

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
SEPTEMBER 14, 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.

Approval of Agenda

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

Oath of Office

Mr. Tayfun Selen was sworn in as a Township Committee Member, temporarily filling the vacancy created from Committeeman Maurer's resignation. The oath was administered by the Township Clerk.

Roll Call

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

Proclamation – Suicide Prevention Month

Mayor Ritter read aloud the attached proclamation for Suicide Awareness Month. The proclamation was presented to Detective Anthony LoPorto.

Reports

Committeeman Kelly reported that the Municipal Alliance met, and they are looking in to the causes of substance abuse and suicide. He also reported that the Community Garden is harvesting a bumper crop. Committeeman Kelly said that anyone interested in having a plot at the Community Garden next year should submit their application soon.

Committeeman Sullivan reported that the Joint Municipal Court Committee recently met, and he is the chairman this year. He commented that the Joint Court continues to be well run, and he said that it is one of the best joint courts in the State.

Deputy Mayor Swartz reported that there is widespread support in the community for Mayor Ritter's suicide prevention awareness campaign. She also reported that the Senior Center's pickle ball program is underway in the gym in the Municipal Building. The Senior Bus will also be running on Monday's. Deputy Mayor Swartz further noted that senior citizens who have come to Chatham to escape Hurricane Harvey and Hurricane Irma are welcome at the Senior Center. Deputy Mayor Swartz further reported that the Department of Public Works is continuing to transition from summer activities to fall activities. Potholes are also being filled and catch basins are being cleaned. Deputy Mayor Swartz noted that DPW has performed several upgrades to the exterior lighting at the Municipal Building. She also reported that a

compactor has been installed at the Tanglewood Recycling Center, and traffic flow may have to change to accommodate the new equipment.

Mayor Ritter reported that New Jersey Monthly recently ranked Chatham Township as the #2 municipality in the state to live, and he credited the Township employees and volunteers with contributing to that ranking. On the Township website, information regarding the Congressional Awards Program has been posted. Mayor Ritter further reported that the Public Safety Committee met recently, and the deer management ordinance is being reviewed to potentially include bear management. The Public Safety Committee also discussed pedestrian safety issues. Mayor Ritter further encouraged residents to sign up for ACT Now alerts. He further noted that the Colony Pool season recently finished up, and it was a successful year.

Administrator Ciccarone explained that Resolution 2017-166 on the Consent Agenda is for renewal of participation in the Morris County Municipal Joint Insurance Fund, and he explained the types of coverage offered by the JIF. Administrator Ciccarone noted the cost savings in participating in the Joint Insurance Fund, and he also noted the cost savings in the participation in the Joint Municipal Court. Resolution 2017-167 is for a change order to close out a paving project. Resolution 2017-168 is a budget amendment accepting money from New Jersey American Water to fund the paving of Lafayette Ave and appropriating said funding, and Resolution 2017-169 authorizes the work to be done.

Deputy Mayor Swartz asked about work recently done at the intersection of Woodland Ave and Loantaka Way in Madison. Administrator Ciccarone said that he does not have details on the project, however he did provide an update on the Woodland Road Walkway Project.

Mayor Ritter noted that the Township's application for funds to install sidewalks on Snake Hill was denied by the NJDOT. Administrator Ciccarone noted that there has not been any progress to report on the Safe Routes to School sidewalks on Lafayette Ave or Shunpike Road, and he does not know the cause of NJDOT's delays with these projects.

Deputy Mayor Swartz noted the need for local drivers to stop speeding.

Chief Hennelly reported that roadwork on Meyersville Road will begin on September 18th with catch basin improvements. Once the milling and paving begins, traffic will only be allowed in the eastward direction. Chief Hennelly also commented on speeding on Township roads, and he asked residents to be more aware of speed limits. Committeeman Kelly asked about the radar signs which display a car's speed. Chief Hennelly said that the Township only has one such unit, and they are not inexpensive. Chief Hennelly also commented that while there is usually an uptick in property crime during the summer months, there was a reduction in 2017. He credited not only the officers, but also the neighborhood watch programs and the relationship that the Police Department has developed with Township residents.

Hearing of Citizens

Mayor Ritter opened the Hearing of Citizens.

1. John Strelkoff, 544 Green Village Road, said that Mayor Ritter's suicide prevention campaign goes across party lines and the whole community should support the effort. He also commented that the figures provided by Administrator Ciccarone regarding the cost savings incurred from the joint court are very good, with a 75% savings. Mr. Strelkoff also commented that tailgaters are an additional traffic problem.

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

Introduction of Ordinances

ORDINANCE 2017-12

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR OPEN SPACE PURPOSES IN, BY AND FOR THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,000,000 TO PAY THE COST THEREOF, 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 acquire real property, including existing structures, in, by and for the Township for open space purposes. Said improvement shall include real estate transaction expenses, demolition of existing structures and all work, materials and appurtenances necessary and suitable therefor. The property to be acquired consists of the following parcels described by their street address and legal description on the Tax Assessment Map of the Township:

<u>Street Address</u>	<u>Block</u>	<u>Lot</u>
304 River Road	62	93
9 Southern Boulevard	62	94

The Mayor, Township Administrator, Township Clerk and Township Attorney are hereby authorized to take all actions and execute all documents necessary in connection with the acquisition of the real property.

Section 2. The sum of \$2,000,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 of this ordinance (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. It is anticipated that a grant in the amount of \$500,000 from the New Jersey Department of Environmental Protection Green Acres Program shall be received by the Township to finance the cost of the improvement described in Section 1 hereof. Any of said grant funds so received shall be applied as set forth in Section 9 hereof. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the Township, (2) it is necessary to finance said purpose by the issuance of obligations of the Township pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), (3) the estimated cost of said purpose is \$2,000,000, (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$2,000,000, and (5) the cost of said purpose, as hereinbefore stated, includes the aggregate amount of \$50,000, which is estimated to be necessary to finance the cost of said 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. To finance said purpose, bonds of the Township of an aggregate principal amount not exceeding \$2,000,000 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 5. To finance said purpose, bond anticipation notes of the Township of an aggregate principal amount not exceeding \$2,000,000 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 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, 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 notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Township and attested by the Township Clerk or Deputy

Township Clerk. Said officers are hereby authorized to execute said notes and to issue 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 7. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 8. 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 the Township, and that such statement so filed shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$2,000,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 9. Any funds 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 said purpose shall be applied to the payment of the cost of said purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 10. 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 11. The Township intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this ordinance. If the Township incurs such costs prior to the issuance of such 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 ordinance.

Section 12. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and 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 13. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Committeeman Sullivan commented that he is glad to see this purchase of property moving forward, and he thanked Open Space Committee chairman Joe Basralian for his contributions to this effort.

Committeeman Kelly commented that the Open Space Committee views this parcel as a valuable acquisition.

Deputy Mayor Swartz commented that the property is being financed without raising taxes.

Mayor Ritter said that this purchase is reflective of the Township Committee's commitment to Open Space.

Administrator Ciccarone summarized that the ordinance authorizes \$2 million in debt, the purchase price of the property is \$1.8 million, and \$200,000 is budgeted for demolition of existing structures and other soft costs. \$500,000 of the purchase price is being covered by a Green Acres grant.

Committeeman Sullivan moved to introduce Ordinance 2017-12. Deputy Mayor Swartz seconded the motion.

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

Public Hearing on Ordinance 2017-12 will be scheduled for September 28, 2017.

Consent Agenda

**RESOLUTION 2017-160
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 \$1,643,443.37 and the prior month's payroll of \$450,144.59 Current Fund, \$1,900.00 Recreation Trust, \$43,462.78 Sewer No. 1, \$9,322.29 Sewer No. 2, and \$18,355.33 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of September 2017, in the amount of \$3,036,968.00 be paid.

**RESOLUTION 2017-161
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 meetings held on August 17, 2017 and September 12, 2017.

**RESOLUTION 2017-162
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 August 17, 2017 and September 12, 2017.

**RESOLUTION 2017-163
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	<u>Project</u>	<u>A/C NUMBER</u>	<u>AMOUNT</u>
T-Mobile Northeast LLC Attn: Gregory Meese, Esq Price, Meese, Shulman & D'Arminio 50 Tice Blvd., Suite 380 Woodcliff Lake, NJ 07677	BOA 10-64.04-6	7760011304	\$703.75
T-Mobile Northeast LLC Attn: Gregory Meese, Esq Price, Meese, Shulman & D'Arminio 50 Tice Blvd., Suite 380 Woodcliff Lake, NJ 07677	BOA 16-62-52	7763179958	\$450.00

T-Mobile Northeast LLC Attn: Gregory Meese, Esq Price, Meese, Shulman & D'Arminio 50 Tice Blvd., Suite 380 Woodcliff Lake, NJ 07677	BOA 16-105-5	7763179966	\$480.00
T-Mobile Northeast LLC Attn: Gregory Meese, Esq Price, Meese, Shulman & D'Arminio 50 Tice Blvd., Suite 380 Woodcliff Lake, NJ 07677	PLNBD 12-62.08-18	7761693204	\$199.99
Jeff Soderberg 43 Huron Drive Chatham, NJ 07928	ROI 2015-56	7763179924	\$323.00

**RESOLUTION 2017-164
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

WHEREAS, the project for which the permit was issued has been cancelled; and

WHEREAS, the fee collected for the permit was \$991.00; and

WHEREAS, 20% of the total charge is being deducted for plan review;

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>
Magnolia Home Remodeling Group 1640 Vauxhall Road Union, NJ 07083	17-0344	\$792.80

**RESOLUTION 2017-165
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING
COLONY POOL MEMBERSHIP FEE**

WHEREAS, a registration fee was paid for a Colony Pool Membership; and

WHEREAS, a refund of the registration fee has been requested;

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

<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
Sharon Vitiello 134 Highview Drive Clifton, NJ 07013	\$390.00

**RESOLUTION 2017-166
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM FOR RENEWAL OF MEMBERSHIP IN THE MORRIS COUNTY
MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Township of Chatham is a member of the Morris County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2017 unless earlier renewed by agreement between the Township of Chatham and the Fund; and

WHEREAS, the Township of Chatham desires to renew said membership;

NOW THEREFORE, be it resolved as follows

1. The Township of Chatham agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Morris County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

RESOLUTION 2017-167
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH STAVOLA CONSTRUCTION MATERIALS FOR THE 2017 ROAD IMPROVEMENTS PROJECT

WHEREAS, the Township Committee of the Township of Chatham awarded a contract through the Morris County Cooperative Pricing Council, Contract #6: Road Resurfacing, District #1, to Stavola Construction Materials with address at 175 Drift Road, Tinton Falls, New Jersey for the 2017 Road Improvements Project in the amount of \$842,020.00;

WHEREAS, the Dale Drive, Sunset Drive and Van Houton Drive Neighborhoods were completed for a total of \$900,088.19, \$58,068.19 more than the originally awarded amount;

WHEREAS, the Township wishes to amend the contract amount for the as-built conditions of the Dale Drive, Sunset Drive and Van Houton Drive neighborhoods.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it hereby approves a Contract increase of \$58,068.19 to amend the scope of work under the contract.

RESOLUTION 2017-168
A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2017 BUDGET.

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Chatham will receive \$210,000 from New Jersey American Water for the milling and paving of Lafayette Avenue in order to restore same after a water main replacement project and wishes to amend its 2017 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$210,000 which will be available as a revenue from:

Miscellaneous Revenues – Section F: Special Items of General revenue – Public and Private Revenues Offset with Appropriations:

NJAW Grant for Lafayette Avenue Restoration, and

BE IT FURTHER RESOLVED, that a like sum of \$210,000 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

NJAW Lafayette Avenue Restoration.

BE IT FURTHER RESOLVED, that the Township Clerk forward a copy of this resolution to the Director of Local Government Services.

RESOLUTION 2017-169
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AWARDDING ROAD RESURFACING CONTRACT TO STAVOLA CONSTRUCTION MATERIAL INC. FOR LAFAYETTE AVENUE

WHEREAS, Stavola Construction Materials, Inc of 175 Drift Road, Tinton Falls, New Jersey has been awarded the 2017 Contract #6: Road Resurfacing for District #1 under the Morris County Cooperative Pricing Council; and

WHEREAS, Chatham Township is a member of the Morris County Cooperative Pricing Council and located in District No. 1; and

WHEREAS, Chatham Township wishes to resurface Lafayette Avenue from Southern Boulevard to Shunpike Road/Watchung Avenue.

BE IT RESOLVED that the Township of Chatham hereby awards a contract to Stavola Construction Materials, Inc. in the amount of \$195,000.00 subject to applicable unit prices and contract provisions under the Morris County Cooperative Pricing Council.

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

Roll call: Committeeman Selen, Aye (Abstain on 2017-167); Committeeman Kelly, Aye; Committeeman Sullivan, Aye; Deputy Mayor Swartz, Aye; Mayor Ritter, Aye.

Discussion

Recognizing Township Veterans

Mayor Ritter said that he would like to see the Township erect a monument or memorial to honor all the veterans from Chatham Township, potentially to be located at Shunpike Field. He also said that he is conducting research to see how the Township can identify those who have served.

Committeeman Sullivan thanked Mayor Ritter for suggesting that the Township honor its veterans. He offered to assist in working on this project, and suggested that the Chatham Township Historical Society might have information regarding who the Township's veterans are.

Deputy Mayor Swartz agreed that Shunpike Field is a viable option for a veterans memorial, and suggested that the wooded area could potentially be cleared for a memorial.

Committeeman Kelly also spoke in favor of having a monument or memorial, and supported the strategy of having input from different groups.

Committeeman Selen also indicated his support for moving forward.

Mayor Ritter said that members of the community who are interested in participating in the planning of a memorial can reach out to him.

Pipelines

Mayor Ritter said that other municipalities have adopted a model ordinance to address pipelines. He said that Engineer Ruschke is working to tailor the ordinance for Chatham Township. Mayor Ritter also noted that the Township was a leader on this issue when the Township Committee adopted an ordinance to address pipelines in 2015. Committeeman Sullivan complimented Attorney Cruz on authoring the pipeline current ordinance.

Engineer Ruschke said that the Township is part of a consortium of municipalities in opposition to the Pilgrim Pipeline. He also said that the current ordinance is a general prohibition on pipelines. The model ordinance allows for pipelines as a conditional use in non-residential areas. He also said that such an ordinance may be more defensible. Engineer Ruschke said that the model ordinance would not be a practical approach due to the limited commercial area in the Township. He further said that he suggests that a watershed protection ordinance may be more effective to suit the Township's purposes. Engineer Ruschke also addressed underground storage tanks for petroleum products in residential areas. Transmission pipelines will be prohibited within the Great Swamp overlay district. The conditional use will have stringent standards, but not standards which are impossible to meet.

Mayor Ritter said that he is in favor of authorizing the drafting of an ordinance for possible introduction. Deputy Mayor Swartz asked if a corporation would consider rerouting a pipeline.

Engineer Ruschke said that a permit would be more difficult to obtain with the proposed standards.

Committeeman Sullivan said that residents who go before the Zoning Board have to go through a rigorous process, and he thinks that corporations should also have to go through a rigorous process. He also asked if there are any legal implications if the Township's ordinance is different from the 38 other municipalities in the consortium. Attorney Cruz said that his understanding is that the ordinance will be tailored to Chatham Township, and there are only so many areas where a pipeline could be installed. Engineer Ruschke said that the company looking to install the Pilgrim Pipeline will want to have the pipeline run along the power lines, and his opinion is that a prohibition of pipelines within the Great Swamp overlay will be more defensible due to the environmental protections and water quality issues.

Committeeman Kelly offered his support for this effort, as it will protect sources for drinking water. He asked Attorney Cruz about the strategy of adopting a more defensible ordinance. Attorney Cruz said that the proposal is for a conditional use rather than a prohibition. He also said that the standard against which an ordinance would be judged is if it is arbitrary, capricious or unreasonable, and Engineer Ruschke's proposal is to have an ordinance that can withstand that standard.

Deputy Mayor Swartz asked how this proposal would affect the ordinance already in effect. Attorney Cruz said that the current ordinance would be repealed in connection with the new ordinance.

The consensus of the Township Committee is to move forward with Engineer Ruschke's proposal.

Hearing of Citizens/Petitions

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

Executive Session

RESOLUTION 2017-P-13

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. Personnel: Public Works
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.

Deputy Mayor Swartz moved to pass Resolution 2017-P-13 to enter Executive Session at 8:46 PM. Committeeman Selen seconded the motion.

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

Administrator Ciccarone said that the Township Committee will be taking formal action following the Executive Session.

The Township Committee returned to public session at 9:30 PM.

**RESOLUTION 2017-170
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM APPOINTING NEW EMPLOYEES TO THE PUBLIC WORKS
DEPARTMENT**

BE IT RESOLVED by the Township Committee of the Township of Chatham that Thomas J. Cooney is hereby appointed to the Department of Public Works effective September 1, 2017 with terms and conditions of employment as governed by the collective bargaining agreement in effect between the Township and Teamsters Local #866 at a starting salary in accordance with Serviceman Grade III Step 1.

Committeeman Kelly moved to pass Resolution 2017-170. Deputy Mayor Swartz seconded the motion.

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

Committeeman Sullivan moved to adjourn at 9:30 PM. Mayor Ritter seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk