

# **TOWNSHIP OF CHATHAM**

## **WORKSHOP AGENDA**

**September 11, 2014**

September 5, 2014 draft

Workshop public meetings are held primarily for the Mayor and Committee to discuss issues informally. These issues will in most cases be resolved at a subsequent regular public meeting by a formal vote either to pass a resolution or adopt an ordinance. Regular public meetings are normally held the second Thursday of each month. The Township Committee may, however, pass a resolution, introduce an ordinance, and, if advertised, adopt an ordinance at a workshop meeting if warranted.

### **Meeting Called to Order – 7:30 PM**

**Adequate Notice** of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both The Chatham Courier and the Morris County Daily Record on January 6, 2014; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 6, 2014; and notice was filed with the Township Clerk on January 6, 2014.

### **Flag Salute**

### **Roll call**

### **Approval of Agenda**

### **Reports:**

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

1. Ordinance 2014-13 Bond Ordinance for Nash Field Improvements

**Consent Agenda** (routine items that may be passed by a single roll call vote; any Committee member may call for a separate discussion or vote on any item)

1. Resolution 2014-169 Payment of Bills
2. Resolution 2014-170 Approving Meeting Minutes
3. Resolution 2014-171 Approving Executive Session Minutes
4. Resolution 2014-172 Refunding Overpayment of Taxes
5. Resolution 2014-173 Settling Schwarz Tax Appeal
6. Resolution 2014-174 Refunding Tax Lien
7. Resolution 2014-175 Releasing Escrow Balances
8. Resolution 2014-176 Authorizing Sale of Service Weapon

### **Discussion: possible ordinance or resolution**

### **Hearing of Citizens** (Time Permitting)

### **Executive Session-** Resolution 2014-P-14

### **Adjourn**

**ORDINANCE 2014-13**

**CAPITAL ORDINANCE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING THE UNDERTAKING OF DRAINAGE IMPROVEMENTS AT NASH FIELD IN, BY AND FOR THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$70,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE JOINT RECREATION TRUST FUND**

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

Section 1. The Township of Chatham, in the County of Morris, New Jersey (the "Township") is hereby authorized to undertake drainage improvements at Nash Field in, by and for the Township. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$70,000 is hereby appropriated to the payment of the cost of the improvements authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Joint Recreation Trust Fund. The sum of \$70,000 is hereby appropriated from the Joint Recreation Trust Fund to the payment of the cost of said purpose.

Section 3. Said improvements are lawful capital improvements of the Township having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Township Clerk and is available for public inspection.

Section 5. This ordinance shall take effect at the time and in the manner provided by law.

Introduced: August 21, 2014

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: \_\_\_\_\_  
Kevin M. Sullivan, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2014-176**

**RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,  
STATE OF NEW JERSEY AUTHORIZING SALE OF SERVICE WEAPON TO  
RETIRING POLICE LIEUTENANT MAUREEN KAZABA**

**WHEREAS**, Lieutenant Maureen Kazaba has announced her retirement from the Police Department of the Township of Chatham, County of Morris, State of New Jersey, and

**WHEREAS**, Lieutenant Maureen Kazaba has requested her service weapon upon retirement, namely a Smith & Wesson Model M&P, Serial Number DXF8949.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Lieutenant Maureen Kazaba is hereby authorized to purchase the Smith & Wesson Model CS45, Serial Number VJF7483 for the sum of one dollar (\$1.00) payable to the Township of Chatham, provided, however that Lieutenant Maureen Kazaba shall first produce proof of all required licenses and permits for possession of the said weapon.

Adopted: September 11, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2014-170**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM APPROVING MEETING MINUTES**

**BE IT RESOLVED** that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meetings held on August 21, 2014.

Adopted: September 11, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

DRAFT

**RESOLUTION 2014-171**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM APPROVING EXECUTIVE SESSION MINUTES**

**BE IT RESOLVED** that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meeting held on August 21, 2014.

Adopted: September 11, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

DRAFT

**RESOLUTION 2014-172**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING OVERPAYMENT OF TAXES AND SEWER UTILITY FEES**

**WHEREAS**, an overpayment of property taxes or sewer utility fees has been made for the following properties; and

**WHEREAS**, the Tax Collector has recommended the refund of such overpayment,

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

<u>BLOCK</u>	<u>LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>AMOUNT</u>
139	3	Boccella, Nicholas & Frances 68 Spring Valley Road Morristown, NJ 07960	\$6,910.57 Property Tax Overpayment
69	47	Buckley, John & Wu, Yanwen C/O Waters, McPherson, McNeill, PC 300 Lighting Way PO Box 1560 Secaucus, NJ 079096  Property: 314 Fairmount Avenue	\$2,099.33 State Judgment

Adopted: September 11, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

**RESOLUTION 2014-173**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A SETTLEMENT OF THE TAX APPEALS OF ROBERT A. SCHWARZ AND DOROTHY W. SCHWARZ**

**WHEREAS**, Robert A. Schwarz and Dorothy W. Schwarz have appealed their assessments for the years 2012, 2013 and 2014 in the Tax Court of New Jersey, Docket Nos. 8868-2012, 1112-2013 and 1072-2014; and

**WHEREAS**, the Tax Assessor of the Township of Chatham has recommended acceptance of a proposed settlement of these appeals;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the above-referenced tax appeals be settled and the Municipal Attorney shall be authorized to execute a Stipulation of Settlement for the years 2012, 2013 and 2014 in the following amounts:

**BLOCK: 48.10**  
**LOT: 21**  
**STREET ADDRESS: 56 Westminster Road**  
**YEAR: 2012**

	<b>Original Assessment</b>	<b>County Board Judgment</b>	<b>Requested 2012 Tax Court Judgment</b>
<b>Land:</b>	\$ 745,800.00	Direct Appeal	\$ 745,800.00
<b>Improvements:</b>	<u>\$ 377,400.00</u>		<u>\$ 377,400.00</u>
<b>Total:</b>	\$1,123,200.00		\$1,123,200.00

**BLOCK: 48.10**  
**LOT: 21**  
**STREET ADDRESS: 56 Westminster Road**  
**YEAR: 2013**

	<b>Original Assessment</b>	<b>County Board Judgment</b>	<b>Requested 2013 Tax Court Judgment</b>
<b>Land:</b>	\$ 745,800.00	Direct Appeal	\$ 745,800.00
<b>Improvements:</b>	<u>\$ 377,400.00</u>		<u>\$ 377,400.00</u>
<b>Total:</b>	\$1,123,200.00		\$1,123,200.00

**BLOCK: 48.10**  
**LOT: 21**  
**STREET ADDRESS: 56 Westminster Road**  
**YEAR: 2014**

	<b>Original Assessment</b>	<b>County Board Judgment</b>	<b>Requested 2014 Tax Court Judgment</b>
<b>Land:</b>	\$ 745,800.00	Direct Appeal	\$ 745,800.00
<b>Improvements:</b>	<u>\$ 377,400.00</u>		<u>\$ 377,400.00</u>
<b>Total:</b>	\$1,123,200.00		\$1,123,200.00

Interest due on any refund will be waived by plaintiff, provided she receives payment of the total refund due within 60 days following the date of entry of Judgment by the Tax Court.

The parties agree that the total 2015 assessment of Block 48.10, Lot 21, shall not exceed \$1,073,200.00, and the taxpayer may only file an appeal in 2015 for the purpose of obtaining a judgment affirming the assessment. The Township will not object to the entry of a judgment affirming the assessment obtained as set forth herein. Notwithstanding the foregoing, in the event the improvements are demolished in whole or in part or a condemnation action is filed prior to January 1, 2015, the taxpayer shall also have the right to file an appeal to challenge the assessment.

The provisions of the Freeze Act, N.J.S.A. 54:51A-8, shall apply to a final disposition of this case and the entire controversy and of any actions pending or hereinafter instituted by the parties concerning the assessment on the property referred to herein for any Freeze Act years, as permitted by applicable law. No Freeze Act year shall be the basis for the application of the Freeze Act for any subsequent year.

Adopted: September 11, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk

**RESOLUTION 2014-174**

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

**WHEREAS**, due to payment by property owner of the lien amount, an overpayment of property taxes now exists; and

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

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

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
14	61.02	Stuart Lasher PO Box 83 Milltown, NJ 08850  Lien#13-00001 Gedikoglu, John Gedik & Yasmin Batu (21 Cypress Road)	\$1,190.72-Certificate \$ 500.00-Premium \$ 1,690.72-Total
64.05	11.03	Stuart Lasher PO Box 83 Milltown, NJ 08850  Lien#13-00002 Ziering, Nancy R (14I Heritage Drive)	\$ 863.51-Certificate \$ 500.00-Premium \$ 1,363.51-Total

Adopted: September 11, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

\_\_\_\_\_  
Gregory J. LaConte, Clerk

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

**RESOLUTION 2014-175**

**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:

<u>NAME</u>	<u>Project</u>	<u>A/C NUMBER</u>	<u>AMOUNT</u>
Phone Store Realty of NJ 192 US Highway 22 W Green Brook, NJ 08812	PerfBnd 14-135-23 Re: Starbucks 640 Shunpike Road	7761693576	\$3,000.00

Adopted: September 11, 2014

TOWNSHIP OF CHATHAM IN  
THE COUNTY OF MORRIS

Attest:

By \_\_\_\_\_  
Kevin M. Sullivan, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk