

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE MEETING MINUTES
May 28, 2015

Mayor Sullivan called the Regular meeting of the Township Committee of the Township of Chatham to order at 7:33 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 Kelly, Committeewoman Swartz, Committeeman Gallop, Deputy Mayor Ritter and Mayor Sullivan.

Approval of Agenda

Resolution 2015-114 was added to the Consent Agenda to approve an interlocal agreement with Morris County for reimbursement for the resurfacing of a portion of Southern Boulevard.

The Agenda was approved as amended.

Proclamation – Emergency Medical Services Week

Mayor Sullivan recounted a story of a local child in need of a lung replacement, and the child was transported by the Chatham Emergency Squad to a hospital in Philadelphia so that the surgery could take place.

Mayor Sullivan read aloud the attached proclamation for Emergency Medical Services Week.

Reports

Committeewoman Swartz reported that, on behalf of the Board of Health, she attended a meeting of the Chatham & Madison Coalition for Healthy Communities. This Coalition serves to raise awareness and try to prevent substance abuse, and Committeewoman Swartz discussed the mission of the organization. She also reported on updates from JCP&L regarding greater demands on energy in the summer, and she urged residents to report power outages as they occur.

Committeeman Kelly reported that the Parents Who Host Lose the Most campaign is underway. He also reported that the Community Garden is in full swing, and plots are still available. Committeeman Kelly also reported that the Public Works Department has been dealing with road repairs, field maintenance and preparations at Colony Pool. The Department will soon be installing drainage improvements at Nash Field. Committeeman Kelly also reported that on June 6th at 10:00 AM, there will be the official opening of the new trails on the Giralda Farms open space property.

Committeeman Gallop reported on discussions with Chatham Borough about the Joint Recreation Program. Consensus was reached that every year, 80% of the Recreation Trust Fund will be transferred to the Recreation Capital Fund for field projects. Also discussed was how the Township and Borough should split paying Carol Nauta's salary. Administrator Ciccarone said that consensus was not reached regarding the salary issue, and that he believes there are other issues to be discussed. He also said that the Borough opted to terminate the Joint Recreation agreement, and he believes that any resolution of the issues to be discussed will require a new formal agreement. Committeeman Gallop said that the meeting with Borough officials had reached consensus on splitting that portion of Mrs. Nauta's salary which covers her role in the recreation department. He and Administrator Ciccarone agreed that now that the Recreation Program is run through the club model, the Township and the Borough need to resolve the question of splitting the salary and other issues. Administrator Ciccarone suggested that a

subcommittee be formed to negotiate a new formal agreement. Committeeman Gallop suggested that Administrator Ciccarone and Borough Administrator Bob Falzarano each draft a memo setting forth each municipality's unique issues related to recreation funding so that a meeting can be held to resolve matters and develop a proposal. Committeeman Gallop also reported that registrations have opened for various fall sports.

Deputy Mayor Ritter reported that Colony Pool had a successful opening weekend, and he provided registration statistics. He also encouraged residents to volunteer with the Chatham Emergency Squad, Chatham Township Fire Department and Green Village Fire Department. Deputy Mayor Ritter also reported that a public information session will be held on June 9th for a new Neighborhood Watch program.

Chief Hennelly reported that the Chatham Township Police Department hosted independent assessors for the accreditation process, and the Department passed with near perfection. He and Lt. Miller will appear at a Commission hearing, at which he hopes the Department will receive recognition as a fully accredited police department. Officer Michael Bloom provided an overview of the Neighborhood Watch Program.

Engineer Ruschke reported that the sewer project is coming to a close, and he provided an update on the upcoming schedule.

Hearing of Citizens/Petitions

Mayor Sullivan opened the Hearing of Citizens.

1. Ron Gunn, 41 Fairview Ave (Madison), said that NJ American Water has not given him a specific start date for the installation of water lines. Once the water lines are installed, paving work can begin, which will help with the soil erosion and sediment control. NJ American estimates 2 to 3 weeks for the completion of their work. The paving would take an additional 8 days. Mr. Gunn estimated that this work would take at most 30 days to complete. Attorney Cruz noted that Mr. Gunn requested an extension to the developer's agreement which expires on May 30th so that the work described can be performed. Mr. Gunn also said that stormwater drainage and sanitary sewer lines can be run next week. Attorney Cruz asked what caused the delays necessitating the extension of the developer's agreement. Mr. Gunn said that after the agreement was signed, the Township requested an increase in the bond, and it took some time to secure the additional funding.
2. Martin Blumenthal, 99 Long View Ave, said that his house is in the midst of the development project, and the project has been going on for over a year. He said that if the Township does not extend the developer's agreement, it will take much longer for the project to be finished, and he would like to see the road improved.

Engineer Ruschke said that the requirements imposed on the project came from the Planning Board, not from his office, and it is his job to enforce those requirements. He also addressed various summonses that were issued over the course of this project. He recommended to the Township Committee that the one month extension be granted, and that the matter be pursued in Municipal Court to ensure that the work gets done. Attorney Cruz also recommended a 30-day extension, with the option of reasonable extensions at the discretion of Engineer Ruschke for weather-related delays. Committeeman Gallop asked what implications exist for not extending the developer's agreement. Attorney Cruz said that the implications are difficult to assess at this time, as it is a complex situation. Committeeman Gallop also asked if there is any remedy available for environmental damages through non-compliance on this project. Engineer Ruschke said that damages will need to be assessed and mitigated. Attorney Cruz said that the focus of this discussion should be to bring the developer into compliance. Deputy Mayor Ritter asked what will happen if, after 30 days, the problem still exists. Attorney Cruz said that such a circumstance will be handled at that time, and Engineer Ruschke can issue summonses along the way if need be. Committeeman Gallop asked why this matter is before the Township Committee and not the Planning Board. Attorney Cruz said that the agreement is between the Township and not the Planning Board, and he also felt that the Township Committee would be able to deal with the matter more efficiently. However, it may need to go before the Planning Board at a later

time. Committeewoman Swartz asked if neighboring properties have sustained damage due to the stormwater management and sediment control problems. Engineer Ruschke said that the problems have remained in the roadway, and he described the work progress thus far. Committeewoman Swartz raised a concern about having the roadway paved only to have it damaged by construction vehicles. Engineer Ruschke said that initially only the base material would be put down, with final surfacing to be done at a later time. Administrator Ciccarone asked how many homes are to be built. Mr. Gunn said that there are to be nine new homes. Administrator Ciccarone asked if there is a construction schedule for the new homes, as final paving is usually performed after the final home is complete. Mr. Gunn said that he does not have a schedule, as he is selling the majority of the lots. Administrator Ciccarone said that the Township will ask Mr. Gunn to have the road paved once there is enough time for settlement and compaction, and that the road be repaved after all homes are complete so that the neighbors will not have to go an extended period of time without a finished road.

Attorney Cruz orally drafted the following resolution to approve the extension of the developer's agreement. Mr. Gunn signified his assent to the terms of the proposed resolution.

RESOLUTION 2015-115
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY,

WHEREAS, on May 30, 2013 Fenix-Chatham I & II LLC entered into a Developer's Agreement with the Township of Chatham which required that the construction for the project be completed within two years of the date of the agreement; and

WHEREAS, the developer has indicated that he was delayed in starting the agreement due to certain financial difficulties; and

WHEREAS, the developer has requested an extension in writing from the Township Committee of the Developer's Agreement; and

WHEREAS, the developer has modified the request for an extension at the May 28, 2015 Township Committee to a 30-day period subject to reasonable extensions by the Township Engineer for weather and other events; and

WHEREAS, this matter will be reviewed again by the Township Committee at either the June 25, 2015 or July 16, 2015 meeting;

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 Developer's Agreement is extended for a period of 30 days subject to reasonable extensions by the Township Engineer for weather and other conditions.
2. This matter will be reviewed by the Township Committee at either the June 25, 2015 or July 16, 2015 meeting depending upon the actions taken by the Township Engineer.
3. This resolution shall take effect immediately.

Deputy Mayor Ritter moved to pass Resolution 2015-115. Mayor Sullivan seconded the motion.

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

3. Tara Burke, 163 Watchung Ave, addressed the proposed sidewalk on Lafayette Ave. She said that there was opposition to sidewalks on Watchung when they were installed, but the opposition was overcome. Mrs. Burke also said that one of her children was almost hit by a car when crossing the street. She would like to see the Lafayette Ave sidewalk installed so as to improve safety.
4. Quinn Burke, 163 Watchung Ave, said that the sidewalk on Lafayette Avenue would make the road safer.
5. Joan Burns, 25 Spring Street, said that she would prefer to have the proposed Spring Street sidewalk be installed on the pool side of the street. Mr. Ciccarone asked how Mrs. Burns would feel about the sidewalk on her side of the street if the installation were bumped out into the street rather than on the homeowners properties. Mrs. Burns said that she would like to consider the idea before giving a definitive answer, and she would be concerned about narrowing the street because the Chatham Emergency Squad is on Spring Street.

6. Jim Pagliara, 29 Spring Street, said that making Spring Street narrower might make things more difficult, and he would rather see the sidewalk on the north side. Administrator Ciccarone said that the Township is open to options, and that he and Engineer Ruschke want to see the best option selected.
7. Ed Gage, 171 Lafayette Ave, spoke against having a sidewalk installed on the east side of Lafayette Avenue. He does not think that the sidewalk would be the most cost effective solution. He also raised a concern about the burden that could be placed on homeowners for the maintenance of sidewalks. Furthermore, Mr. Gage said that several trees would need to be removed in order for the sidewalk to be installed.

Mr. Ciccarone said that there are additional costs not covered by the grant that the Township would have to incur for the project. He also said that the Township is considering additional options.

8. Amanda Robertson, 177 Lafayette Ave, said that she is opposed to the proposed sidewalk on Lafayette Ave because of the drainage issues that would develop.
9. Agatha Robbins, 143 Lafayette Ave, said that the proposed sidewalk on Lafayette Ave would require the removal of a tree on her property which is approximately 152 years old. She also said that some residents who oppose the project performed a study to observe student walking patterns, and the students have learned to walk on the west side of Lafayette Ave. Mrs. Robbins shared several observations about traffic issues at the intersection of Lafayette Ave and Shunpike/Watchung. She further said that a sidewalk on both sides of Lafayette will tempt children to cross the street at areas other than the crosswalks. Committeewoman Swartz said that she lives in that area as well, and she is familiar with the pedestrian traffic. She also said that that the Township Committee is concerned about having the safest route to school found, not necessarily the shortest route.

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

Public Hearing/Final Adoption of Ordinances

Ordinance 2015-12

ORDINANCE 2015-12

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND A NEW FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,600,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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

Section 1. The Township of Chatham, in the County of Morris, State of New Jersey (the "Township") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery and a new fire engine, including original apparatus and equipment, in, by and for said Township, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Township.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Acquisition of new additional or replacement equipment and machinery for the use of the Department of Public Works ("DPW"), including, but not limited to, a backhoe.

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|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 100,000 |
| Down Payment Appropriated | \$ 5,000 |
| Bonds and Notes Authorized | \$ 95,000 |
| Period of Usefulness | 15 years |

B. Undertaking of improvements to various roads, as set forth on a list prepared or to be prepared by the Township Engineer and placed on file with the Township Clerk and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Township Committee, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

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|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 950,000 |
| Down Payment Appropriated | \$ 47,500 |
| Bonds and Notes Authorized | \$ 902,500 |
| Period of Usefulness | 10 years |

C. Undertaking of improvements to various public buildings, including, but not limited to, exterior improvements to the Municipal Building. It is hereby determined and stated that said public buildings to be improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

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|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 50,000 |
| Down Payment Appropriated | \$ 2,500 |
| Bonds and Notes Authorized | \$ 47,500 |
| Period of Usefulness | 15 years |

D. Acquisition of new additional or replacement equipment and machinery consisting of self-contained breathing apparatus equipment and various items of firefighting, emergency and safety equipment for the use of the Volunteer Fire Departments.

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|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 200,000 |
| Down Payment Appropriated | \$ 10,000 |
| Bonds and Notes Authorized | \$ 190,000 |
| Period of Usefulness | 5 years |

E. Undertaking of various improvements to Colony Pool, including, but not limited to, replacement of fencing.

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|----------------------------------|-----------|
| Appropriation and Estimated Cost | \$ 10,000 |
|----------------------------------|-----------|

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|----------------------------|----------|
| Down Payment Appropriated | \$ 500 |
| Bonds and Notes Authorized | \$ 9,500 |
| Period of Usefulness | 15 years |

F. Acquisition of a new fire engine, including original apparatus and equipment, for the use of the Green Village Fire Department.

| | |
|----------------------------------|-------------|
| Appropriation and Estimated Cost | \$1,040,000 |
| Down Payment Appropriated | \$ 52,000 |
| Bonds and Notes Authorized | \$ 988,000 |
| Period of Usefulness | 10 years |

G. Funding the Township's portion of the cost of undertaking various improvements to the Library of The Chathams. It is hereby determined and stated that said public building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

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|----------------------------------|------------|
| Appropriation and Estimated Cost | \$ 250,000 |
| Down Payment Appropriated | \$ 12,500 |
| Bonds and Notes Authorized | \$ 237,500 |
| Period of Usefulness | 15 years |

| | |
|--|-------------|
| Aggregate Appropriation and Estimated Cost | \$2,600,000 |
| Aggregate Down Payment Appropriated | \$ 130,000 |
| Aggregate Amount of Bonds and Notes Authorized | \$2,470,000 |

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$130,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$130,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Township, are now available to finance said purposes. The sum of \$130,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Township of an aggregate principal amount not exceeding \$2,470,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Township of an aggregate principal amount not exceeding \$2,470,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Township and attested by the Township Clerk or Deputy Township Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with

law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 10.40 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk of said Township, and that such statement so filed shows that the gross debt of said Township, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$2,470,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Morris, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this 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 14. The Township intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Township incurs such costs prior to the issuance of the bonds or notes, the Township hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Township, and the Township shall levy ad valorem taxes upon all the taxable real property within the Township for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Sullivan opened the Public Hearing on Ordinance 2015-12.
Seeing no public comment, Mayor Sullivan closed the Public Hearing.

Committeeman Kelly moved to adopt Ordinance 2015-12. Committeewoman Swartz seconded the motion.

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

Consent Agenda

RESOLUTION 2015-106 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 – April
CFO – April
Fire Official – January, February, March
Police Department – April
Tax Collector – April

RESOLUTION 2015-107 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 May 14, 2015.

**RESOLUTION 2015-108
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 May 14, 2015.

**RESOLUTION 2015-109
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 THOMAS P. HAVERTY AND VALERIE K. HAVERTY**

WHEREAS, Thomas P. Haverty and Valerie K. Haverty have appealed their assessments for the years 2011, 2012, 2013, 2014 and 2015 in the Tax Court of New Jersey, Docket Nos. 10009-2011, 11428-2012, 9576-2013, 1072-2014 and 4238-2015, respectively; 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 Special Counsel shall be authorized to execute a Stipulation of Settlement for the years 2011, 2012, 2013, 2014 and 2015 in the following amounts:

**BLOCK: 34
LOT: 22.10
STREET ADDRESS: 5 Molino Drive
YEAR: 2011**

| | Original Assessment | County Board Judgment | Requested 2011 Tax Court Judgment |
|----------------------|--------------------------------|----------------------------------|--|
| Land: | \$ 634,000.00 | Direct Appeal | WITHDRAWN |
| Improvements: | <u>\$ 975,700.00</u> | | |
| Total: | \$1,609,700.00 | | |

**BLOCK: 34
LOT: 22.10
STREET ADDRESS: 5 Molino Drive
YEAR: 2012**

| | Original Assessment | County Board Judgment | Requested 2012 Tax Court Judgment |
|----------------------|--------------------------------|----------------------------------|--|
| Land: | \$ 634,000.00 | Direct Appeal | \$ 634,000.00 |
| Improvements: | <u>\$ 975,700.00</u> | | <u>\$ 816,000.00</u> |
| Total: | \$1,609,700.00 | | \$1,450,000.00 |

**BLOCK: 34
LOT: 22.10
STREET ADDRESS: 5 Molino Drive
YEAR: 2013**

| | Original Assessment | County Board Judgment | Requested 2013 Tax Court Judgment |
|----------------------|--------------------------------|----------------------------------|--|
| Land: | \$ 634,000.00 | Direct Appeal | \$ 634,000.00 |
| Improvements: | <u>\$ 975,700.00</u> | | <u>\$ 716,000.00</u> |
| Total: | \$1,609,700.00 | | \$1,350,000.00 |

**BLOCK: 34
LOT: 22.10
STREET ADDRESS: 5 Molino Drive
YEAR: 2014**

| | Original Assessment | County Board Judgment | Requested 2014 Tax Court Judgment |
|--------------|--------------------------------|----------------------------------|--|
| Land: | \$ 634,000.00 | Direct Appeal | \$ 634,000.00 |

| | | |
|----------------------|----------------------|----------------------|
| Improvements: | <u>\$ 975,700.00</u> | <u>\$ 716,000.00</u> |
| Total: | \$1,609,700.00 | \$1,350,000.00 |

BLOCK: 34
LOT: 22.10
STREET ADDRESS: 5 Molino Drive
YEAR: 2015

| | | | |
|----------------------|----------------------|---------------------|---------------------------|
| | Original | County Board | Requested 2015 Tax |
| | Assessment | Judgment | Court Judgment |
| Land: | \$ 634,000.00 | Direct Appeal | \$ 634,000.00 |
| Improvements: | <u>\$ 975,700.00</u> | | <u>\$ 716,000.00</u> |
| Total: | \$1,609,700.00 | | \$1,350,000.00 |

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

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.

RESOLUTION 2015-110
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
REFUNDING CONSTRUCTION PERMIT FEE

WHEREAS, the Township Committee has considered the request submitted by the Construction Official with regard to the fee that was paid for a construction permit that was submitted to the Township in error;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following amount be refunded to the depositor of record:

| <u>NAME</u> | <u>PERMIT #</u> | <u>AMOUNT</u> |
|--|-----------------|---------------|
| Par-Troy Sheet Metal & Air Conditioning LLC 122 Clinton Road Fairfield, NJ 07004 | 14-0598 | \$179.00 |

RESOLUTION 2015-111
A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2015 BUDGET

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Chatham has received \$22,493.77 from the State of New Jersey Clean Communities Program and wishes to amend its 2015 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$22,493.77 which is now available as a revenue from:

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

Clean Communities Program, and

BE IT FURTHER RESOLVED, that a like sum of \$22,493.77 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:

Clean Communities Program.

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

**RESOLUTION 2015-112
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 & ADDRESS</u> | <u>AMOUNT</u> |
|--------------|------------|---|---|
| 64.04 | 14.01 | MacDonald, Donald & Joan 178 Riveredge Drive Chatham, NJ 07928 | \$592.27 (2 nd qtr 2015 tax) |
| 64.05 | 11.03 | Ziering, Nancy 6557 Grande Orchid Way Delray Beach, FL 33446 Property address: 14 I Heritage Drive Chatham, NJ 07928 | \$982.77 (2 nd qtr 2015 tax) |
| 74 | 35 | Maxworthy, Emily 3108 Johnson Circle Bridgewater, NJ 08807 Property address: 14 Whitman Drive Chatham, NJ 07928 | \$977.76 (2 nd qtr 2015 tax) |

**RESOLUTION 2015-113
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> |
|---|----------------|-------------------|---------------|
| Larry & Joanne White 791 River Road Chatham, NJ 07928 | BOA 11-40-8 | 7761692875 | \$47.50 |

**RESOLUTION 2015-114
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM APPROVING AN INTERLOCAL AGREEMENT WITH MORRIS COUNTY
PROVIDING FOR THE REIMBURSEMENT FOR RESURFACING WORK ON
SOUTHERN BOULEVARD**

WHEREAS, the Township of Chatham (“Township”) and the County of Morris (“County”) will be resurfacing Southern Boulevard from Fairmount Ave to River Road; and

WHEREAS, the Township will be the lead agency on the resurfacing project and the County will be reimbursing the Township for a portion of the costs; and

WHEREAS, the estimated cost of the project is \$62,000; and

WHEREAS, the County share will be \$47,000 and the Township share will be \$15,000; and

WHEREAS, the Township agrees to the terms and conditions of the agreement, a copy of which is attached hereto;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that an Interlocal Agreement between the Township of Chatham and the County of Morris, in the form attached, is hereby authorized and approved for the reimbursement for resurfacing work on Southern Boulevard, and that the Mayor and Clerk are hereby authorized to execute the same.

Committeewoman Swartz asked for a correction in the minutes from the May 14th Township Committee minutes.

Committeeman Kelly asked about the cost to the Township for the tax appeal settlement. Administrator Ciccarone said that it will be approximately \$5000 per year for each of the three years, resulting in a refund of about \$15,000.

Mayor Sullivan asked Administrator Ciccarone to elaborate on the Clean Communities Grant. Administrator Ciccarone said that it is a standard grant, and the Township uses it to fund the hiring of summer help for the Department of Public Works.

Committeeman Kelly moved to approve the Consent Agenda. Committeewoman Swartz seconded the motion.

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

Hearing of Citizens/Petitions

Mayor Sullivan opened the Hearing of Citizens.

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

Discussion

Summer Hours

Administrator Ciccarone said that over the past few years the Township Committee has allowed the administrative staff to have summer hours, whereby lunch periods are reduced and the Municipal Building closes at 1:00 PM on Fridays. He said that the staff would like to do so again this year. The consensus of the Township Committee was to grant the request, and summer hours will go into effect the week of June 1, 2015.

Executive Session

**RESOLUTION 2015-P-06
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. Pending or anticipated litigation: In Re the Township of Chatham Declaratory Judgment Action Seeking Approval of the Township's Housing Element and Fair Share Affordable Housing Plan
 - b. Personnel: Board Appointments
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.

Mayor Sullivan announced that the Township Committee would not be taking any formal action following Executive Session.

Committeeman Kelly moved to pass Resolution 2015-P-06 to enter Executive Session at 9:31 PM. Deputy Mayor Ritter seconded the motion.

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

The Township Committee returned to public session at 10:19 PM, and the meeting was adjourned.

Gregory J. LaConte
Township Clerk