

**TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE MEETING MINUTES
JANUARY 21, 2010**

Mayor Hagner 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 8, 2010; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 8, 2010; and notice was filed with the Township Clerk on January 8, 2010.

Mayor Hagner led the flag salute.

Roll Call

Answering present to the roll call were Committeeman Gallop, Committeeman O'Connor, Committeeman Brower, Deputy Mayor Tubbs and Mayor Hagner.

Approval of Agenda

The Lenape Trail Parking Request discussion item was removed from the agenda, and will be discussed at the next meeting.

Deputy Mayor Tubbs moved to approve the agenda as amended. Committeeman O'Connor seconded the motion, and it carried unanimously.

Reports

Committeeman Gallop reported that the Recreation Committee recently held its reorganization meeting. Furthermore, the new Recreation Director has organized a trip to see Jersey Boys. Sports programs are going well, and registration for spring sports is due at the end of January. Mayor Hagner added that the Township is working with the Borough to have a more integrated Recreation Department, and a draft agreement has been submitted to the Borough. Committeeman Brower reported on the deer management program. In 2009, 22 deer were harvested by bow, and 10 were harvested by shotgun. Mayor Hagner reported that the Morris County Prosecutor's Office is conducting a Law Enforcement Initiative, and Deputy Mayor Tubbs will be attending the meeting. Mayor Hagner also reported that she attended the Government Efficiency Movement meeting, and they are promoting shared services in several areas. Administrator Ciccarone reported that the State has extended the budget adoption calendar, and the adoption date has been pushed back to May. Attorney Woodward gave an update on Green Acres funding for Open Space properties. All the paperwork has been submitted for the Riverwalk Property, and the money should be paid to the Township very soon. For the NJ Conservation Foundation property, the DEP is reviewing the proposed conveyance of easements to the Township. In regards to the Motto Property, Attorney Woodward said that the oil tank was not closed to the satisfaction of the DEP, and he has sought proposals from engineering firms to rectify the situation.

Hearing of Citizens/Petitions

Mayor Hagner opened the Hearing of Citizens.

1. Kirke Bent, Pine Street resident, suggested that new residents be offered one year of free membership to Colony Pool. He thinks that doing so would help create interest in future memberships. Mayor Hagner thanked Mr. Bent for his suggestion, and said that his comment would be passed along to the Colony Pool Advisory Committee.

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

Public Hearing/Final Adoption of Ordinances

ORDINANCE 2010-01

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY PROVIDING FOR IMPROVEMENTS TO SHUNPIKE FIELD IN THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROPRIATING THE AMOUNT OF \$1,050,000 THEREFOR

BE IT ORDAINED BY THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AS FOLLOWS:

Section 1. The improvement described in Section 2 of this ordinance is hereby authorized to be undertaken by the Township of Chatham, New Jersey, as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated \$1,050,000, to be received from The Open Space Trust, from the Borough of Chatham, and from the Chatham Athletic Foundation as further described in Section 4 hereof.

Section 2. The improvement hereby authorized is a new artificial turf field at Shunpike Field in the Township of Chatham, and all necessary appurtenances, including all work and materials necessary therefore or incidental thereto, all pursuant to plans and specifications on file with the Township, which plans and specifications are hereby approved.

Section 3. The capital budget of the Township of Chatham is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. Any grants or funds received by the Township for any purpose set forth in Section 2 hereof including, but not limited to, \$350,000 to be received from the Open Space Trust, \$350,000 to be received from the Borough of Chatham, and \$350,000 to be received from the Chatham Athletic Foundation, are hereby appropriated for said purpose set forth in Section 2 hereof and shall be applicable to the direct payment of the cost of such purpose.

Section 5. The following additional matters are hereby determined, declared, recited, and stated: The improvement or purpose described in Section 2 of this ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof have been or shall be specially assessed on property specially benefitted thereby.

Section 6. This ordinance shall take effect in accordance with law.

Mayor Hagner said that this ordinance appropriates funding for the Shunpike Field improvements, but does not yet award the contract. Administrator Ciccarone said that there is a 20-day waiting period before the contract could be awarded, and he pointed out that this ordinance does not authorize any new debt.

Mayor Hagner opened the Public Hearing on Ordinance 2010-01.
Seeing none, Mayor Hagner closed the Public Hearing.

Committeeman Brower moved to adopt Ordinance 2010-01. Committeeman Gallop seconded the motion.

Roll call: Committeeman Gallop, Aye; Committeeman O'Connor, Aye; Committeeman Brower, Aye; Deputy Mayor Tubbs, Aye; Mayor Hagner, Aye.

Hearing of Citizens

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

Consent Agenda

RESOLUTION 2010-038

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 \$781,787.25 and the prior month's payroll of \$486,942.24 Current Fund, \$45,680.11 Sewer No. 1, \$7,285.82 Sewer No. 2, \$700.00 Recreation Trust and \$18,290.13 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to the School District of the Chathams, for the month of January 2010, in the amount of \$2,354,310.29 be paid.

RESOLUTION 2010-039
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
ACKNOWLEDGING RECEIPT OF REPORTS AND MINUTES FROM VARIOUS BOARDS
AND COMMITTEES

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

- Tax Collector – December
- Animal Control – November, December
- Municipal Court – December
- Construction Official – December
- Chatham Emergency Squad – December
- Fire Official – October, November, December, Annual Report 2009
- Police Department – November, December
- Public Works – December
- State Training – 4th Quarter
- Vital Statistics – 4th Quarter

RESOLUTION 2010-040
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 January 7, 2010.

RESOLUTION 2010-042
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING RAFFLES FOR KIWANIS CLUB OF THE CHATHAMS

BE IT RESOLVED by the Township Committee of the Township of Chatham that on-premise raffles to be conducted by Kiwanis Club of the Chathams on March 23, 2010, at Chatham High School, 255 Lafayette Avenue, Chatham Township, are hereby approved.

RESOLUTION 2010-043
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
APPROVING RAFFLES FOR PTO OF THE CHATHAMS

BE IT RESOLVED by the Township Committee of the Township of Chatham that on-premise raffles to be conducted by PTO of the Chathams, Inc. on March 26, 2010, at Chatham High School, 255 Lafayette Avenue, Chatham Township, are hereby approved.

RESOLUTION 2010-044
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>A/C NUMBER</u>	<u>AMOUNT</u>
Sabe LLC 29 Wareham Village Scotch Plains, NJ 07076 Re: PLBD 01-62-60 552 River Road	7200038912	\$132.50
Michael Rosenberg	7760011175	\$150.00

1 Karlin Drive
 Chatham, NJ 07928
 Re: PLBD 07-17-82

Simonfay Landscaping 150 Main Street Chatham, NJ 07928 Re: ROI 07-48.10-27 19 Runnymede Road	7760011192	\$400.00
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Simonfay Landscaping 150 Main Street Chatham, NJ 07928 Re: ROI 07-48.10-9 108 Westminster Road	7760011191	\$300.00
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RESOLUTION 2010-045

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>
48.04	37	Royal Tax Lien Services, LLC 179 Washington Lane Jenkintown, PA 19046 Re: 81 Southern Boulevard Certificate # 009-05	\$28,065.51 Tax Sale \$10,000.00 Premium

RESOLUTION 2010-046

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING OVERPAYMENT OF TAXES

WHEREAS, due to inadvertence, error, tax appeal settlement or judgement, an overpayment of property taxes has been made for the following property; 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>OWNER NAME & ADDRESS</u>	<u>AMOUNT</u>
15	20	Merchant, Kiran & Genevieve C 104 Ormont Road Chatham, New Jersey 07928	\$650.00
62.01	2	Willis, Peter & Kori K 2 Van Houton Avenue Chatham, New Jersey 07928	\$493.54
64.04	24.01	Tate, Alaric H 221 Riveredge Drive Chatham, New Jersey 07928	\$1,027.73

RESOLUTION 2010-047

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>ACCOUNT</u>	<u>AMOUNT</u>
Mr. Nicholas Gentile 2 Cramer Lane Mendham, NJ 07945 Re: Karlin Estates Subdivision Block 48.17, Lot 81.02	7200039006 Performance Bond & Installation of Monuments	\$19,366.50 plus Interest \$1,890.00 in Surety
Nicholas Gentile 2 Cramer Lane Mendham, NJ 07945 Re: 1 Karlin Drive EIF 03-17-81.11	7200039007 Escrow	\$337.68

Committeeman Brower asked about a \$2000 penalty collected by the Construction Department. Administrator Ciccarone explained that a violation was issued because a homeowner had a front portico installed despite the fact that permission had been denied by the Board of Adjustment. Committeeman Brower also asked about 23 local ordinance violations and 3 skate park citations listed in the Police Department's monthly report. Chief Paton said that the citations issued at the skate park were for failure to wear a helmet. The local ordinance violations were mostly for overnight parking. Committeeman Gallop asked about the budget for street salt. Public Works Director Joe Barilla said that although a big hit was made in December, January has not been problematic. Committeeman Brower asked for an update on pre-storm measures. Mr. Barilla said that he has been seeking prices on a spray that would be applied to roads prior to snowfall, and he described how the spray works. Committeeman O'Connor asked about a tax appeal settlement in Resolution 2010-041. Attorney Woodward said that the reduction was based on comparable sales. Resolution 2010-041 was removed from the Consent Agenda so that the Tax Assessor could come to a meeting and explain the decrease in assessed value.

Committeeman Brower moved to approve the Consent Agenda. Committeeman O'Connor seconded the motion.

Roll call: Committeeman Gallop, Aye; Committeeman O'Connor, Aye; Committeeman Brower, Aye; Deputy Mayor Tubbs, Aye; Mayor Hagner, Aye.

Hearing of Citizens

Mayor Hagner opened the Hearing of Citizens.

1. Shannon McCarty, Lenape Trail resident, addressed traffic issues on Lenape Trail. She said that it is very difficult to get onto the street during school hours because of cars parked on both sides of the street. Speeding has been a problem as well. Administrator Ciccarone asked if the problem existed all day, or if it only during certain hours. Mrs. McCarty said that the problem is mainly due to parents picking up and dropping off students. Committeeman Brower pointed out that the School District has not been cooperative in trying to address parking issues in this neighborhood.

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

Discussion

ARC Morris Request

Administrator Ciccarone said that ARC Morris is exempt from property taxes, and they usually send in a payment in lieu of taxes, which the Township has always returned. Committeeman Brower asked if the Township incurs any costs due to the presence of the ARC Morris group

home. Administrator Ciccarone said that no costs are incurred, and the Township does receive an affordable housing credit.

Deputy Mayor Tubbs moved that the check sent to the Township by ARC Morris be returned. Committeeman Brower seconded the motion, and it carried unanimously.

Loantaka/Shunpike Intersection

Mayor Hagner said that a letter was received from Madison and Morris County regarding a meeting they held about the intersection of Loantaka Way and Shunpike Road. As these are county roads, and there are a lot of traffic incidences on the Madison portion of the intersection, they met to discuss ways to alleviate the issues and make the intersection safer. Morris County has requested a joint meeting between the County, Madison and the Township to discuss the proposed solutions. Committeeman O'Connor requested that the Township review the proposals ahead of time, and Mayor Hagner said that the Police Department and Engineer Ruschke are already looking into the matter. She also reviewed the proposed options, and said that the favored option involves removing the island and putting in a right hand turn only lane. Committeeman Brower also asked about the left turn signal at the intersection of Southern Boulevard and River Road. Mr. Barilla said that there is a green light for traffic in both directions on River Road, and the left arrow comes at the end of the cycle. Chief Paton said that the Police Department could look into the matter. Deputy Mayor Tubbs asked that when the Township gets in touch with the County regarding the Loantaka/Shunpike intersection, it should be made known that the Township was upset over a lack of invitation to the initial meeting between the County and Madison. Committeeman Brower suggested that perhaps this would be a good time to try to suggest to the County to widen that portion of Shunpike Road.

Colony Pool Clubhouse

Mayor Hagner said that the Colony Pool Clubhouse is in need of major repair, and should probably come down. She would like to see discussion as to what should replace the structure when it is razed. Committeeman O'Connor asked if the building could come down before a plan is in place. Administrator Ciccarone said that the Paddle Tennis Club uses the building, so it cannot come down until after the current season ends. Deputy Mayor Tubbs opined that a plan should be in place before the demolition. Mayor Hagner said that potential uses for a new building could be explored during discussions. Committeeman Gallop asked if there were any safety issues related to the building. Administrator Ciccarone said that it is an eyesore in a residential area, and the building is too big for the purposes it currently serves. Deputy Mayor Tubbs questioned if a new building is needed, or if the current buildings could accommodate the needs of the Paddle Tennis Club. Committeeman Brower suggested that perhaps a trailer could be rented for the Paddle Tennis Club. Deputy Mayor Tubbs said that a facility is needed, and he said that summer programs and Colony Advisory Committee meetings used to be run in the Clubhouse until the building fell into disrepair. The concept of a Community Center was also discussed. Administrator Ciccarone added that the Colony Club has always been sensitive about the expense of capital costs, and they have always been frugal. Committeeman Brower said that it should be determined whether or not paddle tennis should remain part of the Colony program. Mayor Hagner reiterated that she wanted to get the discussion moving so that plans can be in place before the building needs to come down. Committeeman Brower asked if it is known what Chatham Borough will be doing about their municipal pool, and added that Colony membership might increase if the Borough decides not to rebuild their pool. Mayor Hagner said that the Borough is currently looking at feedback from a survey that was sent out, and a report should be released sometime soon.

Library of the Chathams

Deputy Mayor Tubbs reported that the Chatham Library's pickup/return station at the Municipal Building is now operational. Administrator Ciccarone said that instructions would be posted on the Township website, and that people would have to register with the Library to be able to pickup books at the Municipal Building.

Ratables

Committeeman Brower raised a concern over the loss of ratables when properties become designated as Open Space. He suggested that groups who purchase such properties should make a contribution to help offset the loss of ratables. Committeeman O'Connor asked how much ratables have gone up in the past few years. Administrator Ciccarone said that ratables increased by \$25 million in 2009, and \$75 million in 2008. He also said that the properties that have recently become open space were not significant sources of property taxes. Committeeman Brower asked about rollbacks. Attorney Woodward explained that a three-year rollback would only go into effect when there is a change of use. Committeeman Gallop pointed out that Township residents have expressed a desire for protecting open space, which Administrator Ciccarone said would help maintain the value of other properties.

Hearing of Citizens/Petitions

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

Committeeman O'Connor moved to adjourn at 8:59 PM. Committeeman Gallop seconded the motion, and it carried unanimously.

Gregory J. LaConte
Deputy Municipal Clerk