the membership desired to withdraw the objection to the Township’s extension of the affordability controls and to amend the Master Deed of the Vernon Grove Condominium to extend the affordability controls on the seventy-two (72) units at the Condominium for thirty (30) years consistent with the Declaration of Restrictive Covenant Extension of Affordability Controls; and

**WHEREAS**, the Association and Condominium membership reached a consensus to extend the affordability controls and approve this Settlement Agreement subject to a vote of the Condominium membership; and

**WHEREAS**, the Township and Association have determined that a desirable means of promoting an adequate supply of low- and moderate-income housing in the Township is to extend the affordability controls on the Condominium for a period longer than the initial term; and

**WHEREAS**, the Township and Association, as a result of this Settlement Agreement, will promote the well being of the Condominium membership by undertaking certain capital and deferred maintenance improvements to enhance the Condominium.

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

1. That the Mayor and Clerk are hereby authorized to sign the Settlement Agreement in substantially the form attached.
2. That this Resolution shall take effect immediately.

Attorney Cruz provided background on the affordable housing at Vernon Grove. The affordability controls would have expired in 2016, however the Township Committee took action to extend the controls for an additional 30 years. Some residents objected to the extension, and filed an objection in Superior Court. Attorney Cruz explained the content of the agreement with the Vernon Grove Association to extend the controls. The agreement is subject to approval by the Superior Court.

Deputy Mayor Swartz moved to pass Resolution 2017-108. Committeeman Kelly seconded the motion.

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

### **Consent Agenda**

#### **RESOLUTION 2017-109**

#### **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:

Tax Collector – April  
CFO – April  
Chatham Township Fire Department – April  
Police Department – March, April

#### **RESOLUTION 2017-110**

#### **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 May 11, 2017.

**RESOLUTION 2017-111  
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 May 11, 2017.

**RESOLUTION 2017-112  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN  
THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING TAX LIEN**

**WHEREAS**, due to payment by property owner of the lien amount, a redemption of a tax lien is appropriate; and

**WHEREAS**, the Tax Collector has recommended the refund of such tax lien

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following refund be made as indicated:

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
2	10	JONATHAN KATZ 61 HILLTOP ROAD SHORT HILLS, NJ 07078  Certificate #10-00001 Hodgkiss, Meredith Jeanne 823 River Road	\$92,659.70 – Certificate  Plus Interest Calculated to May 24, 2017

**RESOLUTION 2017-113  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN  
THE COUNTY OF MORRIS, NEW JERSEY, REGARDING THE RENEWAL OF ALCOHOLIC  
BEVERAGE LICENSES IN THE TOWNSHIP OF CHATHAM FOR THE FISCAL YEAR  
BEGINNING JULY 1, 2017**

**WHEREAS**, an application for the renewal of an Alcoholic Beverage License in the Township of Chatham for the fiscal year beginning July 1, 2017 has been made by Chattam Wine & Liquor LLC;

**WHEREAS**, the applicant has complied with all the requirements of “An Act for the Manufacture, Distribution and Sale of Alcoholic Beverages”, known as the “Alcoholic Beverage Act and Amendments and Supplements thereto”, as well as the Ordinance of the Township of Chatham entitled “An Ordinance to Regulate the Sale and Distribution of Alcoholic Beverages”, as amended, including the submission of the appropriate license fees, and no objections to the renewal of said licenses have been received.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Clerk be and hereby is authorized to deliver the plenary retail distribution license as issued by the New Jersey Division of Alcoholic Beverage Control for the fiscal year beginning July 1, 2016, as follows:

To Chattam Wine & Liquor LLC., trading as Buy Rite Liquor, for premises situated at 650 Shunpike Road, Unit 1A Chatham, New Jersey (Lic. No. 1405-44-004-007).

**BE IT FURTHER RESOLVED** that a copy of this Resolution certified by the Township Clerk be forwarded to the Division of Alcoholic Beverage Control and the State Department of Taxation and Finance, Newark, New Jersey, for their information and guidance.

Deputy Mayor Swartz noted that she will abstain on the approval of the May 11<sup>th</sup> minutes, as she was absent from the meeting. Committeeman Sullivan noted that the minutes of the May 11<sup>th</sup> meeting do not indicate that the Township contributes \$6 million more than the Borough to the School District of the Chathams, while only 48% of the student body are from the Township.

Committeeman Kelly moved to approve the Consent Agenda. Committeeman Sullivan seconded the motion.

**Roll call:** Committeeman Maurer, Absent; Committeeman Kelly, Aye; Committeeman Sullivan, Aye; Deputy Mayor Swartz, Aye (Abstain on Resolutions 2017-110 & 2017-111); Mayor Ritter, Aye.

Administrator Ciccarone noted that Resolution 2017-112 deals with a tax lien. He said that the property in question has been an eye sore. The lien holder had begun foreclosure proceedings, and the lien has been redeemed. The property is under new ownership, and the Township will be in touch with the property owner regarding the rehabilitation of the house.

### **Hearing of Citizens/Petitions**

Mayor Ritter opened the Hearing of Citizens.

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

### **Executive Session**

## **RESOLUTION 2017-P-08 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
  - b. Property Acquisition: Open Space
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.

Committeeman Kelly moved to pass Resolution 2017-P-08 to enter Executive Session at 8:41 PM. Deputy Mayor Swartz seconded the motion.

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

The Township Committee returned from Executive Session at 9:41 PM.

The Township Clerk announced that on June 5, 2017 there will be a special meeting of the Township Committee for an executive session.

Deputy Mayor Swartz moved to adjourn at 9:42 PM. Committeeman Sullivan seconded the motion, which carried unanimously.

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Gregory J. LaConte  
Municipal Clerk