

**TOWNSHIP OF CHATHAM  
TOWNSHIP COMMITTEE MEETING MINUTES  
DECEMBER 15, 2016**

Mayor Ritter called the regular meeting of the Township Committee of the Township of Chatham to order at 7:34 PM.

Mayor Ritter 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 and Mayor Ritter. Deputy Mayor Sullivan was absent.

**Approval of Agenda**

Committeewoman Swartz moved to approve the Agenda. Committeeman Kelly seconded the motion, which carried unanimously.

**Moment of Silence**

Mayor Ritter requested a moment of silence in honor of the passing of former State Senator Leanna Brown, who also was a longtime resident of Chatham Borough.

Committeewoman Swartz commented on the career and accomplishments of Senator Brown.

**Honoring Robert Gallop**

**RESOLUTION 2016-234  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM HONORING ROBERT GALLOP UPON HIS RETIREMENT AS A  
MEMBER OF THE TOWNSHIP COMMITTEE.**

**WHEREAS**, Robert Gallop was elected and by the people of the Township of Chatham to serve a three year term on the Township Committee from 2008 through the year 2010; and

**WHEREAS**, Robert Gallop was subsequently reelected to serve two additional three year terms from 2011 through the year 2016; and

**WHEREAS**, his fellow members of the Township Committee selected Robert Gallop to serve as Deputy Mayor of the Township for the year of 2011, 2012 and 2013; and

**WHEREAS**, during his term Robert Gallop served with distinction on the Public Safety Committee, General Administration/Finance/Personnel Committee, Joint Recreation Advisory Committee, Joint Municipal Court Committee and Open Space Advisory Committee, and served as a liaison to the Morris County Board of Freeholders, the Community Emergency Response Team, the Chatham Emergency Squad, the Board of Education, the Municipal Alliance of the Chathams, the NJ League of Municipalities, the Chamber of Commerce and to the Pilgrim Pipeline Citizen Committee.

**WHEREAS**, Robert Gallop always contributed a reasoned and quiet approach to discussions, a quick wit and an ability to get quickly to the core elements of an issue, and

**WHEREAS**, Robert Gallop always treated his colleagues on Township Committee, members of the public and the Township staff with respect and dignity, and

**WHEREAS**, Robert Gallop has exemplified the highest level of integrity and honesty in his position as Township Committee Member and Deputy Mayor.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that we hereby call upon residents to join with us in expressing our sincere appreciation to Robert Gallop for his distinguished service as Committee Member and

Deputy Mayor of Chatham Township, and further, wish him and his family best wishes for success and happiness in the years ahead.

Mayor Ritter read aloud the above resolution, and presented Committeeman Gallop with a plaque in recognition of his years of service to the Township.

Committeeman Kelly moved to pass Resolution 2016-234. Committeewoman Swartz seconded the motion.

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

Committeeman Gallop commented on the accomplishments of the Township Committee during his years of service, particularly regarding public safety. He also commented on the Township's efforts regarding open space preservation.

1. Kathy Abbott, 44 Wynwood Road, a former Township Committee member who served with Committeeman Gallop, praised him for his service on the Township Committee.
2. Karen Gallop, 54 Susan Drive, praised Committeeman Gallop's intelligence, work ethic and trustworthiness, and said that he brought those qualities to his work on the Township Committee.
3. Laura Nonnenmacher, 744 Fairmount Ave, thanked Committeeman Gallop for his years of service to the Township.
4. Michael Barnes, 126 Southern Blvd., shared that Committeeman Gallop presided over his wedding, and thanked him for his service.

Committeeman Kelly offered Committeeman Gallop good luck in the future.

Committeewoman Swartz said that it has been a pleasure to work with Committeeman Gallop, and commented that he has accomplished a lot during his tenure. She also thanked him for his service on the Township Committee.

**Honoring Sgt. Robert Scheetz**

**RESOLUTION 2016-224**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**CHATHAM HONORING ROBERT SCHEETZ FOR HIS YEARS OF FAITHFUL AND**  
**DEDICATED SERVICE TO THE RESIDENTS OF CHATHAM TOWNSHIP**

**WHEREAS, Robert Scheetz** began his career with the Chatham Township Police Department on July 31, 1987 and will retire effective January 1, 2017 after 29 ½ years of loyal and dedicated professional law enforcement service; and

**WHEREAS,** during his employment with the Chatham Township Police Department **Bob Scheetz** served with distinction on special assignments with the Morris County Prosecutors Office in 1993 as a member of the Fugitive Task Force and again in 1996 as a member of the Narcotics Task Force; and

**WHEREAS, Bob Scheetz** was promoted to the rank of Sergeant on January 1, 2010 and has now completed seven years of outstanding work as a Sergeant, leading by example and demonstrating time and again an unwavering, caring and compassionate dedication to service; and

**WHEREAS, Bob Scheetz** has received six (6) Life Saving Awards, five (5) Honorable Service Awards, one (1) Exceptional Duty Award, Two (2) Meritorious Service Awards and six (6) Chief of Police Commendations and numerous other commendations; and

**WHEREAS, Sergeant Scheetz** has received countless letters of praise and gratitude from Township residents and from other law enforcement agencies for assistance that he has rendered throughout his long career; and

**WHEREAS, Bobby Scheetz** also briefly served as the Police Department's lone Motorcycle Cop and has always been quick with a smile and outstanding sense of humor.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that we hereby recognize, and extend our deep appreciation to **Sergeant Robert Scheetz** upon the occasion of his retirement, for his commitment to the highest standards of police professionalism and his many contributions to our community, and extend to him and Doreen our best wishes for success and happiness in the future.

Mayor Ritter read aloud the above resolution honoring Sgt. Robert Scheetz upon his retirement.

Committeeman Gallop moved to pass Resolution 2016-224. Committeewoman Swartz seconded the motion.

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

Chief Hennelly spoke on behalf of Sgt. Scheetz's years of service. He also presented a bouquet of flowers to Sgt. Scheetz's wife Doreen. Sgt. Scheetz was presented with his retirement badge and a shadowbox showcasing his awards and promotions.

Administrator Ciccarone said that Sgt. Scheetz has been a shining example of what a Township police officer should be.

Committeewoman Swartz commented on Sgt. Scheetz's years of service, and offered him thanks.

The Township Committee took a recess at 8:08 PM.  
The meeting was reconvened at 8:27 PM.

### **Reports**

Committeeman Kelly reported that the Municipal Alliance and the Madison-Chatham Coalition met recently, and NARCAN training is now available to the public. Committeewoman Swartz asked if NARCAN is available for homeownership. Committeeman Kelly said that he believes it is available along with the training.

Committeeman Gallop commented on the inconsistency of sidewalks on Meyersville Road, and suggested that the Township Committee consider requiring sidewalk upgrades in connection with redevelopment of lots. Administrator Ciccarone said that the Township has attempted to handle this matter in the past. He also cited an example where the Planning Board required a sidewalk to be installed, and neighbors protested the removal of trees. Committeeman Gallop said that his proposal would only apply to existing sidewalks. He also said that Meyersville Road is a high speed road which is still used by pedestrians, and he suggested that the area be studied for possible improvement.

Mayor Ritter reported that there is a community calendar available on the Township website. He encouraged residents to sign up for emergency alerts and to keep their profiles updated, and to follow the Township on Facebook and Twitter. Mayor Ritter further requested residents to keep fire hydrants clear of snow and ice during the winter months.

Engineer Ruschke reported that the NJDEP is still negotiating with a consultant on the scope of the Safe Routes to School Grant for sidewalks on Lafayette Avenue. He also reported that the DOT is accepting applications for Municipal Aid grants for road improvements. He and Administrator Ciccarone suggest Dale Drive and Robert Drive as roads for which the Township should seek grants to mill and pave. Administrator Ciccarone recommended that Robert Drive would be more justifiable for the grant application because it intersects with Southern Boulevard and handles overflow school traffic. Committeewoman Swartz asked about further construction of new homes on Dale Drive and the potential impact on a newly paved road. Administrator Ciccarone opined that Dale Drive has mostly new homes, and he believes that it can be repaved without a negative impact from construction. He also suggested that the Township Committee consider adopting an ordinance to impose a moratorium on road opening permits on newly paved

road. Engineer Ruschke further reported that a bid opening was held for the Electrical Improvements and Fuel Storage project rebid. The base bid for the low bidder was within budget, and he has contacted the State Police to see if there is additional money in the FEMA grant to award the supplemental item as well. Engineer Ruschke also reported that the Phase I area of the Wickham Woods Drainage Improvements project is ice free, and Phase II is underway. Regarding the Colony Pool Wall Replacement project, Engineer Ruschke reported that there is an issue with the quality of soil that was behind the wall. He also reported that a bid notice will be advertised for snow plowing services should the Public Works Department need additional help during storms. The contractor who had previously performed such services for the Township indicated that they are unavailable this year, and the service is only utilized during major storm events.

### **Hearing of Citizens**

Mayor Ritter opened the Hearing of Citizens.

1. Kathy Abbott, 44 Wynwood Road, said that the Safe Routes to School Committee performed a parent survey. Parents are asking for the sidewalk on Lafayette Avenue, and most other comments related to Southern Boulevard. Mrs. Abbott also addressed sidewalks, and said that most Township sidewalks were built in connection with schools. Mrs. Abbott also spoke in favor of preserving open space. She also inquired about the Township's affordable housing obligation. Administrator Ciccarone said that the obligation is still unknown at this time. Mrs. Abbott suggesting converting existing housing stock to affordable housing to meet the obligation. She also encouraged public access to any development at the Dixiedale Farm site. Administrator Ciccarone said that the appropriate time to discuss that would be if and when the developer has an application before the Planning Board.

Committeeman Gallop asked about a measure to help pedestrians cross the street which involves use of a flag. Engineer Ruschke said that it is not a common technique.

2. Stewart Carr, 3 Crestwood Drive, asked when the Township Committee will discuss the open space tax. Administrator Ciccarone said that sometime in the new year, the Township Committee has discretion to discuss if they want to reduce the open space tax again in 2017 or let it revert to \$0.02 per \$100 assessed value. Mr. Carr spoke in favor of allowing the tax to revert to the \$0.02. Administrator Ciccarone described the history of the tax and the recent reductions. Mr. Carr noted that the voters voted in favor of the \$0.02 overwhelmingly. Mr. Carr asked about converting existing housing stock to affordable housing to help meet the Township's obligation. Administrator Ciccarone said that once the Township knows what the obligation will be, strategies can be further developed. He also noted that the plan that was previously approved for the 3<sup>rd</sup> Round called for conversion of 10 units, but that number may change. Mr. Carr asked about using existing stock for the full need, and Mr. Ciccarone said that such an option would be cost prohibitive.
3. Mrs. Abbott asked that the public be informed as much as possible on affordable housing matters. Administrator Ciccarone said that the Township is already providing as much information as possible.
4. Mr. Carr reiterated a request to run some numbers to see what it would cost to convert market rate housing to affordable housing. He also asked if doing so would be a legal option.

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

### **Consent Agenda**

**RESOLUTION 2016-225**  
**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 \$826,353.83 and the prior month's payroll of \$397,501.69 Current Fund, \$46,547.48 Sewer No. 1, \$8,948.10 Sewer No. 2, and \$21,470.87 Police Private Employment be paid.

**BE IT FURTHER RESOLVED** that taxes due to the School District of the Chathams, for the month of December 2016, in the amount of \$3,631,994.00 be paid.

**BE IT FURTHER RESOLVED** that taxes due to the County of Morris, for Added and Omitted Taxes for 2016, in the amount of \$89,517.50 be paid.

**RESOLUTION 2016-226**  
**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 – November  
CFO – November  
Tax Collector – November  
Police Department – October, November

**RESOLUTION 2016-227**  
**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 December 1, 2016.

**RESOLUTION 2016-228**  
**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 December 1, 2016.

**RESOLUTION 2016-229**  
**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN A LAND LEASE**  
**EXTENSION WITH NEW CINGULAR WIRELESS PCS, LLC (“AT&T”) FOR A PORTION OF**  
**THAT PROPERTY SHOWN AS BLOCK 13, LOT 26.**

**WHEREAS**, on May 10, 2012, the Township Committee of the Township of Chatham adopted Resolution 2012-088, titled “Resolution of the Township of Chatham, County of Morris, State of New Jersey, Awarding Temporary Communications Facility Lease to New Cingular Wireless PCS, LLC (“AT&T”) at the Municipal Building”; and

**WHEREAS**, on or about July 16, 2012, the Township of Chatham entered into a Land Lease Agreement with AT&T for a portion of that property shown as Block 13, Lot 26 on the Tax Map of the Township, and known as 58 Meyersville Road, Chatham, New Jersey (“Municipal Building”); and

**WHEREAS**, the purpose of the Lease Agreement was to allow AT&T to temporarily construct, install, maintain, repair, replace and operate federally licensed radio transmitting equipment during that period of the construction of the Public Service Electric and Gas Company 230kV North Central Reliability Project; and

**WHEREAS**, the Lease Agreement provided for an initial two (2) year term, with two (2) additional one (1) year terms; and

**WHEREAS**, because Public Service Electric and Gas Company has not authorized AT&T to return to the PSE&G transmission towers, AT&T remains at the Municipal Complex as a “holdover tenant” pending authorization to relocate; and

**WHEREAS**, AT&T informed the Township that removal of the temporary tower will result in the loss of service, including 911 service, to both AT&T and AT&T's subtenant, T-Mobile Northeast LLC, and places the health, safety and welfare of Township residents in danger; and

**WHEREAS**, the Township Committee, in balancing requiring the removal of the temporary tower and the health, safety and welfare of Township residents, believes that it is in the best interests of Township residents to enter into a Land Lease Extension Agreement for a term not to exceed one (1) year or as soon as PSE&G authorizes the relocation to a PSE&G transmission tower, whichever is earlier, provided that, pursuant to N.J.S.A. 2A:42-6, AT&T and T-Mobile pay double rent since July 16, 2016 to the expiration of the Lease Agreement.

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

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

**RESOLUTION 2016-230**

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

**WHEREAS**, The Report On Examination of Financial Statements (Audit) for the year ended December 31, 2015 revealed a number of miscellaneous items including unallocated receipts, appropriated reserves, reserves for special deposits, unexpended improvement authorizations, and state aid receivables and reserves, and

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

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

Current Fund Schedule of State Aid Receivable	
Municipal Alliance Program DEDR	\$0.51
Municipal Alliance Program Supplemental	\$769.34
Current Fund Appropriation	
Matching Funds for Grants	
-Municipal Alliance Program	\$1,490.88
General Capital Fund Schedule of Improvement Authorizations	
Ordinance 2014-013	\$53,229.16
General Capital Fund Accounts Receivable	
Contribution in Aid of Construction - Ordinance 2014-013	\$53,129.16

**RESOLUTION 2016-231**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY, CANCELLATION OF STALE DATED  
CHECKS**

**WHEREAS**, there exist various reconciling items on the balance sheet of the Current Fund and Payroll; and

**WHEREAS**, the funds creating these reconciling items have been investigated and it has been determined that these reconciling items should be cancelled; and

**WHEREAS**, these cancelled funds will be returned to their respective funds and or accounts;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the following reconciling items are hereby cancelled:

<b><u>Current Fund</u></b>		
<b><u>Check #</u></b>	<b><u>\$ Amount</u></b>	<b><u>Date</u></b>
33326	\$84.60	13-Aug-15
	<u>\$84.60</u>	
<b><u>Payroll</u></b>		
<b><u>Check #</u></b>	<b><u>\$ Amount</u></b>	<b><u>Date</u></b>
60546	\$163.92	15-Jul-15
60755	\$622.58	14-Aug-15
60809	\$29.39	28-Aug-15
	<u>\$815.89</u>	

**RESOLUTION 2016-232**

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN AN AMENDATORY  
GRANT TO JERSEY CENTRAL POWER AND LIGHT TO PERMIT T-MOBILE  
NORTHEAST, LLC, TO CO-LOCATE A CELLULAR ANTENNA ARRAY ON AN EXISTING  
UTILITY TOWER LOCATED ON MUNICIPAL PROPERTY ON RIVER ROAD AT BLOCK  
63, LOT 2.01**

**WHEREAS**, on April 28, 2011, the Township Committee of the Township of Chatham adopted Ordinance 2011-08, titled “An Ordinance of the Township of Chatham, County of Morris, State of New Jersey Authorizing the Execution of an Amendatory Grant to Jersey Central Power and Light to Permit the Installation of a Cellular Antenna Array on an Existing Utility Tower Located on Municipal Property on River Road at Block 63, Lot 21.01”; and

**WHEREAS**, Ordinance 2011-08 has not been repealed by the Township Committee and remains in effect; and

**WHEREAS**, T-Mobile Northeast, LLC, requested that the Township Mayor and Clerk sign the Amendatory Grant authorized by Ordinance 2011-08; and

**WHEREAS**, T-Mobile agreed to increase the monthly rent from the original \$675.31 to \$806.36 in accordance with the escalator clause contained in the Amendatory Grant; and

**WHEREAS**, Ordinance 2011-08 clearly states that the installation includes the installation of a cellular antenna array and related communications equipment within the easement of JCP&L on Township property on River Road, Block 63, Lot 21.01; and

**WHEREAS**, the Township Committee desires to authorize the Mayor and Clerk to sign the Amendatory Grant on the same terms and conditions as Ordinance 2011-08.

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

3. That the Mayor and Clerk are hereby authorized to sign the Amendatory Grant in the form attached.
4. That all of the terms and conditions of Ordinance 2011-08 are hereby ratified and confirmed and remain in effect.
5. That this Resolution shall not be interpreted as a waiver of any necessary land use approvals or building permit requirements.
6. This Resolution shall take effect immediately.

**RESOLUTION 2016-233  
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
Engineering Services	\$20,000	
Legal Services	\$15,000	
Fair Housing Act	\$ 60,000	
Planning Board OE	\$8,000	
Police OE		\$35,000
Code Enforcement OE		\$ 8,000
Police S&W		\$50,000
Municipal Clerk S&W		\$10,000
Current Fund Total	\$103,000	\$103,000

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

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

## **Discussion**

### **Request for Right-of-Way Adjustment**

Attorney David Brady, representing Terry and Jean Earle, presented a request for an adjustment of a right-of-way on their property on Rose Terrace. He also described the vacation of the paper street portion of Chatham Street for roadway purposes, and said that a portion is used as a bike path. Mr. Brady said that the use of the paper street for the Earle's driveway was a permitted use, and he said that there is now a question to the legitimacy of the location of the driveway. Mr. Brady also reviewed with the Township Committee some photographs of the property, as well as some engineering drawings of the proposed adjustment.

Attorney Cruz asked about a notation of a manhole on the drawings. Mr. Brady said that the plans should not affect any utility easements.

Administrator Ciccarone said that a future home on the subject property would likely be in a different spot from the current house, and the driveway would likely also be in a different spot. Mr. Brady disagreed that the driveway would likely be in a different location. He also said that the Earles have lost potential buyers due to uncertainty about the ability to keep the driveway in its present location.

Mrs. Earle addressed the amount of frontage her property has, and she said that the bike path does not need 50 feet of right-of-way. She also noted that the right-of-way takes up two thirds of the frontage of her property.

Mr. Brady noted that if the driveway is moved from its current location to the other side of the property's frontage, then the living area would be pushed closer to the bike path, which would impact the homeowner's privacy.

Attorney Cruz addressed the difference between the partial vacation of the paper street which occurred and what would be involved in a full vacation. Mrs. Earle noted that a removal pole was installed in the bike path so that emergency vehicles can get through and access is available to the pumping station.

Committeeman Kelly spoke in favor of granting the request, citing an example of another right-of-way which had been vacated. Engineer Ruschke raised a concern about the need to better delineate the utilities within the right-of-way.

Committeeman Gallop and Committeeman Kelly both expressed support for granting the Earle's request. Committeewoman Swartz questioned if the Township should be in the business of maximizing the property value of private property.

Mr. Earle said that the impetus of the request is wanting to be able to build a house on the property which is not situated at an odd angle.

Attorney Cruz said that the Township Committee has the option to authorize him to draft an ordinance to grant the Earle's request using one of the options presented by Mr. Brady. Any ordinance for consideration would come before the Township Committee in 2017.

Mayor Ritter expressed support of the request, and recommended that Attorney Cruz draft an ordinance.

Attorney Cruz noted that Mr. and Mrs. Earle would be responsible for any costs related to the ordinance, including publication of the ordinance.

### **Hearing of Citizens**

Mayor Ritter opened the Hearing of Citizens.

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

**Executive Session**

**RESOLUTION 2016-P-19  
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. Collective Bargaining Agreement: PBA
  - c. 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-19 to enter Executive Session at 10:16 PM. Committeeman Kelly seconded the motion.

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

The Township Committee returned to public session at 10:56 PM.

Administrator Ciccarone said that a motion is necessary to approve a Memorandum of Agreement with the PBA Local #170 for the renewal of a collective bargaining contract for a term of three years.

Committeeman Gallop moved to approve a Memorandum of Agreement with PBA Local #170. Committeewoman Swartz seconded the motion.

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

The Township Committee meeting was adjourned at 10:58 PM.

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Gregory J. LaConte  
Township Clerk