

**TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE MEETING MINUTES
MARCH 23, 2006**

Mayor O'Connor called the regular meeting of the Township Committee of the Township of Chatham to order at 7:38 p.m.

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 9, 2006; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 9, 2006; and notice was filed with the Township Clerk on January 9, 2006.

Mayor O'Connor led the flag salute.

Roll Call

Answering present to the roll call were Committeeman Hartford, Committeeman Tubbs, Deputy Mayor Brower and Mayor O'Connor. Committeewoman Hagner was absent.

Approval of Agenda

Resolution 2006-081 was added to the agenda. Administrator Ciccarone also advised a resolution approving the lease with the School Board might be added following Executive Session. Deputy Mayor Brower moved to approve the agenda as amended. Committeeman Tubbs seconded the motion and it carried unanimously.

Special Recognition and Awards

1. Organ & Tissue Donor Awareness Month Proclamation- Mayor O'Connor read part of the letter received from Lenore Ford, Chairman of Organ & Tissue Donor Awareness of the Overlook Hospital Auxiliary. Mayor O'Connor then read the attached proclamation proclaiming the month of April as Organ and Tissue Donor Awareness month. Mrs. Ford thanked the Township Committee for participating the last ten years and allowing green ribbons to be tied around trees in the Township.
2. Autism Awareness Month Proclamation- Mayor O'Connor read the letter received from Erin O'Connor, a 4th grader at Lafayette School, about her brother who has autism. Mayor O'Connor read the proclamation proclaiming April as Autism Awareness Month. Committeeman Hartford informed the Committee about how another town had formed an advisory committee on developmental disabilities and that a model ordinance was available to address the needs and provide communication. Committeeman Hartford said he would distribute information and requested that this be placed as a discussion item on the April workshop meeting.

Reports

Reports by Committee Liaisons

Committeeman Hartford advised he is trying to make the information easier to find on the website and that the website has been updated to include Bicentennial information. He would also like to incorporate information on Colony Pool. Committeeman Hartford advised there has been an increase in usage of the website and that many of the town's activities are posted on the web page. Committeeman Hartford also advised that as County liaison, the park commission was prompt in addressing the problem with an overgrown area adjacent to the Green Village Post Office. As a result, this has increased the availability of parking at the Post Office. Committeeman Hartford also advised that David Helmer is planning to put up signs about a conservation easement and a County park area.

Committeeman Tubbs advised he had participated on budget advisory meetings and informed the Committee that Colony Pool is in good shape with the staff for the summer. They hope to get the fees for Colony Pool posted on the website this year. Committeeman Tubbs said he and Committeewoman Hagner are planning to review the Tree Ordinance next week to determine what needs to be done. Committeeman Tubbs also advised that with the recent death of a young

man in Chatham Township, the Recreation Department wants people to be aware of where the defibrillators are located and to provide training about the equipment.

Deputy Mayor Brower advised the amount of snow removal is down this year and the town may see savings in salt, sand and calcium used on the roads. Secondly, Deputy Mayor Brower recommended that the lower parking lot at Town Hall be designated for seniors in light of approving the lease with the School Board. Deputy Mayor Brower also stated he was encouraged with the deer kill this year. The deer kill through hunting had increased over last year and the number of deer kill from automobile accidents was down. Deputy Mayor Brower concluded that generally the program is beginning to work, however, there are still pockets of resident deer. At a later date, Deputy Mayor Brower will make a recommendation on handling this problem.

Mayor O'Connor advised there is a proposed FAA flight pattern for Newark and Kennedy Airport and Morris County is impacted. A meeting will be held at the Holiday Inn in Parsippany on April 4, 2006 from 6:30 to 9:00 p.m. Mayor O'Connor also said a letter was received from Julia Somers, representing the Great Swamp Watershed Association, stating that as long as there were no public safety issues, they would prefer that Long Hill Lane remain a dirt road.

Administrator Ciccarone reported on the Township's recreational facilities and advised that Public Works has increased efforts in all our facilities over the last five years. Only two fields have old wood bleachers left that will be replaced this year and all ball fields are being improved. There is a new clay infield at the Mountainview field, the only field that does not have irrigation. All fields are seeded, aerated and thatched and fertilized annually. Pesticides are not used. Administrator Ciccarone stated the Public Works Department does a tremendous job. The only major projects would be artificial turf. Administrator Ciccarone reminded everyone that by October 2007, Castle Park will be gone and a decision will need to be made as to whether it will be replaced. With regard to Colony Pool, Administrator Ciccarone also said the grounds at Colony Pool have been improved with the picnic and grass area expanded and with the post and rail fence. Deputy Mayor Brower added that he thought the Township should be careful in determining the general use of the fields at Castle Park and the age groups using these fields. Committeeman Hartford added there are several potential projects that are being contemplated with the Shunpike Field and the adjacent land and with Woodland Park. Committeeman Hartford thought the Joint Recreation Board should provide input on these projects. Committeeman Hartford also thought there is a need to look at the parking at Town Hall. Administrator Ciccarone responded he was trying to address the fact that the Township is cognizant of the condition of our facilities and that some ancillary equipment still needs to be phased out this year.

Engineer John Ruschke informed the Committee that the water quality chamber at Sunset Lake has been installed, that there will be a pre-construction meeting next week for the sewer extension project and that the progress with Sterling properties has been very slow due to issues with multiple crews.

Attorney Woodward reported final judgments on SW Chatham Tax Sale Foreclosure have been received and the tax sale will be conducted at the end of April or May. The amount to be collected from that sale is expected to be in excess of \$500,000.

Budget Presentation

Administrator Ciccarone provided a power point presentation on the budget and advised the level of the surplus balance will keep the necessary tax increase to eight tenths of one cent per hundred dollars of assessed value. Administrator noted no new positions will be added and that the town will continue to look for sharing services with our neighbors. Administrator Ciccarone noted the increases in health insurance, Police salaries, pension costs, joint library and debt service and reviewed the 2006 budget highlights. The reserve for tax appeals has decreased \$50,000, the fee charged to Harding Township for dispatching services has increased \$15,000 and there is an increase of \$75,000 in utility costs. Vince Montanino explained how the state aid would remain unchanged. Administrator Ciccarone reviewed the 2006 budget overview and provided the details on the appropriations for 2006. Administrator Ciccarone explained that the reserve for uncollected taxes is a non-spending appropriation to ensure that the county and schools get the money they need. Administrator Ciccarone advised the township normally collects 98.5 percent

of the levy, but for budget purposes they calculate and estimate 97.5 will be collected. The Administrator also explained the relationship between the Construction fees raised and expenses and that generally the \$350,000 raised in permit fees would cover the costs in the Construction Office. Deputy Mayor Brower was concerned that for many years the Township has not added another person to the Public Works Department. Administrator Ciccarone said that this could be attributed to good workers, relationships and updated equipment making work more efficient. The Administrator added that cap restraints by the State would not allow the Township to add a person and stay within the cap. Deputy Mayor Brower said that in a growing town the efficiency of the Public Works Department couldn't be maintained if that operation is pushed to the breaking point. Discussion followed about Colony Pool fees, whether there may be a need to address the fees on the recreation side, the concept of the cap, if another person could be added to public works or if the services provided need to be adjusted. Administrator Ciccarone continued with his report explaining that \$1,375,000 of the surplus would be used as a revenue in 2006, but the Township will rebuild the balance by the end of the year. The Administrator advised the bond rating focused on the surplus and that a decent surplus can be used to offset one bad year and it is a fund that helps the town to keep a stable tax base. Administrator Ciccarone reviewed the estimated tax rates and distribution and the effect on the average local taxes. The new local tax rate of 26.7 cents per \$100 of assessed value results in an increase for the year of \$55 based on the average assessment. Administrator Ciccarone also reviewed the capital budget noting various road improvements, some building and recreational facility improvements and the purchase of DPW and fire equipment. The Committee thanked Administrator Ciccarone for the budget presentation.

Hearing of Citizens/Petitions

Mayor O'Connor opened the hearing to the public.

1. Candy Olsen, from the Chatham Glen Condo Association, asked why the traffic calming plans for putting in speed tables for Mt. Vernon Avenue Bridge were taken out and asked the position of the Township Committee on this. Mayor O'Connor advised the majority of the Township Committee thought there was ample rationale for not putting in speed bumps since there were issues with topography and the angle of the road. However, if there is a need in the future, the Committee would review this decision. The Mayor said he had asked Committeeman Hartford to get input from the residents at Chatham Glen. Mrs. Olsen responded there is an interest in traffic calming procedures. Committeeman Tubbs advised after discussions with the Police and DPW and noise issues, this particular way to control traffic was not the best. Deputy Mayor Brower advised the Police are trying to get speed limit signs, limit truck traffic on that road and have the Police present on that road. Committeeman Hartford said he had asked Steve Hammond, the County engineer, about the speed tables and felt that these were ruled out before these were examined. Attorney Woodward advised that before the bridge was reconstructed, the speed limit was lowered to 35 mph and the weight limit was 4 tons. Attorney Woodward also advised the Police had said this was a main road for emergency vehicles to get to Overlook Hospital and speed tables would be an impediment. Mrs. Olsen said the County had advised her there was no safety problem from their perspective with regard to the speed tables.
2. Carol Nauta, Chatham Borough Recreation Director, advised 44 lacrosse coaches had been recently certified with CPR and the use of the defibrillator and that they will continue to try to get the rest of the coaches for all other sports certified as well.
3. Peter Hofmann, May Drive resident, commented on the size of the surplus and that combining services should be considered and noted that both Police departments are upgrading equipment. Mr. Hofmann also said he has asked about how much money has been spent on Woodland Park and that he had not received anything. Mr. Hofmann said if we proceed with the field at Woodland Park and if the School Board has control over the field and if the public did not have access to the field, would the Township and the Borough lose the grant monies promised.

There being no further comments, Mayor O'Connor closed the hearing of citizens.

Introduction of the Budget

RESOLUTION 2006-072

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING 2006 MUNICIPAL BUDGET

BE IT RESOLVED of the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2006.

GENERAL REVENUE

Surplus Anticipated	\$1,375,000.00
Miscellaneous Revenue Anticipated	\$2,340,865.24
Receipts from Delinquent Taxes	\$ 300,000.00
Amount to be Raised by Taxation for Municipal Purposes	<u>\$7,352,628.89</u>
Total Revenues	\$11,368,494.13

GENERAL APPROPRIATIONS

Operation Including Contingent (within cap)	\$6,689,800.00
Deferred Charges & Statutory Expenditures- Municipal (within cap)	\$ 245,585.00
Operations (outside cap)	\$2,601,679.69
Capital Improvements	\$ 60,000.00
Municipal Debt Service	\$ 721,422.35
Deferred Charges	\$ 68,400.00
Reserve for Uncollected Taxes	<u>\$ 981,607.09</u>
Total Appropriations	\$11,368,494.13

BE IT FURTHER RESOLVED that said Budget be published in the Chatham Courier in the issue of April 6, 2006.

The Governing Body of the Township of Chatham does hereby approve the following as the Budget for the year 2006:

Ayes: Nays: Abstain: Absent:

Notice is hereby given that the within budget is a true copy of the budget approved by resolution of the governing body on the 23rd day of March, 2006.

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building on April 20, 2006 at 7:30 o'clock (p.m.) at which time and place objections to said Budget and Tax Resolution for the year 2006 may be presented by taxpayers or other interested persons.

Committeeman Tubbs moved to adopt Resolution 2006-072 approving the 2006 Municipal Budget. Deputy Mayor Brower seconded the motion.

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

Introduction of Ordinances

ORDINANCE 2006-04

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE FEES CHARGED TO COMMERCIAL HANDLERS OF RECYCLABLE MATERIAL

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that Section 18-1.11, Fees Charged to Commercial Handlers of Recyclable Material, of Chapter XVIII, Solid Waste Management, Code of the Township of Chatham, is hereby amended in its entirety to read follows:

- 1. Section 18-1.11 Fees Charged to Commercial Handlers of Recyclable Material.**

The fees to be charged to commercial handlers of recyclable materials for disposal on behalf of their verified Township residential customers at the Township recycling facility shall be as follows:

- a. Each commercial handler shall pay an annual registration fee of \$25.00. At the time of registration, a list of all Township customers with addresses and telephone numbers must be submitted by the commercial handler. As customers are acquired or lost, notice of each customer acquired or lost must be submitted to the Township. Each commercial handler shall at the time of registration submit a list of trucks and trailers used to handle recycling material, including type of truck/trailer, registration numbers and capacities.
 - b. At the time of disposal at the Township recycling facility, each commercial handler must present one (1) valid disposal ticket for each load to be deposited. Each time a deposit is made shall constitute a load regardless of whether the truck or trailer is full. Each commercial handler may purchase disposal tickets for disposal on behalf of the verified Township residential customers at the Township recycling facility as follows:
 1. Pickup Truck (approx. 3.5 cu. yds.) \$45.00 per load
 2. Mason Truck (approx. 7 cu. yds.) \$85.00 per load
 3. Dump/Rack Body Truck (approx. 10 cu. yds.) \$120.00 per load
 4. Trailer (approx. 10 cu yds.) \$120.00 per load
 - c. Each commercial handler shall be permitted to purchase disposal tickets as set forth above equivalent to 10 cubic yards per residential customer.
 - d. Each commercial handler may purchase additional disposal tickets as follows:
 1. Pickup Truck \$70.00 per load
 2. Mason Truck \$140.00 per load
 3. Dump/Rack Body Truck \$200.00 per load
 4. Trailer \$200.00 per load
 - e. The Township retains the right to terminate commercial handler use of the Township recycling facility at any time because of overloading or for any other reason.
2. This ordinance shall take effect as provided by law.

Attorney Woodward reviewed the ordinance with the Committee and advised the tickets would have the registration number of the vehicle on it. Attorney Woodward further explained that the Township was losing money in the past since grass had to be shipped out. Public Works Director Joe Smith advised that up to now, commercial handlers were paying a one-time fee. Committeeman Hartford was concerned that this ordinance would make it more onerous for the residents, that the fees would be passed onto the residents and asked several questions concerning the intent. Deputy Mayor Brower thought the intent is to try to break even and not to have taxpayers subsidize outside residents using the area. Administrator Ciccarone further explained that in the past the initial allotment gave the landscapers more tickets than what they needed since they never bought the extra tickets. Committeeman Tubbs explained that the Township was adjusting a system that was overdue for adjustment.

Deputy Mayor Brower moved to introduce Ordinance 2006-04. Committeeman Tubbs seconded the motion.

Roll call: Committeewoman Hagner, Absent; Committeeman Hartford, Nay; Committeeman Tubbs, Aye; Deputy Mayor Brower, Aye; Mayor O'Connor, Aye.

Public hearing will be scheduled for April 20, 2006.

ORDINANCE 2006-05

ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY MORRIS, STATE OF NEW JERSEY ACCEPTING CONSERVATION EASEMENT FROM NICHOLAS PARISI FOR LOT 19, BLOCK 20, SUSAN DRIVE

WHEREAS, the Board of Adjustment has granted a variance for premises located on Susan Drive in the Township, designated as Block 20, Lot 19 on the current tax map of the Township; and

WHEREAS, said approval requires the execution to the Township of a Conservation Easement on steep slopes on said premises as more particularly described in the metes and

bounds description prepared by Willaim G. Hollows, NJPE & LS, dated January 31, 2006, which Conservation Easement has been submitted and been found acceptable;

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

1. Said Conservation Easement, copy attached hereto, from Nicholas Parisi, is hereby accepted and the Mayor and Clerk are hereby authorized to execute the same.
2. This ordinance shall take effect in accordance with law.

Deputy Mayor Brower moved to introduce Ordinance 2006-05. Committeeman Tubbs seconded the motion.

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

Public hearing will be scheduled for April 20, 2006.

ORDINANCE 2006-06

ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY MORRIS, STATE OF NEW JERSEY ACCEPTING CONSERVATION EASEMENT FROM JAMES AND JOANNE HAGNER FOR 400 RIVER ROAD, LOT 85, BLOCK 62

WHEREAS, the Planning Board has granted a minor subdivision with variances for premises located 400 River Road, designated as a portion of Block 62, Lot 85 on the current tax map of the Township; and

WHEREAS, said approval requires the execution to the Township of a Conservation Easement on steep slopes on said premises as more particularly described in the metes and bounds description prepared by James DeMuro, P.E., P.L.S., of DeMuro Associates dated February 15, 2006, which Conservation Easement has been submitted and been found acceptable by the Township Engineer;

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

3. Said Conservation Easement, copy attached hereto, from James and Joanne Hagner, is hereby accepted and the Mayor and Clerk are hereby authorized to execute the same.
4. This ordinance shall take effect in accordance with law.

Deputy Mayor Brower moved to introduce Ordinance 2006-06. Committeeman Tubbs seconded the motion.

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

Public hearing will be scheduled for April 20, 2006.

ORDINANCE 2006-07

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain expectations; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Chatham in the County of Morris finds it advisable and necessary to increase its CY 2006 budget by up to 3.5% over the

previous year's final appropriations in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee hereby determines that a 1% increase in the budget for said year, amounting to \$65,175.13 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law is advisable and necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next to succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Chatham in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring that in the CY 2006 budget year, the final appropriations of the Township of Chatham shall, in accordance with the ordinance and N.J.S.A. 40A:4-45.14, be increased by 1%, amounting to \$65,175.13 and that the CY 2006 municipal budget for the Township of Chatham be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Administrator Ciccarone informed the Committee that the State mandated a cap that the majority of the expenditures in the budget are limited to an increase this year of 2 ½ percent. The State allows with the adoption of the ordinance to increase it to 3 ½ percent of the previous year's final appropriations and bank the difference. The Administrator advised the ordinance must be done to create the cap bank.

Deputy Mayor Brower moved to introduce Ordinance 2006-07. Committeeman Tubbs seconded the motion.

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

Public hearing will be scheduled for April 20, 2006.

ORDINANCE 2006-08

AN ORDINANCE TO PROVIDE MINIMUM AND MAXIMUM RANGES FOR COMPENSATION FOR CERTAIN POSITIONS OF EMPLOYMENT IN THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, EFFECTIVE JANUARY 1, 2006

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

Section 1. The following offices and positions of employment in the Township of Chatham in the County of Morris are hereby established and the persons occupying such offices and positions shall be compensated at the rates, or within the ranges, set forth below. Actual compensation, consistent with the salary ranges established herein, is established by Township Resolution.

<u>Office or Position of Employment</u>	<u>Minimum</u>	<u>Maximum</u>
Member of Township Committee	1.00	1,200
Township Administrator	85,000	140,000
Township Clerk/Registrar	40,000	60,000
Deputy Clerk	35,000	50,000
Secretary Bd. Of Health	3,500	10,000
Chief Financial Officer/Treasurer Part-time	3,000	12,000
Township Attorney	26,000	55,000

Administrative Assistant/Ass't. Treasurer	26,000	65,000
Accounting Clerk	24,000	50,000
Receptionist or Clerk Typist	22,000	50,000
Director Glenwood Housing	3,600	7,000
Secretary	24,000	45,000
Police Records Clerk	22,000	45,000
Chief of Police/Emergency Management Coordinator	75,000	115,000
Dispatcher – Year 1 probationary (6 months)	26,000	
Dispatcher – Year 1 after probation	28,000	
Dispatcher – Year 2	30,000	
Dispatcher – Year 3	35,000	
Dispatcher – Year 4	40,000	
Dispatcher – Year 5	45,000	
Dispatcher - Year 6	48,500	55,000
Public Works Manager	65,000	100,000
Assistant Public Works Manager	56,000	85,000
Director Water Pollution Control	50,000	75,000
Tax Collector/Utility Collector	30,000	65,000
Ass't. Tax & Utility Collector	26,000	45,000
Tax Assessor (Part-time)	15,000	27,000
Ass't. Assessor	22,000	50,000
Recycling Coordinator	10,000	15,000
Escrow Accounting Clerk	3,500	5,000
Director of Recreation	45,000	91,000
Land Use Administrator and Facilities Manager	35,000	80,000
Board Manager Planning/Zoning	5,000	10,000
Planning Board Attorney	5,000	15,000
Zoning Board Attorney	5,000	10,000
Planning Board Secretary	2,400	7,000
Zoning Board Secretary	2,400	6,000
Secretary Environmental Commission	500	1,500
Secretary Open Space Advisory Committee	500	1,500
Construction Office Control Person	25,000	55,000
Construction Official/Building Sub-code Official/Inspector	25,000	75,000
Zoning officer/Code Enforcement Officer (PT)	10,000	18,000
Plumbing Sub-code Official/Inspector	4,000	18,000
Fire Sub-code Official/Inspector	4,000	18,000
Fire Prevention Official/Inspector	4,000	18,000
Electrical Sub-code Official	4,000	18,000
Municipal Judge	24,000	40,000
Municipal Court Administrator	30,000	60,000
Deputy Court Administrator/Violations Clerk	22,000	30,000
Municipal Prosecutor	12,000	26,000
Dog Licensing Clerk	2,000	4,000
Secretary Colony Pool	2,500	8,000
Director of Public Assistance	3,000	11,000

Seasonal and Hourly Positions

Pool Manager	10,000	20,000
Assistant Pool Manager	4,600	15,000
Playground Director	1,800	7,500
Tennis Manager	5,000	14,000
Swim Team Coach	1,400	6,000
Swim Team Ass't. Coach	500	5,000
Recreation Counselor	5.25 HR	13.00 HR
Lifeguards	7.00 HR	13.50 HR
Gate Attendants	5.50 HR	11.50HR
Recreation Aide	5.50 HR	11.50 HR
Laborer	7.50 HR	14.00HR
Crossing Guards	7.50 HR	25.00HR
Dispatcher PT	10.00HR	25.00HR
Clerk Typist PT	7.50HR	13.00HR
Building Inspector	25.00HR	35.00HR

Section 2. Overtime for eligible employees shall be at the rate of straight time for hours exceeding 35 per week and one and one-half times employee's regular rate of pay for hours exceeding 40 per week.

Section 3. Longevity pay for non-exempt, eligible employees as specified in the Township Personnel Policy shall be 2% of base salary for each four years of continuous service with the Township but not to exceed \$1,400.00.

Section 4. Police Dispatchers shall have pay for 13 holidays added to the above listed salaries.

Section 5. In addition to the above salary, persons appointed to the positions of attorney and prosecutor receive compensation in accordance with contracts for professional services.

Section 6. Employees covered by a collective bargaining agreement shall be entitled to compensation as provided in their respective agreements.

Section 7. Salaries provided herein shall be effective January 1, 2006, except where noted, for those employed with the Township as of the adoption date of the ordinance.

Section 8. This ordinance shall take effect upon publication as provided by the law.

Administrator Ciccarone advised this ordinance lists the minimum and maximum ranges for the employees, but the actual salary of the employees will be established in the salary resolution after the adoption of the budget. Deputy Mayor Brower thought that certain jobs should have caps on them. Discussion followed that no one stays at the same salary and that the range is adjusted for everyone to include the 3.5 percent cost of living increase. The Committee briefly discussed the salaries of the Township Committee members.

Deputy Mayor Brower moved to introduce Ordinance 2006-08. Committeeman Tubbs seconded the motion.

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

Public hearing will be scheduled for April 20, 2006.

Consent Agenda

**RESOLUTION 2006-015
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL AUDITING SERVICES WITH
DICKINSON, VRABEL & CASSELLS FOR 2006**

WHEREAS, the Township of Chatham has a need to acquire the professional auditing services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Dickinson, Vrabel & Cassells has completed and submitted a Business Entity Disclosure Certification which certifies that Dickinson, Vrabel & Cassells has not made any reportable contributions to a political or candidate committee in the Township of Chatham in the previous one year, and that the contract will prohibit the Dickinson, Vrabel & Cassells from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are or will be available upon adoption of the budget for year 2006; and

NOW THEREFORE, BE IT RESOLVED that the Township of Chatham authorizes the Mayor and Clerk to enter into a contract with Dickinson, Vrabel & Cassells as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that this contract is awarded without formal competitive bidding as a "Professional Service" in accordance with 40A: 11-5 (1) (a) of the Local Public Contracts Law because the services required are those of a recognized profession for which bid specifications are not appropriate or required; and

BE IT FURTHER RESOLVED that a copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township of Chatham; and

BE IT FURTHER RESOLVED that a notice of this resolution shall be printed as provided by law in the Chatham Courier.

RESOLUTION 2006-073

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:

- Municipal Court- February
- Public Works Department- February
- Animal Control Services- February
- Construction Official- February
- Police- February

RESOLUTION 2006-074

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 judgment, 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>
73	34	Thomas Olson 136 South Street PO Box 2379 Morristown, NJ 07962-2379	\$ 1,713.36
		Property: 48 Wynwood Road	

RESOLUTION 2006-075

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY REJECTING ALL BIDS SUBMITTED FOR THE COLONY CLUB TENNIS COURT IMPROVEMENTS

WHEREAS, the Township of Chatham has prepared the necessary bid documents and published the appropriate advertisements to enable it to seek bids for the construction of improvements to the Colony Club Tennis Courts; and

WHEREAS, several bids were received in response to the advertisement for bids; and

WHEREAS, each of the bids substantially exceeded the Township Engineer's estimate of the cost of construction; and

WHEREAS, the bid specifications reserved to the Township the right to reject all bids and, under the circumstances, it is fully appropriate to do so;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that, for the reasons set forth above, the bids received for the Colony Club Tennis Court improvements are hereby rejected, and the Township Administrator, Clerk, and Engineer are hereby authorized to revise the specifications as needed and to readvertise for bids for the improvements.

RESOLUTION 2006-076

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AWARDING A PROFESSIONAL SERVICES CONTRACT FOR ENVIRONMENTAL CONSULTING SERVICES FOR A VERNAL HABITAT SURVEY ON BLOCK 128 LOT 17.

WHEREAS, the Township of Chatham previously engaged the services of EcolSciences Inc. to perform a preliminary wetlands analysis Block 128, Lot 17 that identified the potential for isolated wetlands within the site being identified as vernal habitat, and

WHEREAS, the Township of Chatham wishes to make a determination as to the status of these isolated wetlands.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that EcolSciences, Inc. of Rockaway, New Jersey is hereby awarded a contract to provide services described in a letter proposal dated January 5, 2006 that is on file in the office of the Municipal Clerk, specifically the Vernal Habitat Evaluation on Block 128, Lot 17 for a fee of \$1,500.00.

RESOLUTION 2006-077

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 9, 2006.

RESOLUTION 2006-078

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

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves Executive Session minutes of the Township Committee meeting held on March 9, 2006.

RESOLUTION 2006-079

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>AMOUNT</u>
Peter H. Matthies 19 Susan Dr. Chatham, NJ 07928	\$1,000.00

RESOLUTION 2006-080

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM AUTHORIZING TRANSFERS OF APPROPRIATION RESERVES**

WHEREAS, the Township Committee of the Township of Chatham, County of Morris has determined that certain appropriations, in the 2005 municipal budget, are not sufficient to meet anticipated expenses; and

WHEREAS, during the first three months of any fiscal year, N.J.S. 40A: 4-59 authorizes transfers from appropriation reserves for the immediately preceding fiscal year to pay claims authorized or incurred during said preceding year where there is an excess in any appropriation reserves over and above the amount deemed necessary to fulfill its purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris that the following transfers of appropriation reserves are hereby authorized:

Appropriation Reserves	To	From
Engineering OE	\$14,000.00	
Legal Services OE	\$9,500.00	
Financial Administration OE		\$1,000.00
Computer Data Processing OE		\$2,500.00
Planning Board OE		\$5,000.00
Code Enforcement OE		\$1,000.00
Police OE		\$10,000.00
Dispatch OE		\$1,000.00
Emergency Management OE		\$1,000.00
Environmental Commission		\$2,000.00
	\$23,500.00	\$23,500.00

RESOLUTION 2006-081

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM AUTHORIZING SUBMISSION OF A SMART GROWTH GRANT
APPLICATION TO THE ASSOCIATION OF NEW JERSEY ENVIRONMENTAL
COMMISSION TO PREPARE A WALKWAY/BIKEWAY PLAN UPDATE**

WHEREAS, the Township of Chatham has created through Ordinance an Environmental Commission to support and expand the activities and scope of its Planning Board; and

WHEREAS, the October 1999 Walkway/Bikeway Plan requires updating and a strategy for funding and implementation; and

WHEREAS, the Walkway/Bikeway Plan Update will examine connections within and beyond Chatham Township and identify critical linkages and viable routes for multi-modal non-motorized travel to promote human health, reduction of auto use and corresponding reductions in air pollution; and

WHEREAS, Chatham Township is an active member in the Association of New Jersey Environmental Commissions (ANJEC); and

WHEREAS, ANJEC offers Smart Growth Planning Grants for Municipalities which can, if awarded, financially support Chatham Township by reducing the Township's costs in preparing its Walkway/Bikeway Plan Update through matching funds; and

WHEREAS, the Township Committee and Mayor acknowledge that ANJEC Smart Growth Planning Grants require a 1-to-1 match and that the Township is prepared to financially support its share of a grant, should it be received, with the recognition that 50% of Chatham Township's match can be provided through in-kind services and that grant and matching fund dollars can be used to hire any consultants needed to assist in conducting and completing the Walkway/Bikeway Plan Update; and

WHEREAS, the Township Committee and Environmental Commission is desirous of procuring a grant from ANJEC for the preparation of a Walkway/Bikeway Plan Update;

NOW THEREFORE, BE IT RESOLVED, that the Chatham Township Committee and Mayor, as attested by the Municipal Clerk, authorize the submission of a grant application to the Association New Jersey Environmental Commissions to request a Smart Growth Planning Grant in the amount of \$20,000 thereby providing the Township the ability to prepare an Walkway/Bikeway Plan Update during the calendar year 2006; and

BE IT FURTHER RESOLVED, that upon the Township's receipt of a smart growth grant, if received from ANJEC, the Township Committee authorizes the Mayor, Planning Board, Environmental Commission and Open Space Committee to prepare an Walkway/Bikeway Plan Update with the assistance of professional consultants engaged through professional services agreements with the Township, as may be deemed appropriate and required, within the budgetary constraints of any grant received as described herein.

Prior to voting on the Consent Agenda, the Committee discussed the following resolutions.

With regard to Resolution 2006-015, Deputy Mayor Brower stated he thought it was good business practice in this coming year to give strong consideration to changing the auditor. Mayor O'Connor said they would solicit bids for the auditor next year. Administrator Ciccarone recommended that if interviews were to be done with other firms that they be conducted after the completion of the 2005 audit. A brief discussion followed about the fact that the Administrator is also the CFO. Administrator Ciccarone advised that the first few years he was here, the audit contained multiple findings and recommendations and that all those comments were addressed. Administrator Ciccarone also said as CFO he oversees the work, but the bulk of the day to day financial functions are handled by two other employees.

With regard to Resolution 2006-076, Administrator Ciccarone recommended that the Township Committee only award the first part of the EcolSciences, Inc. proposal for the vernal habitat evaluation tonight and to authorize an aerial topography by Pro Maps that would be necessary before moving forward with the wetlands delineation.

With regard to Resolution 2006-081, Lydia Chambers and Bob Gallop were present to answer any questions the Committee might have. Mrs. Chambers said this resolution would authorize the submission of a grant application to ANJEC to request a Smart Growth Planning Grant for \$15,000 to prepare a walkway/bikeway plan that would link the parks and schools. Mr. Gallop also asked that the Open Space Committee be included in the last paragraph of the resolution. Deputy Mayor Brower thought the plan should be laid out and then ask for monies to implement it and stated he was opposed to spending money without knowing the actual plan, specifically with regard to easements. Discussion followed that the funds would come from the Open Space Trust Fund. Mr. Gallop said a planner was needed for professional guidance to look at Chatham as a whole and determine where they can go. Mrs. Chambers added they have a conceptual plan

but cannot move forward without a professional. Committeeman Hartford said he was concerned about the impact on residents. Committeeman Tubbs thought the Township should use part of the Open Space money as part of this planning element. Deputy Mayor Brower thought the studies should be funded out of the Open Space money, but it should be done incrementally. Mayor O'Connor thought using the consultant for the study would give us an objective opinion on the subject.

Following the discussion, Committeeman Hartford moved to approve the Consent Agenda. Deputy Mayor Brower seconded the motion.

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

Mayor O'Connor advised the tax appeal resolutions would be discussed in Executive Session.

Hearing of Citizens

Mayor O'Connor opened the hearing of citizens.

1. Peter Hofmann, May Drive resident, said he had a certified public accountant certificate for 65 years and questioned the wisdom of changing auditors. The auditor looks for separation of duties and the Administrator explained there is a separation of duties. Mr. Hofmann added that there is a lot of value with having experienced auditors.

There being no further comments, Mayor O'Connor closed the hearing of citizens.

Executive Session

RESOLUTION 2006-P-03

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

BE IT RESOLVED by the Township Committee of the Township of Chatham that it adjourn to an executive session to discuss the following subject matters without the presence of the public in accordance with the provisions of N.J.S.A. 10:4-2b

Potential Litigation
Contract Negotiations
Personnel

The matters discussed will be made known to the public at such time as appropriate action is taken on said matters, and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Township of Chatham; provided such disclosure will not violate Federal, State or Local Statutes and does not fall within the attorney/client privilege.

Deputy Mayor Brower moved to pass Resolution 2006-P-03 at 11:00 p.m. Committeeman Tubbs seconded the motion.

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

The Committee returned from Executive Session at 11:50 p.m.

RESOLUTION 2006-055

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A SETTLEMENT OF THE TAX APPEAL OF HICKORY SQUARE ASSOCIATES

WHEREAS, Hickory Square Associates has appealed its assessment for the year 2005 in the Tax Court of New Jersey, Docket No.000925-05; and

WHEREAS, the Tax Assessor of the Township of Chatham has recommended acceptance of a proposed settlement of this appeal;

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 appeal be settled and the Municipal Attorney shall be authorized to execute a Stipulation of Settlement in the following amounts:

BLOCK: 48.23
LOT: 126.04
STREET ADDRESS: 641 Shunpike Road
YEAR: 2005

	Original Assessment	County Board Judgment	Requested 2005 Tax Court Judgment
Land:	\$ 6,470,000.00	Direct Appeal	\$ 6,470,000.00
Impvts:	<u>\$20,000,700.00</u>		<u>\$17,008,000.00</u>
Total:	\$26,470,700.00		\$23,478,000.00

Interest due on any refund will be waived by Hickory Square Associates, provided it receives a credit for the total refund due against the next quarterly tax bill due 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.

Deputy Mayor Brower moved to pass Resolution 2006-055. Committeeman Tubbs seconded the motion.

Roll call: Committeewoman Hagner, Absent; Committeeman Hartford, Nay; Committeeman Tubbs, Aye; Deputy Mayor Brower, Aye; Mayor O'Connor, Aye.

RESOLUTION 2006-056

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A SETTLEMENT OF THE TAX APPEAL OF BOUZOS, N. & SKONTRIANDS, ETC., BY RESTAURANT ASSOCIATES

WHEREAS, Bouzos, N. & Skontriands, etc., by Restaurant Associates ("Bouzos ") has appealed its assessment for the years 2004 and 2005 in the Tax Court of New Jersey, Docket Nos. 003208-2004 and 004492-2005, respectively; and

WHEREAS, the Tax Assessor of the Township of Chatham has recommended acceptance of a proposed settlement of this appeal;

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 appeal be settled and the Municipal Attorney shall be authorized to execute a Stipulation of Settlement in the following amounts:

BLOCK: 128
LOT: 2
STREET ADDRESS: 522 Southern Boulevard
YEAR: 2004

	Original Assessment	County Board Judgment	Requested 2004 Tax Court Judgment
Land:	\$ 837,800.00	\$ Direct Appeal	\$ 837,800.00
Impvts:	<u>\$ 297,200.00</u>		<u>\$ 197,200.00</u>
Total:	\$1,135,000.00		\$1,035,000.00

BLOCK: 128
LOT: 2
STREET ADDRESS: 522 Southern Boulevard
YEAR: 2005

	Original Assessment	County Board Judgment	Requested 2005 Tax Court Judgment
Land:	\$ 588,100.00	Direct Appeal	\$ 588,100.00
Impvts:	<u>\$1,589,600.00</u>		<u>\$1,161,900.00</u>
Total:	\$2,177,700.00		\$1,750,000.00

The parties agree that as an intrinsic part of the settlement, the 2006 assessment will be reduced to a total of \$1,650,000.00 pursuant to stipulations the parties agree to execute and file upon the filing of the 2006 tax appeal.

Interest due on any refund will be waived by Bouzos, provided it receives a credit for the total refund due against the next quarterly tax bill due following the date of entry of Judgment by the Tax Court.

Deputy Mayor Brower moved to pass Resolution 2006-056. Committeeman Tubbs seconded the motion.

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

RESOLUTION 2006-062

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A SETTLEMENT OF THE TAX APPEAL OF HOME PROPERTIES CHATHAM HILLS

WHEREAS, Home Properties Chatham Hills ("Home Properties") has appealed its assessment for the years 2004 and 2005 in the Tax Court of New Jersey, Docket Nos. 005129-2004 and 001799-2005, respectively; and

WHEREAS, the Tax Assessor of the Township of Chatham has recommended acceptance of a proposed settlement of this appeal;

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 appeal be settled and the Municipal Attorney shall be authorized to execute a Stipulation of Settlement in the following amounts:

BLOCK: 48.23
LOT: 126.03
STREET ADDRESS: Southern Boulevard
YEAR: 2004

	Original Assessment	County Board Judgment	Requested 2004 Tax Court Judgment
Land:	\$ 3,920,000.00	\$ 3,920,000.00	\$ 4,581,400.00
Impvts:	<u>\$ 9,645,700.00</u>	<u>\$13,110,300.00</u>	<u>\$11,271,200.00</u>
Total:	\$13,565,700.00	\$17,030,300.00	\$15,852,600.00

BLOCK: 48.17
LOT: 126.02
STREET ADDRESS: Southern Boulevard
YEAR: 2004

	Original Assessment	County Board Judgment	Requested 2004 Tax Court Judgment
Land:	\$ 2,240,000.00	\$ 2,240,000.00	\$ 1,867,900.00

Impvts:	\$ 6,194,300.00	\$ 8,172,900.00	\$ 5,164,700.00
Total:	\$ 8,434,300.00	\$10,412,900.00	\$ 7,032,600.00

BLOCK: 48.23
LOT: 126.03
STREET ADDRESS: Southern Boulevard
YEAR: 2005

	Original Assessment	County Board Judgment	Requested 2005 Tax Court Judgment
Land:	\$11,760,000.00	Direct Appeal	\$10,533,700.00
Impvts:	<u>\$16,660,000.00</u>		<u>\$14,922,300.00</u>
Total:	\$28,420,000.00		\$25,456,000.00

BLOCK: 48.17
LOT: 126.02
STREET ADDRESS: Southern Boulevard
YEAR: 2005

	Original Assessment	County Board Judgment	Requested 2005 Tax Court Judgment
Land:	\$ 6,720,000.00	Direct Appeal	\$ 6,018,300.00
Impvts:	<u>\$ 9,520,000.00</u>		<u>\$ 8,525,700.00</u>
Total:	\$16,240,000.00		\$14,544,000.00

The parties agree that, provided that there is no material physical change in the property between October 1, 2005 and January 1, 2006, the property's 2006 total assessment for Block 48.23, Lot 126.03, shall be as follows: Land \$10,533,770.00, Improvement \$14,922, 300.00, for a total assessment of \$25,456,000.00 and for Block 48.17, Lot 126.02, shall be as follows: Land \$6,018,300.00, Improvement \$8,525,700.00.00, for a total assessment of \$14,544,000.00, and further agree that either party shall have the right to file a tax appeal for the 2006 tax year to obtain a judgment to implement, enforce and/or confirm the \$25,456,000.00 and \$14,544,000.00 assessments agreed upon herein.

Interest due on any refund will be waived by Home Properties, provided it receives a credit for the total refund due against the next quarterly tax bill due following the date of entry of Judgment by the Tax Court.

Deputy Mayor Brower moved to pass Resolution 2006-062. Committeeman Tubbs seconded the motion.

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

RESOLUTION 2006-082

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF CHATHAM AND THE SCHOOL DISTRICT OF THE CHATHAMS

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to a Lease Agreement for a portion of the building located at 58 Meyersville Road, Chatham, New Jersey, between the Township of Chatham as Landlord and the School District of the Chathams as Tenant for a term of five years, commencing July 1, 2006 and terminating June 30, 2011 at a rent commencing at \$40,000 per year and increasing as set forth therein. A copy of this agreement will be kept on file in the Office of the Township Clerk.

Deputy Mayor Brower moved to pass Resolution 2006-082. Committeeman Tubbs seconded the motion.

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

Deputy Mayor Brower moved to adjourn at 11:55 p.m. Committeeman Tubbs seconded the motion and it carried unanimously.

Joy M. Wiley
Municipal Clerk