

**TOWNSHIP OF CHATHAM  
TOWNSHIP COMMITTEE MEETING MINUTES  
NOVEMBER 10, 2016**

Mayor Ritter called the regular meeting of the Township Committee of the Township of Chatham to order at 7:28 PM.

The Chatham Township Volunteer Fire Department led the Flag Salute.

**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 8, 2016; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 8, 2016; and notice was filed with the Township Clerk on January 8, 2016.

**Roll Call**

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

**Approval of Agenda**

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

**Proclamation – World Pancreatic Cancer Awareness Day**

Mayor Ritter read aloud the attached proclamation for World Pancreatic Cancer Day.

**Proclamation – Chatham Turkey Trot**

Mayor Ritter read aloud the attached proclamation regarding the Chatham Turkey Trot.

**Presentation – Library of the Chathams**

Fred Pocci and Andy Hollander of the Library of the Chathams Board of Trustees and Library Director Karen Brodsky gave a presentation on the Library's capital project plans. Mr. Hollander began by providing some information and statistics on library usage. He proceeded to discuss the Library's proposed infrastructure renovation project and plans to modernize services. Mr. Hollander addressed a teen room, the children's room, and a STEM room that will be upgraded in the project. Mr. Pocci discussed the projected revenue sources for the capital project. Deputy Mayor Sullivan asked about cost-sharing between the Township and the Borough. Mr. Hollander said that it would work the same way as the municipal contributions to the operating budget. Also discussed were digital vs. print media, as well as parking issues at the Library.

Mayor Ritter opened the floor to the public.

1. Bailey Brower, 16 Driftway, commented on the high quality of the Library. He also said that the Township and the Borough should each contribute 50% of the Library's costs.
2. Sue Hoag, 76 Canterbury Road, a member of the Board of the Friends of the Library, said that the Friends provide funding for many programs held at the Library. She also said that the Library served as a place for people to warm up and charge cell phones after Hurricane Sandy. Mrs. Hoag asked for the Township Committee's support for the proposed project.

Mr. Pocci said that the Library Trustees have been frugal in their proposal.

**Presentation – Shunpike Corridor**

Mrs. Swartz introduced Chris Vitz of the Morris County Engineer's Office. Mr. Vitz presented a plan for the repaving of a section of Shunpike Road, including two concepts for changes in traffic patterns.

Administrator Ciccarone asked if the County has shared the proposed changes with Madison. Mr. Vitz said that Madison will be notified.

Deputy Mayor Sullivan said that Shunpike Road should not be reduced to one lane, as a lane reduction would result in congestion.

Committeeman Kelly said that he likes the bike lane option. Mr. Vitz said that the consulting engineer counted 17 bicycles an hour. Committeeman Kelly asked about pedestrian crossings from Hickory Square Mall to Chatham Mall. Mr. Vitz said that with the new traffic signal, ADA compliant accessibility measures would be added.

Deputy Mayor Sullivan said that Starbucks and the Chatham Mall both have a high volume of traffic, and the proposal adds pedestrians where they would not have been prior. He asked what impact that will have on traffic flow. Mr. Vitz said that people will still be more likely to drive across the street, and there is not likely to be much of an impact on traffic flow.

Mr. Brower commented on traffic turning left onto Shunpike Road from Southern Boulevard and needing to cut across another lane to get into the gas station. Mr. Vitz said that the narrowing of the lanes would address that issue.

Committeeman Gallop mentioned that affordable housing might be built on Southern Boulevard, which would impact traffic. He asked if the technology in the traffic lights could handle the increase in traffic. Mr. Vitz said that the fourth sensor camera would help with the signal timing. Mr. Viz also addressed the installation of sidewalks as part of this project.

## **Reports**

Committeeman Kelly reported that the Public Works Department is switching between regular fall projects and preparing for winter. He also reported that the Community Garden Committee will be sending notice to existing plot-holders to submit their applications for next year, and open plots will be made available to the public.

Committeeman Gallop reported that fall sports are winding down, and the transition to club sports is moving smoothly.

Committeewoman Swartz reported that the Environmental Commission had a successful Water To Wine event, at which the safety of drinking water was discussed. The Environmental Commission also extends its thanks to Marilyn Murray, who will be stepping down from the Commission. Committeewoman Swartz further reported that the Senior Center had a successful Shred Event. She also extended condolences to Sgt. Mike Mahoney of the Chatham Borough Police Department, whose wife recently passed away.

Deputy Mayor Sullivan reported that November 10<sup>th</sup> is the anniversary of the founding of the United States Marine Corps. He also provided some historical background on the observance of Veterans Day. Deputy Mayor Sullivan further commented on the needs of veterans.

Mayor Ritter reported that the new Township website has launched. He further reported that the Green Village Fire Department will be holding their annual Veterans Day observance. Mayor Ritter also reported that Engineer Ruschke is being recognized by the New Jersey Society of Municipal Engineers for his work on the sanitary sewers modification project.

Engineer Ruschke reported that the work on the Colony Pool Wall Replacement has begun. Bids were received for the Electrical Improvements project, and only one bid was received. Improvements to the Chatham Heights Pump Station is ready to go out to bid. The replacement of UV equipment at the sewer plant is also ready to go out to bid. Engineer Ruschke recommended that the Woodland Sidewalk Project to out to bid in January. Committeewoman Swartz asked about lighting improvements at the Municipal Building. Administrator Ciccarone said that lighting improvements would be a separate project.

Administrator Ciccarone reported that a meeting was held with representatives of the EPA for an update on the Rolling Knolls Landfill. The EPA reported that the remediation project is moving forward.

### **Hearing of Citizens**

Mayor Ritter opened the Hearing of Citizens.

1. Todd Goodman, 4 Woodlawn Drive, thanked Administrator Ciccarone and the Department of Public Works for repairs performed at the Skate Park. Mr. Goodman said that the Skate Park is very popular, and he is hopeful that it will be relocated if the site is used for affordable housing. He also requested that the site remain for as long as possible if it does eventually need to be moved. Administrator Ciccarone said that the Township will seek an alternative location. Committeeman Gallop said that the Skate Park will also remain open as long as possible. Committeeman Kelly said that the resolution to refer the site to the Planning Board for redevelopment is the beginning of a very long process.

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

### **Resolutions**

Attorney Cruz provided background on Resolution 2016-183, and it refers a rezoning request to the Planning Board for study and review. The owner of Dixiedale Farm is in negotiations with a developer who has requested the rezoning of the property. The proposal is for cluster development with green space. Resolution 2016-183 refers the request to the Planning Board for review as part of a Master Plan reexamination. The developer has also offered to build a portion of the Township's affordable housing obligation on the property known as the Skate Park, and the parcel is already zoned for affordable housing. Any action taken by the Planning Board on the study for redevelopment or rezoning would be subject to public hearings and public participation. Any proposed ordinances and amendments to the Master Plan would go before the Township Committee, and would be subject to public notice and public hearings. Mayor Ritter asked what recourse the Township Committee would have if the Planning Board does not take action on the resolutions. Attorney Cruz said that the Township Committee can adopt a zoning ordinance that is inconsistent with the Master Plan, and a resolution would need to be adopted to explain the reasons why said ordinance is being adopted. Deputy Mayor Sullivan asked why the Skate Park would need to be declared in need of redevelopment if it is already zoned for affordable housing. Attorney Cruz said that a redevelopment designation would be necessary in order for there to be a payment in lieu of taxes (PILOT) program.

#### **RESOLUTION 2016-182**

#### **RESOLUTION AUTHORIZING THE TOWNSHIP OF CHATHAM PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION FOR THE REDEVELOPMENT OF APPROXIMATELY 3.8 ACRES OF LAND KNOWN AS A PORTION OF BLOCK 48.16, TAX LOT 117.27 AS SHOWN ON THE TOWNSHIP OF CHATHAM TAX MAP**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the Local Redevelopment and Housing Law sets forth specific procedures for establishing an area in need of redevelopment; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-6*, prior to the Township Committee of the Township of Chatham making a determination as to whether a particular study area qualifies as an area in need of redevelopment, the Township Committee must authorize the Township of Chatham Planning Board, by Resolution, to undertake a preliminary investigation to determine whether the subject area meets the criteria of an area in need of redevelopment as set forth in *N.J.S.A. 40A:12A-5*; and

**WHEREAS**, the New Jersey Legislature amended the Local Redevelopment and Housing Law on September 6, 2013 to expand and clarify various provisions of same; and

**WHEREAS**, as required by the amendment to *N.J.S.A. 40A:12A-6*, the Legislature has directed that the Resolution authorizing the Planning Board to undertake a preliminary investigation state whether the redevelopment area determination shall authorize the Township to use all of those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (“Non-Condensation Redevelopment Area”) or whether the redevelopment area determination shall authorize the municipality to use all of those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (“Condensation Redevelopment Area”); and

**WHEREAS**, the redevelopment area determination shall authorize the Township of Chatham to use all of the powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain, thus designating it a Non-Condensation Redevelopment Area; and

**WHEREAS**, the Township Committee of the Township of Chatham wishes to direct the Township of Chatham Planning Board to undertake a preliminary investigation to determine whether the proposed study area of approximately 3.8 acres known as a portion of Block 48.16, Lot 117.27 as shown on the Township of Chatham Tax Map and depicted on the attached aerial photograph qualifies as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-5*.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, in the County of Morris, State of New Jersey, that the Township of Chatham Planning Board is hereby directed to conduct the necessary preliminary investigation, including the holding of a public hearing, to determine whether the study area identified above and depicted on the attached aerial photograph is or is not an area in need of redevelopment under the criteria set forth in *N.J.S.A. 40A:12A-1 et seq.*; and

**BE IT FURTHER RESOLVED** that the Planning Board is hereby authorized to utilize the services of Frank Banisch, P.P., of Banisch Associates, Inc., to perform the preliminary investigation.

**BE IT FURTHER RESOLVED** that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supporting documentation.

Committeeman Kelly said that this is one of the most significant issues with which the Township Committee will be grappling, and there will be many opportunities for the public to make comment.

Committeewoman Swartz said that the Planning Board is comprised of thoughtful individuals, and she has faith in the Board.

Deputy Mayor Sullivan agreed with Committeewoman Swartz’s faith in the Planning Board, and said that the matter should be referred there.

Committeeman Kelly moved to pass Resolution 2016-182. Committeeman Gallop seconded the motion.

**Roll call:** Committeeman Gallop, Aye; Committeeman Kelly, Aye; Committeewoman Swartz, Aye; Deputy Mayor Sullivan, Aye; Mayor Ritter, Aye.

### **RESOLUTION 2016-183**

#### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY REFERRING A REZONING REQUEST FOR DIXIEDALE FARM TO THE PLANNING BOARD**

**WHEREAS**, Betsie Holt Haar, a/k/a Bettie Holt Harr, is the owner of property located between Hillside Avenue and River Road in the Township of Chatham, shown as Block 66, Lot 1 on the Township Tax Map (“Property”); and

**WHEREAS**, a joint venture between Sterling Development Group, LLC, and Sun Homes, LLC, and/or its assigns, is the contract purchaser of the Property consisting of approximately 30.33 acres, currently housing a three (3) story mansion and certain accessory outbuildings, generally known as the Dixiedale Farm; and

**WHEREAS**, on July 18, 2016, Douglas R. Henshaw, Esq., wrote on behalf of Betsie Holt Haar and Sterling Properties/Sun Homes to request that the Property be rezoned from the current R-2, which permits single family homes on 60,000 square foot lots with lot size

averaging 41,250 square feet, to a zone that permits the Property to be developed with fifty-four (54) residential dwellings, fifty (50) to be located in either single or dual mansion homes, with four (4) units to be developed on the second floor of the existing mansion on the Property; and

**WHEREAS**, Sterling Properties/Sun Homes also offered to provide the Township with a one-hundred (100%) percent affordable housing development on that approximate 3.8 acres municipally owned parcel fronting on Southern Boulevard and next to the Township Police Department and Public Works Department in the Township of Chatham, shown as a portion of Block 48.16, Lot 117.27 on the Township Tax Map and depicted on the attached aerial photograph; and

**WHEREAS**, the Township's Planning Board is charged by the Municipal Land Use Law with the responsibility of developing the Township's Master Plan and determining whether proposed changes to the Township's Land Development Ordinance are consistent with the Master Plan; and

**WHEREAS**, the Mayor and Township Committee desire that the Planning Board review the request of Betsie Holt Harr and Sterling Properties/Sun Homes to rezone the Property and, if necessary, in the Planning Board's discretion, examine or amend the Master Plan and propose an Ordinance consistent with any Master Plan report addressing the request of Betsie Holt Haar and Sterling Properties/Sun Homes.

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

1. That the request of Betsie Holt Haar and Sterling Properties/Sun Homes to rezone Block 66, Lot 1 be reviewed by the Planning Board.
2. That the Planning Board, in its discretion, take that action it deems appropriate, including any Master Plan examination, amendment or proposed Ordinance in response to the rezoning request.
3. That Betsie Holt Haar and Sterling Properties/Sun Homes establish an escrow with the Township in the sum of \$5,000.00, and replenish that escrow as necessary for the Planning Board's and Township's costs associated with Betsie Holt Harr's and Sterling Properties/Sun Homes' request.
4. That the Township Clerk forward a copy of this Resolution to the Planning Board Secretary for distribution to the Planning Board and its staff.
5. That this Resolution shall take effect immediately.

Mayor Ritter opened the floor to the public.

1. Stacey Ewald, 54 Nicholson Drive, asked at what point the public will be able to review the affordable housing plan. Attorney Cruz said that the resolutions are proceeding jointly because the developer seeking the rezoning for Dixiedale Farm has offered to develop affordable housing at the Skate Park. The Skate Park redevelopment will be only one part of the overall plan. A draft plan, which was developed before the Skate Park redevelopment was suggested, is available on the Township website. Mrs. Ewald suggested that a summary of the entire plan be made available. Administrator Ciccarone said that the Township is still in litigation and negotiations with the Fair Share Housing Center. Once the matter is settled, the Township's obligation and plans for meeting that obligation will be made public. Attorney Cruz noted that the affordable housing plan will be an element of the Master Plan, and will be subject to a public hearing process. Administrator Ciccarone noted that the extension of controls at Vernon Grove are another aspect of the affordable housing plan.

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

Committeeman Gallop said that this is the most significant issue faced by the Township Committee during his time in office. He also noted that the two matters are separate but intertwined. Committeeman Gallop also said that the NJ Supreme Court has declared that there is a constitutional right to affordable housing, and the Township Committee members are obligated to uphold their oath of office and create a plan to implement the Supreme Court's

decision. He said that he is confident that the Township Committee will come up with a solution.

Deputy Mayor Sullivan said that there have been multiple discussions on this topic. He also said that the obligation for building affordable housing is on builders rather than municipalities. Deputy Mayor Sullivan also said that the owners of Dixiedale Farm have a right to monetize their property, and are trying to do so in a way that does not overdevelop the property.

Mayor Ritter said that this is an important issue. He said that he has faith in the Planning Board to make the right decisions. Mayor Ritter also noted the risk of builders remedy lawsuits.

Committeewoman Swartz moved to pass Resolution 2016-183. Committeeman Kelly seconded the motion.

**Roll call:** Committeeman Gallop, Aye; Committeeman Kelly, Aye; Committeewoman Swartz, Aye; Deputy Mayor Sullivan, Aye; Mayor Ritter, Aye.

### **Consent Agenda**

#### **RESOLUTION 2016-207**

#### **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 \$905,249.01 and the prior month's payroll of \$392,985.67 Current Fund, \$45,059.96 Sewer No. 1, \$8,948.07 Sewer No. 2, and \$25,900.19 Police Private Employment be paid.

**BE IT FURTHER RESOLVED** that taxes due to the School District of the Chathams, for the month of November 2016, in the amount of \$2,963,374.00 be paid.

**BE IT FURTHER RESOLVED** that taxes due to the County of Morris, for the Fourth Quarter of 2016, in the amount of \$2,464,002.88 be paid.

#### **RESOLUTION 2016-208**

#### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, ACKNOWLEDGING RECEIPT OF REPORTS**

**BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following monthly reports of departments be acknowledged as received:

Construction Official – October  
CFO – October  
Tax Collector – October

#### **RESOLUTION 2016-209**

#### **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 27, 2016.

#### **RESOLUTION 2016-210**

#### **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 27, 2016.

#### **RESOLUTION 2016-211**

#### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING SEWER CONNECTION FOR 42 DELLWOOD AVE**

**WHEREAS**, the Township Engineer has certified that all applications requirements for 42 Dellwood Avenue, Block 78, Lot 19.05 including the payment of the administrative review fee have been met and that sewer capacity is available; and

**WHEREAS**, in a memo dated October 24, 2016 the Township Engineer outlined various conditions for the approval of a sewer connection for 42 Dellwood Avenue, Block 78, Lot 19.05;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that it hereby, approves the issuance of a sanitary sewer permit for 42 Dellwood Avenue, Block 78, Lot 19.05 subject to the conditions set forth by the Township Engineer.

**RESOLUTION 2016-212  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING A REVISED EMPLOYEE  
HANDBOOK**

**WHEREAS**, the Township Committee adopted Resolution 2016-180 on September 6, 2016, approving a revised and updated employee handbook to assure compliance with all applicable laws and regulations; and

**WHEREAS**, the Township Committee wishes to approve a revision to the employee handbook, which incorporates the following changes/additions:

1. Article V - Benefits Package, Section C - Sick Days, shall be amended by insertion of the following - Employees hired on or after January 1, 2017 shall not be compensated for unused sick leave.

**RESOLUTION 2016-213  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
AUTHORIZING BUDGET TRANSFERS**

**WHEREAS**, the Township Committee of the Township of Chatham, County of Morris has determined that certain appropriations, in the 2016 municipal budget, are not sufficient to meet anticipated expenses; and

**WHEREAS**, N.J.S. 40A: 4-58 authorizes the transfer from appropriations where excess exists to other appropriations that are anticipated to be insufficient.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris that the following transfers are hereby affected:

**Current Fund**

Appropriation	To	From
Group Health Insurance Waiver	\$2,200	
Water	\$1,500	
Engineering Services	\$40,000	
Fire Departments OE	\$20,000	
Natural Gas	\$5,000	
Telephones	\$4,000	
Municipal Clerk OE	\$1,500	
Legal Services	\$15,000	
Road Repairs OE	\$5,000	
Buildings and Grounds OE	\$10,000	
Vehicle Maintenance	\$15,000	
Tax Collector OE	\$1,000	
Recreation S&W		\$40,000
Colony SW		\$80,200
Current Fund Total	\$120,200	\$120,200

**RESOLUTION 2016-214  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY APPOINTING A FIRE PREVENTION  
OFFICIAL/FIRE INSPECTOR.**

**BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, New Jersey that M. Christopher Shay is hereby appointed to serve as the Fire Prevention Official/Fire Inspector Electrical for the Township of Chatham effective January 1, 2017 at an annual salary of \$12,000.

**RESOLUTION 2016-215**

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, RELEASING A PERFORMANCE BOND AND ACCEPTING A NEW PERFORMANCE BOND**

**BE IT RESOLVED** by the Township Committee of the Township of Chatham that Bond No. 0595809 issued on December 4, 2013 by the International Fidelity Insurance Company and submitted on behalf of the below named developer, property and amount is released and may be returned to International Fidelity upon the condition that International Fidelity issue a replacement Bond acceptable to the Township Committee:

<u>Name</u>	<u>Block &amp; Lot</u>	<u>Amount</u>
Fenix-Chatham I, LLC	Block 33, Lots 1, 1.01, 1.02, 14,	\$971,614.06
Fenix-Chatham II, LLC	14.01, 17, & 20	
Long View at Chatham, LLC	and	
c/o Ronald Gunn	Block 32 Lot 2.01	
41 Fairview Ave	and	
Madison, NJ 07940	Block 9, Lots 1 & 1.01	

Re: High Gate at Chatham

**BE IT FURTHER RESOLVED** that the Township of Chatham accepts Bond No. NRIFSU 0595809 issued on November 1, 2016 as submitted by the above referenced developer in the amount of \$971,614.06, issued by International Fidelity Insurance Company, which replaces the above referenced performance bond.

**RESOLUTION 2016-216  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY REPEALING RESOLUTION 2013-027  
REGARDING EMPLOYEE WAIVER OF HEALTH INSURANCE COVERAGE**

**WHEREAS**, the Township of Chatham provides health insurance coverages, including for children, family, and spousal/civil union partner, to its full time employees pursuant to N.J.S.A. 40A:10-17.1, et seq.; and

**WHEREAS**, the Township Committee adopted Resolution 2013-027 offering employees the opportunity to waive such coverages and providing compensation for doing so; and

**WHEREAS**, changes in State law now mandate that employees contribute to the cost of health insurance which provides adequate incentive for opting out when other coverage is available.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Resolution 2013-027 is hereby repealed, effective January 1, 2017.

**RESOLUTION 2016-217  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
APPOINTING MEMBER TO THE CHATHAM TOWNSHIP ENVIRONMENTAL  
COMMISSION**

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

Chatham Township Environmental Commission:

1. Cara Feeser (2017) – Filling Unexpired Term

Committeewoman Swartz asked about the appointment of a new Fire Official. Administrator Ciccarone said that Barry Howard is retiring at the end of the year, and the candidate for the new position has filled in for Mr. Howard during vacation times. Administrator Ciccarone also cited the candidate's qualification. The position is part-time, and Administrator Ciccarone listed the duties that come with the position. Deputy Mayor Sullivan asked if the position is pensionable. Administrator Ciccarone said that it used to be, and that individuals who hold multiple part-time positions are only in the pension system for the position which pays the most. As such, the Township will not have a pension contribution for this individual, as they are part of PERS in another municipality.

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

**Roll call:** Committeeman Gallop, Aye; Committeeman Kelly, Aye; Committeewoman Swartz, Aye; Deputy Mayor Sullivan, Aye; Mayor Ritter, Aye.

**Hearing of Citizens**

Mayor Ritter opened the Hearing of Citizens.

1. Joe Basralian, 24 Fairfax Terrace, thanked the Township Committee for their work on Resolutions 2016-182 and 2016-183.

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

**Executive Session**

**RESOLUTION 2016-P-17  
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 or investment options: 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 Gallop moved to pass Resolution 2016-P-17 to enter Executive Session at 9:54 PM. Committeewoman Swartz seconded the motion.

**Roll call:** Committeeman Gallop, Aye; Committeeman Kelly, Aye; Committeewoman Swartz, Aye; Deputy Mayor Sullivan, Aye; Mayor Ritter, Aye.

The Township Committee returned to public session at 10:07 PM, and the meeting was adjourned.

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Gregory J. LaConte  
Township Clerk