

**MINUTES
TOWNSHIP COMMITTEE
REGULAR MEETING
OCTOBER 25, 2018**

Deputy Mayor Swartz called the Regular Meeting of the Township Committee of the Township of Chatham to order at 7:32 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 5, 2018; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 5, 2018; and notice was filed with the Township Clerk on January 5, 2018.

Deputy Mayor Swartz led the flag salute.

Roll Call

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

Approval of Agenda

Committeeman Kelly moved to approve the agenda. Committeeman Selen seconded the motion, which carried unanimously.

Presentation – Breast Cancer Awareness Month

Deputy Mayor Swartz read aloud the attached proclamation for Breast Cancer Awareness Month.

Reports

Committeeman Sullivan reported that the Jaycees of the Chathams will be presenting their 58th Distinguished Service Award to Barbara and Monty Montague, and he cited their various volunteer activities. He also reported that the Chatham Township Historical Society will be hosting a presentation on November 4th about houses of worship. Committeeman Sullivan further reported that an informational meeting was held regarding the re-launching of the CERT program, and a lot of interest has been shown by potential participants.

Deputy Mayor Swartz said that residents have been receiving a lot of applications for Vote by Mail Ballots. She noted that those who opt to receive a Mail-In-Ballot cannot vote at the polls. The Township Clerk noted that if applications are mailed, they must be received by the County Clerk's office on or before October 30th, and the applications can be hand delivered to the County Clerk's office by 3:00 PM on November 5th. Applications for Mail-In-Ballots are available at the Municipal Building, and ballots must be returned to the County by 8:00 PM on Election Day. Deputy Mayor Swartz also reported that the Senior Center raised over \$4000 at the recent Shred Event. On November 15th, the Seniors are invited to the Chatham High School Drama Club's dress rehearsal of Radium Girls, followed by a dinner. On November 19th, the Senior Center will be hosting a Thanksgiving luncheon. The Chatham PBA's Trunk-or-Treat has been cancelled due to the weather forecast. Deputy Mayor Swartz also reported that she and Administrator Ciccarone met with representatives of PSE&G regarding an upgrade project for the high-tension transmission lines. She also noted that she addressed with PSE&G the recent gas explosions in Massachusetts, and the Construction Department requires that PSE&G be notified when permits are filed for natural gas home generators.

Engineer Ruschke reported that the Woodlawn Drainage Project is scheduled to commence the week of November 12th. He further reported that he has been making efforts regarding the Safe Routes to School Grant for Lafayette Avenue sidewalks, and he anticipates that a preliminary design will be available by the end of the month. Engineer Ruschke also commented that because of the State's delays, it is unlikely that the project will be completed in 2019. Administrator Ciccarone added that when Federal funds are involved, there are extra layers of

auditing. Deputy Mayor Swartz asked about the Lenape Trail project. Engineer Ruschke said that when the Township went out to bid, the sole bid was too high.

Administrator Ciccarone commented on the resolutions on the Consent Agenda to amend the 2018 Municipal Budget. Resolution 2018-180 formally accepts funding from NJ American Water for Lenape Trail Paving and makes the corresponding appropriation. Resolutions 2018-181 and 2018-182 are for Municipal Alliance grants from Morris County.

Chief Miller reported that the traffic light at the intersection of Fairmount Avenue and Southern Boulevard has been modified to add 25 seconds to Southern Boulevard traffic and 5 seconds to Fairmount Ave traffic from 4:30 PM to 6:00 PM.

Hearing of Citizens

Mayor Ritter opened the Hearing of Citizens.

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

Introduction of Ordinances

Ordinance 2018-21

ORDINANCE 2018-21

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY SPECIFYING THE OPEN SPACE PURPOSES FOR WHICH BLOCK 62, LOTS 93 AND 94 AS SHOWN ON THE TOWNSHIP TAX MAP ARE DEDICATED

WHEREAS, on September 28, 2017, the Township Committee of the Township of Chatham, in the County of Morris, State of New Jersey, adopted Ordinance 2017-12, a Bond Ordinance titled “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” (“Bond Ordinance”); and

WHEREAS, Ordinance 2017-12 authorized the acquisition of Block 62, Lots 93 and 94 for Township open space purposes (“Property”); and

WHEREAS, the Township acquired the Property by deed dated December 21, 2017 and recorded on January 26, 2018 in Morris County Deed Book 23286, Page 1191 under File #2018005727 (“Property Deed”); and

WHEREAS, the Bond Ordinance authorized the issuance of bonds based on general Township revenue, not revenue derived from the Township’s open space tax or other funds restricted for open space purposes; and

WHEREAS, the Property Deed does not contain restrictions limiting the future use of the Property to open space purposes; and

WHEREAS, it is the Township’s intention to seek reimbursement from the State of New Jersey, Department of Environmental Protection, Green Acres Program (“Green Acres”), for a portion of the purchase price of the Property; and

WHEREAS, prior to the adoption of Ordinance 2017-12, the Township was also in discussions with Green Acres about the need to provide compensation, in the form of replacement land, for past diversions of parkland at Colony Pool and Esternay Field (“the Outstanding Diversions”); and

WHEREAS, in advance of seeking reimbursement for the purchase of the Property from Green Acres, the Township Committee desires to clarify that at the time of acquisition of the Property, it intended that a portion of the Property be available as potential replacement property for the Outstanding Diversions, as allowed by *N.J.A.C. 7:36-26.10(d)2ii(3)*; and

WHEREAS, the Township wishes to memorialize that it will not seek Green Acres reimbursement for an undivided portion of the Property consisting of approximately 0.83 acres (“the Replacement Property”), or such other amount of replacement land as may be required by the DEP Commissioner and the State House Commission, in order to preserve the eligibility of the Replacement Property as compensation for the Outstanding Diversions; and

WHEREAS, the undivided remainder of the Property will be utilized for general open space purposes; and

WHEREAS, if accepted by the DEP Commissioner and the State House Commission, the Replacement Property will be utilized for general open space purposes.

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 purpose of this Ordinance is to specify the open space purposes for which the Property may be dedicated.

Section 2. An undivided portion of the Property consisting of approximately 0.83 acres, or such other amount as may be required by the DEP Commissioner and the State House Commission with the consent of the Township, is designated as Replacement Property to serve as compensation associated with past diversions of parkland at Colony Pool and Esternay Field and will be designated for general open space purposes upon approval of the Township's diversion application, with the undivided remainder of the Property also utilized for general open space purposes, all in accordance with Chatham Township Green Acres Project #1405-98-003-12.

Section 3. 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 4. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect in accordance with law.

Attorney Cruz said that this ordinance is related to a resolution on the Consent Agenda. He provided background on T-Mobile's temporary cell towers during PSE&G's monopole project. Attorney Cruz said that a diversion is required due to a court decision which allowed T-Mobile to have a tower remain in place beyond the lease period. This ordinance allows for a 0.83 acre parcel of land serve as Replacement Property.

Committeeman Kelly moved to introduce Ordinance 2018-21. Committeeman Sullivan seconded the motion.

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

Public Hearing for Ordinance 2018-21 will be scheduled for November 8, 2018.

Public Hearing/Final Adoption of Ordinances

Ordinance 2018-18

ORDINANCE 2018-18

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SUBSECTION 30-61.4, TITLED "INSTALLATION OF IMPROVEMENTS; DEVELOPERS AGREEMENTS AND GUARANTEES; TOWNSHIP DESIGN STANDARDS AND SPECIFICATIONS" BY AMENDING PARAGRAPH C THEREOF TITLED "PERFORMANCE GUARANTEE," BY ADDING NEW PARAGRAPH K TITLED "SAFETY AND STABILIZATION GUARANTEE," AND ADDING NEW PARAGRAPH L TITLED "TEMPORARY CERTIFICATE OF OCCUPANCY GUARANTEE."

WHEREAS, on January 16, 2018, P.L. 2017, c.312 was signed into law, amending N.J.S.A.40:55D-53 of the Municipal Land Use Law regarding performance, maintenance and other guarantee requirements; and

WHEREAS, the Township Committee of the Township of Chatham now desires to amend its Land Development Ordinance to conform to the new legislation.

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. Paragraph (c) titled "Performance Guarantee" of subsection 30-61.4 is hereby repealed and replaced as follows:

Performance Guarantee. The performance guarantee shall be in favor of the Township in an amount equal to one hundred twenty (120%) percent of the estimate cost of such improvements as determined by the Township Engineer according to the method of calculation set forth in N.J.S.A. 40:55D-53.4 for the following improvements as shown on the approved plans or plat: streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor's monuments, as shown on the final map and required by the "Map Filing Law," N.J.S.A. 46:23-9.9 et seq., water mains, sanitary sewers, community septic systems, drainage structures, public improvements of open space, and any grading necessitated by the preceding improvements. The performance guarantee may also be required to include, at the discretion of the Township, Planning Board or Zoning Board of Adjustment, a guarantee for the installation of privately-owned perimeter buffer

landscaping. At the developer's option, a separate performance guarantee may be posted for the privately-owned perimeter buffer landscaping. Ten (10%) percent of the performance guarantee shall be in the form of cash or a certified check made payable to "Township of Chatham" and shall be accompanied by a cash deposit agreement and performance guarantee in a form satisfactory to the Township Attorney.

Each performance guarantee, or part thereof, paid in cash, shall be held in escrow by the Township in an account separate from the general funds of the Township and separate from any other such account. The account shall be in a banking institution or savings and loan association in this State insured by an agency of the Federal government, or in any other fund or depository approved for such deposits by the State, in an amount bearing interest at the minimum rate currently paid by the institution or depository on time or savings deposits. The Township Treasurer shall notify the developer in writing of the name and address of the institution or depository in which the deposit is made and the amount of the deposit.

All interest earned on any account shall be retained in the account until paid over as provided in subsection 30-17.10.

In the event that other governmental agencies or public utilities will automatically own the utilities to be installed or the improvements are covered by a performance guarantee to another governmental agency, no performance guarantee shall be required by the municipality or such utilities or improvements, provided, however, that the municipality may require evidence that the developer has paid to any such other governmental agency or public utility any charges which are required for installation, including any refundable deposits.

All interest earned on any account shall be retained in the account until paid over as provided herein and in accordance with subsection 30-17.10.

Section 2. Subsection 30-61.4 is hereby amended through the addition of Paragraph (k) titled "Safety and Stabilization Guarantee" as follows:

1. *Safety and Stabilization Guarantee.* In addition to a performance guarantee required pursuant to subsection 30-61.4(c), a developer may be required to furnish to the Township a separate guarantee, referred to herein as a "safety and stabilization guarantee", in favor of the Township, to be available to the Township solely for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition, only in the circumstance that:

a. site disturbance has commenced and, thereafter, all work on the development has ceased for a period of at least 60 consecutive days following such commencement for reasons other than force majeure, and

b. work has not recommenced within 30 days following the provision of written notice by the Township to the developer of the Township's intent to claim payment under the guarantee. The amount of the safety and stabilization guarantee shall be calculated as set forth in N.J.S.A. 40:55D-53. At the developer's option, the safety and stabilization guarantee may be included as a line item for safety and stabilization in the performance guarantee rather than in the form of a separate guarantee.

2. The amount of a "safety and stabilization guarantee" for a development with bonded improvements exceeding \$100,000 shall be calculated as a percentage of the bonded improvement costs of the development or phase of development as follows:

\$5,000 for the first \$100,000 of bonded improvement costs, plus two and a half percent of bonded improvement costs in excess of \$100,000 up to \$1,000,000, plus one percent of bonded improvement costs in excess of \$1,000,000.

3. The Township Committee shall release a separate "safety and stabilization guarantee" to a developer upon the developer's furnishing of a performance guarantee which includes a line item for safety and stabilization in the amount required under this paragraph.

4. The Township Committee shall release a "safety and stabilization guarantee" upon the Township Engineer's determination that the development of the site has reached a point that the improvements installed are adequate to avoid any potential threat to public safety.

Section 3. Subsection 30-61.4 is hereby amended through the addition of Paragraph (l) titled "Temporary Certificate of Occupancy Guarantee" as follows:

Temporary Certificate of Occupancy Guarantee. In the event that the developer shall seek a temporary certificate of occupancy for a development, unit, lot, building or phase of development, as a condition of the issuance thereof, the developer shall furnish a separate guarantee, referred to herein as a "temporary certificate of occupancy guarantee" in favor of the Township in an amount equal to one hundred twenty (120%) percent of the cost of installation of only those improvements or items which remain to be completed or installed under the terms of the temporary certificate of occupancy and which are required to be installed or completed as a condition precedent to the issuance of the permanent certificate of

occupancy for the development, unit, lot, building or phase of development and which are not covered by an existing performance guarantee. Upon posting of a temporary certificate of occupancy guarantee, all sums remaining under a performance guarantee, required pursuant to subsection 30-61.4(c), which relate to the development, unit, lot, building or phase of development for which the temporary certificate of occupancy is sought, shall be released. The scope and amount of the temporary certificate of occupancy guarantee shall be determined by the Township Engineer. The temporary certificate of occupancy guarantee shall be released by the Township Engineer upon the issuance of a permanent certificate of occupancy with regard to the development, unit, lot, building or phase as to which the temporary certificate of occupancy relates.

Section 4. Severability

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 5. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) 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.

Attorney Cruz said that this is a technical ordinance which brings the Township into compliance with a change made by the Legislature to the Municipal Land Use Law. The Township Clerk noted that a memorandum was received from the Planning Board stating that this ordinance is not inconsistent with the Master Plan.

Deputy Mayor Swartz opened the Public Hearing on Ordinance 2018-18. Seeing no public comment, Deputy Mayor Swartz closed the Public Hearing.

Committeeman Selen moved to adopt Ordinance 2018-18. Committeeman Kelly seconded the motion.

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

Ordinance 2018-20

ORDINANCE 2018-20

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, ACCEPTING CONSERVATION EASEMENT FROM MADS JEPSEN AND SARI JEPSEN, HUSBAND AND WIFE, FOR A CONSERVATION EASEMENT ACROSS LOT 50 IN BLOCK 144 AS SHOWN ON THE CHATHAM TOWNSHIP TAX MAP AND COMMONLY KNOWN AS 446 GREEN VILLAGE ROAD.

WHEREAS, Mads Jepsen and Sari Jepsen, husband and wife, are the owners in fee of real property located at 446 Green Village Road and designated on the Township Tax Map as Lot 50, Block 144 (“Property”); and

WHEREAS, approval was granted to Mads Jepsen and Sari Jepsen by the Township of Chatham Board of Adjustment for the demolition and replacement of the existing single family house with variances as memorialized in Resolution No. BOA-16-144-50; and

WHEREAS, the Property contains extensive wetlands, flood hazard zones and related buffer and transition areas subject to New Jersey Department of Environmental Protection regulations; and

WHEREAS, during the hearing a representative of the Township of Chatham Environmental Commission requested that a Conservation Easement be granted to the Township to allow the Township to inspect and monitor compliance with the aforesaid regulations; and

WHEREAS, Mads Jepsen and Sari Jepsen have agreed to subject a portion of the Property to a Conservation Easement to permit the Township to verify compliance with the aforesaid regulations.

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 Conservation Easement has been reviewed by the Township Attorney and 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.

Attorney Cruz said that the legal process for accepting an easement is to do so by ordinance, and the easement being accepted is part of a Zoning Board requirement.

Administrator Ciccarone suggested that the Environmental Commission and the Land Use Boards be advised to check with the Township Committee before requiring conservation easements. He also said that the property in question already has environmental constraints, and this easement accomplishes nothing more than to shift responsibility to the Township to monitor said easement.

Deputy Mayor Swartz opened the Public Hearing on Ordinance 2018-20. Seeing no public comment, Deputy Mayor Swartz closed the Public Hearing.

Committeeman Selen moved to adopt Ordinance 2018-20. Committeeman Kelly seconded the motion.

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

Consent Agenda

**RESOLUTION 2018-175
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 – September
- Construction Official – September
- Police Department – September
- State Training Fees – 3rd Quarter
- Registrar of Vital Statistics - 3rd Quarter
- Dog Licensing Official - 3rd Quarter

**RESOLUTION 2018-176
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 October 11, 2018.

**RESOLUTION 2018-177
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 October 11, 2018.

**RESOLUTION 2018-178
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
Business Holdings LLC (Superior Builders LLC) PO Box 32 Maywood, NJ 07607	PLBD 15-135-24-25	7763179693	\$368.70
Laura & Greg Sutton 15 Country Club Drive Chatham, NJ 07928	BOA 15-102.08-18	7763179809	\$120.00
Shaun Van Vliet 51 Dale Drive Chatham, NJ 07928	BOA 15-102.08-10	7763179908	\$113.50

RESOLUTION 2018-179

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, ACCEPTING AMENDMENT TO GREEN ACRES FUNDING AGREEMENT

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Chatham has previously obtained a grant of \$3,200,000.00 from the State to fund the following project(s):

Project #1405-98-003
Chatham Open Space Acquisition;
and

WHEREAS, the State and the Township of Chatham intends to increase Green Acres funding by \$500,000.00; and

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham in the County of Morris and State of New Jersey that:

1. The Township Administrator is hereby authorized to execute an agreement and any amendment thereto with the State known as Chatham Township Open Space Acquisition Project # 1405-98-003, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$500,000.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

RESOLUTION 2018-180

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2018 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 has received \$59,120.00 from New Jersey American Water for the final paving of Lenape Trail in order to restore same after a water main replacement project and wishes to amend its 2018 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 2018 in the sum of \$59,120.00 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 Lenape Trail Restoration, and

BE IT FURTHER RESOLVED, that a like sum of \$59,120.00 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

NJAW Lenape Trail Restoration.

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

RESOLUTION 2018-181

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2018 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 \$20,073.00 from the County of Morris Municipal Alliance to Prevent Alcoholism and Drug Abuse DEDR and wishes to amend its 2018 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 2018 in the sum of \$20,073.00 which will be available as a revenue from:

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

Municipal Alliance to Prevent Alcoholism and Drug Abuse DEDR, and

BE IT FURTHER RESOLVED, that a like sum of \$20,073.00 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Municipal Alliance to Prevent Alcoholism and Drug Abuse DEDR.

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

RESOLUTION 2018-182

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2018 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 \$3,000.00 from the County of Morris Municipal Alliance to Prevent Alcoholism and Drug Abuse Supplemental and wishes to amend its 2018 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 2018 in the sum of \$3,000.00 which will be available as a revenue from:

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

Municipal Alliance to Prevent Alcoholism and Drug Abuse Supplemental, and
BE IT FURTHER RESOLVED, that a like sum of \$3,000.00 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Municipal Alliance to Prevent Alcoholism and Drug Abuse Supplemental.

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

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

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

Hearing of Citizens/Petitions

Mayor Ritter opened the Hearing of Citizens.

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

Executive Session

RESOLUTION 2018-P-13

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. Personnel
 - b. 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
 - c. Litigation: Fair Share Housing Center v. Township of Chatham Docket No. MRS-L-000234-18
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 Selen moved to adopt Resolution 2018-P-13 to enter Executive Session at 8:16 PM. Committeeman Kelly seconded the motion.

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

The Township Committee returned to public session, and Committeeman Kelly moved to adjourn at 8:57 PM. Committeeman Selen seconded the motion, which carried unanimously.

Gregory J. LaConte
Municipal Clerk