

**TOWNSHIP OF CHATHAM**  
**TOWNSHIP COMMITTEE MEETING MINUTES**  
**March 26, 2015**

Mayor Sullivan called the Regular meeting of the Township Committee of the Township of Chatham to order at 7:36 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 7, 2015; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 7, 2015; and notice was filed with the Township Clerk on January 7, 2015.

**Roll Call**

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

**Approval of Agenda**

Mayor Sullivan said that the School Budget presentation will be held before the oaths of office for the newly promoted sergeants. He also added a resolution to the Consent Agenda to authorize bidding for the Colony Pool Café.

The Agenda was approved as amended.

**Presentation – School District of the Chathams Budget**

Matt Gilfillan, the Vice President of the Board of Education, presented the proposed budget and referendum for the School District of the Chathams. Mr. Gilfillan noted that the School Election will be held on April 21, 2015 from 7:00 AM to 9:00 PM. He also said that budget priorities include maintaining small class sizes, providing services at their current levels, and delivering a budget at the lowest possible cost while maintaining the current level of excellence. Mr. Gilfillan provided a comparison of the cost per pupil of the School District of the Chathams to other comparable districts, and he included data demonstrating the achievements of the student bodies of those districts. State aid figures have remained flat for this year's budget. An overview of the tax increase was provided, and the proposed increase for the 2015-2016 school year is 1.77%. For Township property owners, the average tax increase will result in an extra \$27.95 per \$100 assessed value. Mr. Gilfillan said that health care benefits is the main wild card in the budget. Mr. Gilfillan also addressed Energy Savings Investment Plans, which allows local governments to make energy-related improvements, pay for the improvements using the value of the savings, and finance the improvements outside of the operating budget and tax levy. The School District would be able to work with an entity who would front the money, and the debt would be paid through the savings on energy bills. This program will result in various capital improvements.

Mr. Gilfillan also discussed the \$24.8 million referendum. The referendum will focus on the arts. A new auditorium would be built at the Chatham Middle School (CMS) to serve the whole District, and the existing auditorium would be converted into STEM rooms. The Chatham High School (CHS) auditorium would be renovated and 6 classrooms will be added to elementary schools. The fields behind the CHS would be turfed, and the infrastructure at Cougar Field would be upgraded. The Board decided to go forward with the referendum due to interest rates. Mr. Gilfillan also said that renovation of existing facilities would be more costly than building the new arts center. The need for more STEM facilities was also addressed, as well as the addition of two classrooms to each of three elementary schools. The proposed upgrades to the athletic facilities was also described, and there would be a focus on more facilities for the expansion of the running program. Of the \$24.8 million being requested in the referendum, the tax impact would be \$21.9 million. The average annual tax bill impact will be approximately \$25.

Mayor Sullivan addressed rumors that the Municipal Building is for sale, and it is not.

Dr. Michael LaSusa, Superintendent of Schools, addressed the cost savings that the School District would have by not paying rent to the Township for space in the Municipal Building. Mayor Sullivan asked how much of a buffer is factored into the referendum. Dr. LaSusa said that the School District is bound to go with the lowest bid, and there is a 10% contingency fee factored into the referendum.

Committeeman Kelly asked how the money saved by the School District from not paying rent to the Township would be a savings, as there would be debt incurred to construct the facilities. Mr. Gilfillan said that it would be more appropriate to refer to the “savings” as a cost reallocation. Committeeman Kelly also said that the money not paid to the Township in rent would result in an additional cost to Township taxpayers.

Committeeman Gallop asked about the timeframe of the referendum projects. Dr. LaSusa said that the fields could probably be accomplished quickly. The elementary school classrooms could probably be ready by September 2016. The CHS auditorium would probably start before the work at the Middle School. Dr. LaSusa’s projection would be that the CHS auditorium would take six months to complete, and that the Arts Center’s work would begin in a couple years.

Committeeman Gallop asked how the voter-approved school security has been working out. Dr. LaSusa said that it has worked out well, and described how it has been beneficial.

Deputy Mayor Ritter commended Dr. LaSusa and Mr. Gilfillan for putting the referendum together. He also asked if there are any thoughts on how the proposed new auditorium might be used by outside groups. Mr. Gilfillan said that they have already been approached by one outside group that would like to use the facility, which would bring in rental fees. The School District would be considering it to be a community facility.

Committeewoman Swartz asked about the possibility of having CHS’s graduation at the school rather than at Mennen Arena. Dr. LaSusa said that they would need a bigger auditorium in order to have the graduations at School District facilities. Committeewoman Swartz commented on how the referendum is a hot button issue, and she asked about having the items in the referendum broken into separate questions. Mr. Gilfillan said that the focus on the question is the arts, and the District did not want to have the arts and athletics pitted against each other. Committeewoman Swartz also asked about school security during the election. Dr. LaSusa said that voter parking is separated off from student and staff parking. There would also be extra security personnel on hand to control the flow of traffic.

Committeeman Kelly asked about the repurposing of the CMS auditorium. Dr. LaSusa said that the design phase would begin after the referendum.

### **Oaths of Office**

Mayor Sullivan described the Police Department’s procedures for promotions. He also cited the qualifications of each of the two officers being promoted to the rank of sergeant.

The Oath of Office for Sergeant Patrick Meade was administered by Mayor Sullivan.

The Oath of Office for Sergeant Stephen Brad Hayworth was administered by Mayor Sullivan.

The Township Committee took a recess at 8:49 PM.  
The Township Committee returned at 9:10 PM.

### **Reports**

Committeewoman Swartz reported that the Environmental Commission will be hosting an Earth Day Cleanup Event on April 18<sup>th</sup> at the Green Village Pond Conservation Area. She also reported that the Senior Center is preparing for their 25<sup>th</sup> Anniversary Gala, which will be held at Chatham Fish & Game on April 24<sup>th</sup>.

Committeeman Gallop reported that the Morris County Freeholders passed a resolution opposing the Pilgrim Pipeline. He also reported that Governor Christie said that the environmental review for the Pipeline needs to play out.

Deputy Mayor Ritter reported that the March/April newsletter was released. He also commented on Township website traffic. Deputy Mayor Ritter also noted that the Colony Pool Club website has been launched, and he encouraged people to visit the site. Deputy Mayor Ritter also said that the Chatham Township Fire Department is always looking for new members.

Committeeman Gallop asked if the Township is paying fees to get more Likes on Facebook. Deputy Mayor Ritter said that he personally paid a \$20 fee for the marketing campaign. Committeeman Gallop said that the Township should pay the fee, and that it should have been discussed by the Township Committee beforehand. Committeeman Gallop also asked if there is any way to know how many of the people who Liked Chatham Township on Facebook are residents. He also asked if the objective of the page is to serve Township residents. Administrator Ciccarone said that it is to serve Township residents, but also to serve as a resource for anyone who might be considering moving to the Township. Committeeman Gallop also asked about the link on the Colony Pool Website to Calello Design Associates. Deputy Mayor Ritter said that the vendor created the logo for the site. Committeeman Gallop raised a concern that having the link and name on the website could be viewed as free advertising, and that it would be better to pass a resolution to thank them for having designed the logo for free. Mayor Sullivan suggested that any Township Committee members who have anything to be posted on Facebook should send it to Deputy Mayor Ritter.

Administrator Ciccarone reported that the roads in the Wickham Woods neighborhood affected by the sewer project will be repaired, and the work will be performed through the Morris County Co-op. Buxton Road will also be repaved, and the order to proceed for both projects has been issued. At the first meeting in April, there will be a discussion scheduled for the 2015 capital projects.

#### **Hearing of Citizens/Petitions**

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

#### **Public Hearing/Final Adoption of the 2015 Municipal Budget**

### **RESOLUTION 2015-076 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM ADOPTING THE 2015 MUNICIPAL BUDGET**

(See Attached)

Administrator Ciccarone provided a summary of the 2015 Municipal Budget.

Mayor Sullivan Opened the Public Hearing on the 2015 Budget.  
Seeing no public comment, Mayor Sullivan closed the Public Hearing.

Committeewoman Swartz thanked Administrator Ciccarone for all the work that goes into preparing the Budget.

Committeeman Kelly moved to pass Resolution 2015-076 to approve the 2015 Municipal Budget. Committeewoman Swartz seconded the motion.

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

Administrator Ciccarone noted that the 2015 Budget has a \$0.01 per \$100 assessed value tax decrease, and the 2015 tax rate is lower than the tax rate in 2007. Mayor Sullivan added that ratables over the past eight years have only increased 10%, and is only one factor in how the Township was able to have a tax decrease. The tax decrease is largely due to excellent financial management.

#### **Consent Agenda**

### **RESOLUTION 2015-077**

**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 – February  
CFO – February  
Tax Collector – February

**RESOLUTION 2015-078  
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 March 12, 2015.

**RESOLUTION 2015-079  
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 March 12, 2015.

**RESOLUTION 2015-080  
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>
Mark Donoghue 692 River Road Chatham, NJ 07928	BOA 13-39-65	7761693469	\$120.0

**RESOLUTION 2015-081  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING ONE-DAY SPECIAL PERMIT  
FOR LIQUOR LICENSE**

**BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following permit for a One-Day Liquor License is hereby approved:

<u>Name of Organization</u>	<u>Dates of Social Affair</u>	<u>Place where Affair will be held</u>
Chatham High School Athletic Boosters	May 22, 2015	Noe Pond Club 395 Southern Blvd Chatham, NJ 07928

**RESOLUTION 2015-082  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
APPROVING FIREWORKS FOR CHATHAM TOWNSHIP PBA EVENT AT FAIRMOUNT  
COUNTRY CLUB**

**WHEREAS**, state regulations require municipal governing body approval for the use of fireworks displays; and

**WHEREAS**, the Township has received an application to conduct a fireworks display conducted by Garden State Fireworks, Inc. for a Chatham Township PBA fundraiser event on April 13, 2014, to take place at the Fairmount Country Club on Southern Boulevard, Chatham, New Jersey; and

**WHEREAS**, the Township wishes to permit the applicant to conduct this fireworks display in accordance with all applicable laws and regulations.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that it hereby approves the fireworks application contingent upon the payment of all required fees, posting of appropriate insurance certificates, and compliance with all state and local laws and regulations.

**RESOLUTION 2015-083  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
DECLARING PITCHING MACHINES SURPLUS PROPERTY AND AUTHORIZING  
DONATION**

**WHEREAS**, the Township of Chatham owns thirty (30) Louisville Slugger Blue Flame' pitching machines; and

**WHEREAS**, these pitching machines are no longer used by the Township baseball program and are in storage; and

**WHEREAS**, the Township Recreation Director determined that these thirty (30) Louisville Slugger Blue Flame' pitching machines have, because of changes in technology, little or no resale value and recommends that these machines be declared surplus property, no longer needed for a public purpose; and

**WHEREAS**, the Borough of Union Beach is, after the damage caused by Hurricane Sandy, rebuilding its recreation programs, including baseball; and

**WHEREAS**, the Borough of Madison is coordinating a volunteer effort to provide relief to Union Beach and sought donations of equipment that is surplus, no longer necessary for a public purpose; and

**WHEREAS**, the Township Committee of the Township of Chatham hereby declares the thirty (30) Louisville Slugger Blue Flame' pitching machines surplus, no longer necessary for a public purpose.

**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 thirty (30) Louisville Slugger Blue Flame' pitching machines are hereby declared surplus property, no longer needed for a public purpose.
2. That these pitching machines are hereby donated to the Borough of Union Beach for its recreation program.
3. This Resolution shall take effect immediately.

**RESOLUTION 2015-084  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM  
AUTHORIZING THE PREPARATION, ADVERTISING AND RECEIPT OF SEALED BIDS  
FOR THE OPERATION OF THE CAFÉ AT COLONY POOL**

**WHEREAS**, the Township of Chatham desires to receive sealed bids for the operation of The Café at Colony Pool during the 2015 season; and

**WHEREAS**, the Township Committee of the Township of Chatham desires to authorize the Administrator and Clerk to prepare, advertise and receive responses to bids on the following schedule:

Advertise – April 2, 2015  
Receive Responses to Bids – April 14, 2015  
Anticipated Award – April 23, 2015.

**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 Administrator and Clerk are hereby authorized to advertise a Notice to Bidders to operate The Café at Colony Pool on April 2, 2015 and receive responses to the bids on April 14, 2015.
2. This Resolution shall take effect immediately.

Chief Hennelly spoke about the PBA Fundraiser for the Police Unity Tour. He also addressed a presentation made to the Senior Center about fraud awareness.

Administrator Ciccarone explained the donation of pitching machines to the Borough of Union Beach. He also explained that the Township will go out to bid for the Colony Pool Café, as there are questions as to how the bid threshold would be calculated in this manner. This approach was selected to ensure compliance with the Local Public Contracts Law.

Committeewoman Swartz moved to approve the Consent Agenda. Deputy Mayor Ritter seconded the motion.

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

### **Discussion**

#### **ORDINANCE 2015-11**

#### **AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REPEALING AND REPLACING SECTION 2-13.4 OF CHAPTER II, ADMINISTRATION, ARTICLE III, COLONY POOL ADVISORY COMMITTEE, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM REGARDING COLONY POOL ADVISORY COMMITTEE**

**BE IT ORDAINED** by the Township Committee of the Township of Chatham, County Morris, State of New Jersey that Chapter II, Administration, Article III of the Revised General Ordinances of the Township of Chatham, Section 2-13.4, Colony Pool Advisory Committee, is repealed and replaced as follows:

#### **Section 1. Repeal.**

**Section 2-13.4** is hereby repealed as follows:

There is hereby established the Colony Pool Advisory Committee, with membership, duties and responsibilities as follows:

- a. *Duties and Responsibilities.* The duties and responsibilities of the Colony Pool Advisory Committee shall be advice and assistance to the Department of Recreation and the Recreation Director with respect to the swimming pool, tennis, paddle tennis, and all recreational activities and facilities associated therewith.
- b. *Membership.* The Colony Pool Advisory Committee shall have five (5) members, appointed by the Mayor, with the approval of the Township Committee. All members shall be paying members of the Colony Pool and Tennis Recreation facility who are residents of the Township of Chatham. The members first appointed shall be appointed for terms of one (1), two (2) and three (3) years, respectively, in such manner that not more than two (2) members' terms shall expire in any one (1) year. Thereafter, all appointments shall be for a term of three (3) years.
- c. *Meetings.* The Colony Pool Advisory Committee shall meet regularly at least once in each month with the Recreation Director for the consideration of matters affecting such programs, facilities, and responsibilities under the control of the Department.
- d. *Organization.* At its meeting in January of each year, the members of the Colony Pool Advisory Committee shall select a Chairman and a Secretary from the membership of the Committee.

#### **Section 2. Replacement.**

**2-13.4** is hereby replaced with the following:

There is hereby established the Colony Pool Advisory Committee, with membership, duties and responsibilities as follows:

- a. *Duties and Responsibilities.* The duties and responsibilities of the Colony Pool Club (“CPC”) Advisory Committee (“The Committee”) shall be to advise and assist the Department of Recreation and the CPC Manager regarding the recreational and social activities associated with CPC.
- b. *Membership.* The Committee shall have five (5) members, appointed by the Mayor, with advice and consent of the Township Committee. All members shall be paying members of the Colony Pool Club. There may be a maximum of two(2) non-resident members appointed to the Committee. The members shall be appointed for a term of one year.

- c. *Meetings.* The Committee shall meet at a minimum quarterly or as deemed needed by the Chair, for consideration of matters affecting programs, social matters, and to identify, develop, review and make recommendations through the appointed Township Committee liaison to CPC for the enhancement and promotion of the Colony Pool Club. The Committee's power shall be solely advisory.
- d. *Organization.* At its reorganization meeting in the first quarter of each year, the members of the Committee shall select a Chairman and a Secretary from the membership of the Committee. The Chair shall be a Township resident.

### **Section 3. Effective Date.**

This ordinance shall take effect as provided by law.

Mayor Sullivan said that this ordinance serves to clarify the purpose of the Colony Pool Advisory Committee, and to change the duration of the terms of the members.

Committeeman Kelly said that he would prefer to keep the staggered three-year terms. Administrator Ciccarone said that the logic for a one-year term is that the Advisory Committee members are required to be members of Colony Pool, and said memberships are only offered for one year. Administrator Ciccarone also said that when Colony Pool was a self-liquidating utility, there was a commission to run the facility, and he believes that the three-year terms might be a hold-over from that period. Mayor Sullivan said that three-year terms open up the possibility that someone could be appointed to the Advisory Committee and then not renew their membership. Mayor Sullivan noted that the Open Space Committee has one-year terms.

Committeeman Gallop asked if the ordinance should say that the members of the Advisory Committee would be appointed by the Township Committee. Attorney Cruz said that the language as to how members are appointed is at the discretion of the Township Committee. Administrator Ciccarone said that there is not a statutory framework for appointments to this committee, therefore the appointments could be made either by the Mayor or the Township Committee, depending on how the ordinance is written.

Mayor Sullivan noted that the ordinance would allow for two non-resident members, however the chairperson would have to be a Township resident.

Mayor Sullivan moved to introduce Ordinance 2015-11. Deputy Mayor Ritter seconded the motion.

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

Public Hearing on Ordinance 2015-11 will be scheduled for April 9, 2015.

### **Hearing of Citizens/Petitions**

Mayor Sullivan opened the Hearing of Citizens.  
Seeing none, Mayor Sullivan closed the Hearing of Citizens.

The meeting was adjourned at 10:06 PM.

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Gregory J. LaConte  
Township Clerk