

**TOWNSHIP OF CHATHAM
COMMITTEE MEETING MINUTES
DECEMBER 18, 2003**

Mayor DeMeo called the regular meeting of the Township Committee of the Township of Chatham to order at 7:35 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 3, 2003; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 3, 2003; and notice was filed with the Township Clerk on January 3, 2003.

Mayor DeMeo led the flag salute.

Answering present to the roll call were Committeeman Brower, Committeewoman Fair, Committeeman O'Connor, Deputy Mayor Hoag and Mayor DeMeo.

Approval of Agenda

Deputy Mayor Hoag moved to approve the agenda. Committeewoman Fair seconded the motion and it carried unanimously.

Special Recognition/Awards

1. Presentation by U.S. Coast Guard- Lt. James Cullen from the U.S. Coast Guard Activities New York, who is also a former employee of the Chatham Township Police Department, said the Chatham Township Police Department has been working with the U.S. Coast Guard to train some law enforcement personnel who are actively engaged in the global war on terrorism. Lt. Cullen thanked the Township of Chatham, Chatham Township Police Department and the citizens of Chatham Township for the ongoing partnership and assistance in the protection of the port of New York and New Jersey. Lt. Cullen presented a plaque and the U.S. Coast Guard flag that is flown from vessels to Mayor DeMeo. Lt. Cullen also presented a letter, plaque and T-shirt to Chief Goeckel. Photos were taken.
2. Honoring Jayme V. La Jeunesse- Mayor DeMeo read the following resolution honoring Jayme V. La Jeunesse upon his retirement.

RESOLUTION 2003-223

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM HONORING JAYME V. LA JEUNESSE FOR HIS YEARS OF FAITHFUL
AND DEDICATED SERVICE TO THE RESIDENTS OF CHATHAM TOWNSHIP**

WHEREAS, Jayme V. La Jeunesse has recently retired after twenty five years of loyal and dedicated professional law enforcement service to the Township; and

WHEREAS, Jayme V. La Jeunesse began his employment with the Township on November 16, 1978 when he was appointed to the position of Patrolman in the Chatham Township Police Department, and

WHEREAS, Jayme V. La Jeunesse served in the Crime Prevention Unit, the Detective Bureau and also served as the Juvenile Officer, and

WHEREAS, Jayme V. La Jeunesse also served as the Department's Computer System Administrator, served as the D.A.R.E. Officer and was promoted to the rank of Sergeant in January 1998 and

WHEREAS, Jayme V. La Jeunesse earned numerous Commendations, Honorable Service Awards and in 1997 received the prestigious Meritorious Service Award from the 200 Club, and

WHEREAS, Jayme V. La Jeunesse's loyal and dedicated service and his commitment to the highest standards of police professionalism have made him a vital member of our outstanding police department and distinctive community.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that we hereby, recognize, and extend our deep appreciation to **Sergeant Jayme V. La Jeunesse**, upon the occasion of his retirement, for his many contributions to our

community, and to extend to him and his family our best wishes for success and happiness in the future.

Mayor DeMeo presented Jayme La Jeunesse with the framed resolution. Chief Goeckel presented Jayme La Jeunesse with a shadow box of his badges and citations. The Township Committee thanked Jayme and wished him much luck and happiness in the future.

Deputy Mayor Hoag moved to pass Resolution 2003-223. Committeewoman Fair seconded the motion.

Roll call: Committeeman Brower, Aye; Committeewoman Fair, Aye; Committeeman O'Connor, Aye; Deputy Mayor Hoag, Aye; Mayor DeMeo, Aye.

3. Police promotions & Oaths of Office

Mayor DeMeo asked Vincent Zvolensky, who was appointed Sergeant at the last meeting, to come forward. Vincent Zvolensky was sworn in by the Municipal Clerk. Chief Goeckel presented him with his Sergeant badge. The Committee extended congratulations to him on his promotion.

Mayor DeMeo announced the Township was also hiring two new Police officers.

RESOLUTION 2003-224

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING AL-MUTAKABBIR BLANFORD AS POLICE OFFICER IN THE CHATHAM TOWNSHIP POLICE DEPARTMENT

BE IT RESOLVED, by the Township Committee of the Township of Chatham that Al-Mutakabbir Blanford be, hereby, appointed Police Officer according to the Township policy and the applicable collective bargaining agreement, effective January 1, 2004.

Committeewoman Fair moved to pass Resolution 2003-224. Committeeman O'Connor seconded the motion.

Roll call: Committeeman Brower, Aye; Committeewoman Fair, Aye; Committeeman O'Connor, Aye; Deputy Mayor Hoag, Aye; Mayor DeMeo, Aye.

Al-Mutakabbir Blanford was sworn in. The Committee welcomed him.

RESOLUTION 2003-225

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING KEITH JOHNSON AS POLICE OFFICER IN THE CHATHAM TOWNSHIP POLICE DEPARTMENT

BE IT RESOLVED, by the Township Committee of the Township of Chatham that Keith Johnson be, hereby, appointed Police Officer according to the Township policy and the applicable collective bargaining agreement, effective January 1, 2004.

Deputy Mayor Hoag moved to pass Resolution 2003-225. Committeewoman Fair seconded the motion.

Roll call: Committeeman Brower, Aye; Committeewoman Fair, Aye; Committeeman O'Connor, Aye; Deputy Mayor Hoag, Aye; Mayor DeMeo, Aye.

Keith Johnson was sworn in as Police Officer. The Committee congratulated him. The Mayor announced a reception was being held in the Community Room.

Reports

Mayor DeMeo read the names of the Police Officers and Public Works employees who have not used any or very few sick days in 2003 and extended congratulations and gratitude to them for their continuing dedication to the Township.

Mayor DeMeo announced a check in the amount of \$1,286 from the ARC of Morris was contributed to the Township in lieu of paying property taxes and said that in the past the check has been returned to them. Deputy Mayor Hoag moved that the check be returned to them. Committeewoman Fair seconded the motion and it carried unanimously.

Deputy Mayor Hoag reported that she presented the Township Certificate of Achievement to two Boy Scouts of Troop 121 at their Court of Honor last Monday.

Committeewoman Fair advised the Planning Board will be looking at the goals and strategies of the Master Plan next year and the public should present their ideas to the Planning Board.

Committeeman Brower said he had talked with Bill Koch and the biologist at the Wildlife Center who advised this year there was a conflict between the bow hunters and the shooters when the Great Swamp hunt was held. Committeeman Brower also suggested the Township might not allow the bow hunters to hunt while the Great Swamp Hunt is held. Another suggestion was to allow, on the large areas of the Township and on large property owners adjacent to the Swamp with their permission, shot gun shooting only while the hunt is on. Committeeman Brower said this would require an amendment to the ordinance that prohibits discharging guns for that one hunt area. Committeewoman Fair said the deer management committee hopes to have another meeting with an expanded group about strategies early next year. Committeeman Brower also advised Princeton Township has found deer kill with professional hunters has been about five times that of hunting season and that this way is more effective.

Committeeman Brower also inquired about the Township getting rid of some vehicles that are no longer operative, such as the jitney. Administrator Ciccarone advised the Township usually has an annual auction to dispose of vehicles.

Administrator Ciccarone reported that Patriot Media has completed the rebuild of the Cable TV system. The Woodland Park development plans are in the process of being refined. The Township conducted a sale of \$1,647,500 in Bond Anticipation notes on December 3 with Sovereign Securities being the successful bidder. The Administrator advised the voters approved the Length of Service Awards Program for the Chatham Emergency Squad. The Township completed the acquisition of the Parisi property on Shunpike Road and it will now be preserved. The GIS website is being worked on to expand it to the Police and Public Works Departments. The number of deer taken by hunters has substantially increased due to the expanded deer hunt. The County will start to do soil borings in order to prepare for the Mount Vernon Avenue Bridge replacement in the last half of 2004. Administrator Ciccarone concluded by announcing the impending retirement of Dave Wheelock and that he has been an invaluable member of Chatham Township's team for the last 30 years.

Committeeman Brower questioned whether as part of the Cable negotiations includes the televising of the Township meetings? Administrator Ciccarone advised the Township Committee would make that decision separately and that an access channel would be available and dedicated for that use. In response to Committeeman Brower's questions about the bond anticipation notes, Administrator Ciccarone said the bond anticipation note sale was originally sold last December and the ordinance that described the projects was done in the earlier part of 2002. The Administrator said this included a number of capital improvement projects.

Mountainside/Johnson Drive Engineering Report- Engineer Bennett advised that he completed the feasibility study for the sewer extension to a portion of the Township that had previously been included in the sewer service area of Tanglewood Sewage Treatment Plant in 1993. Engineer Bennett informed the Committee that two scenarios were presented. The first scenario provides sanitary sewers by gravity feed for homes generally along River Road, Johnson Drive, Fairmount Avenue, Mountain Avenue and Candace Lane. The second scenario was done to test the cost effectiveness by eliminating gravity service to certain homes that the cost of providing service to these homes was extremely high due to easement acquisitions, steep slopes or large

grade changes. In this scenario certain homes were replaced with ejector pumps rather than gravity service and pressure lines that feed into the sanitary sewer. Engineer Bennett estimated that the 44 homes with a gravity system would result in \$25,000 per home as an assessment including contingencies, engineering and legal costs. The second alternative including certain homes on pumps would be \$20,000. The cost of replacing pumps in the future would not be the responsibility of the Township. Copies of the feasibility report were distributed to the Committee. Engineer Bennett estimated the gravity feed project would cost about one million dollars for the total project and it would take about two years for full implementation. If the Township sought wastewater infrastructure trust financing, the project might be delayed about eight months to a year. The Committee asked Engineer Bennett several questions. Engineer Bennett advised the least disruptive way would include a certain number of ejector pumps and pressure lines and that the public had requested this information for the Ormont project. Engineer Bennett advised the next step would be to prepare larger versions of the aerial views and hold a meeting with the residents affected and present them with the report. Administrative Ciccarone also thought it would be helpful to obtain some information about the septic systems in this area and whether there are new ones or failing septic systems. The Board of Health may be able to provide this information. Mayor DeMeo also mentioned that some residents of Mountain Ave. would like to have NJ American Water instead of wells. Following discussion, the Committee decided an early February meeting would be a good time to hold a meeting.

Mayor DeMeo requested that Committee take a short recess to attend the reception in the Community Room. Committeewoman Fair moved to adjourn temporarily at 8:46 p.m. Deputy Mayor Hoag seconded the motion and it carried unanimously.

The Committee reconvened at 9:15 p.m.

Hearing of Citizens/Petitions

Mayor DeMeo opened the hearing of citizens to the public.

1. Joseph Kelly, Mountain Avenue resident, said that he knows of no complaints about the septic systems on Mountain Ave. Mr. Kelly said he was personally against the sewer and hoped it would be well discussed with the homeowners before anything happens.
2. Peter Hofmann, 82 May Drive, inquired if there had been any further discussions with the School Board and their interest in this facility. Mayor DeMeo advised the architects had been to the Municipal Building. Mr. Hofmann explained that he had given details to a member of the School Board regarding the previous \$40 million dollar bond referendum and that they had made no provision for the Township to move out. Mayor DeMeo replied that proposal was in the past and there would be no partial use and that the costs to meet our needs must be covered.

Mayor DeMeo closed the public hearing of citizens.

Consent Agenda

RESOLUTION 2003-226

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING PAYMENT OF BILLS, PAYROLLS, SCHOOL TAXES, AND COUNTY TAXES

BE IT RESOLVED by the Township Committee of the Township of Chatham that bills in the total amount of \$186,127.36 be paid.

RESOLUTION 2003-227

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 reports of departments for the month of November 2003, be acknowledged as received.

RESOLUTION 2003-228

**RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,
STATE OF NEW JERSEY AUTHORIZING SALE OF SERVICE WEAPON TO
RETIRING POLICE SERGEANT JAYME V. LA JEUNESSE**

WHEREAS, Sergeant Jayme V. La Jeunesse has announced his retirement from the Police Department of the Township of Chatham, County of Morris, State of New Jersey, and **WHEREAS**, Sergeant Jayme V. La Jeunesse has requested his service weapon upon retirement, namely a Smith & Wesson Model 4566TSW, Serial Number VJH 0106.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Sergeant Jayme V. La Jeunesse is hereby authorized to purchase the Smith & Wesson Model 4566TSW, Serial Number VJH 0106 for the sum of one dollar (\$1.00) payable to the Township of Chatham, provided, however that Sergeant Jayme V. La Jeunesse shall first produce proof of all required licenses and permits for possession of the said weapon.

RESOLUTION 2003-229

**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>
	72000	
Robert Bennett 278 Green Village Road Green Village, NJ 07935	38848	\$ 354.75

RESOLUTION 2003-230

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY
CANCELLING 2003 TAXES**

WHEREAS, the below mentioned parcels were assessed and levied for taxes in 2003; and

WHEREAS, these parcels have been deemed nontaxable having been purchased by the Township of Chatham; and

WHEREAS, tax levies require government body resolutions to be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the Township Clerk notify the Township Treasurer and Tax Collector that the following 2003 levies are hereby cancelled:

Taxes:

Block 95	Lot 20	Woodland Road	\$ 5,953.60
Block 95	Lot 21	Woodland Road	\$ 3,498.96
Block 95	Lot 22	7 Woodland Road	\$ 9,923.48

Sewer:

Block 48.16	Lot 119	425 Southern Boulevard	\$499.00
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RESOLUTION 2003-231

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING REDUCTION OF PERFORMANCE BOND

WHEREAS, a Performance Bond in the amount of \$221,216.00 was provided to the Township of Chatham by the Chatham Squash Club for Block 128, Lots 7, 7.01, and 7.02; and

WHEREAS, the Township Engineer has inspected the site and recommended that the Performance Bond provided by the Chatham Squash Club be reduced to \$22,121.60 (the entire cash portion of the Guarantee).

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Chatham that the Performance Bond provided the Chatham Squash Club for Block 128, Lots 7, 7.01 and 7.02 is hereby reduced to \$22,121.60.

Deputy Mayor Hoag moved to pass the Consent Agenda. Committeewoman Fair seconded the motion.

Roll call: Committeeman Brower, Aye; Committeewoman Fair, Aye; Committeeman O’Connor, Aye; Deputy Mayor Hoag, Aye; Mayor DeMeo, Aye.

Administrator Ciccarone asked if the Administrative and Public Works employees could trade Election Day 2004 as a holiday for January 2, 2004. The Township Committee agreed.

Committeeman Brower asked about the transfer of \$25,000 for legal services in a resolution done at a previous meeting. Administrator Ciccarone explained the transfer of legal funds was to cover the cost of litigation that arose this year and in particular the lawsuit filed against the Board of Adjustment and the Township by European Builders. Administrator Ciccarone advised that most of that will be reimbursed by our insurance group, but we have not yet received the reimbursement.

Discussion: possible ordinance or resolution

1. Review of By-Laws- Committeeman Brower said he feels there is ambiguity with the By-Laws and stated he disagrees with Article VIII, Section 4, of the By-Laws with regard to no member serving as Mayor for any two consecutive years and said that this is very limiting. Committeeman Brower said the Mayor’s role is a learning experience and it should not be turned over each year. Committeeman Brower felt this was not in the best interests of the town. Committeeman Brower also thought Article VIII, Section 1, “that no member of the Committee can conduct business for, or on behalf of the Township without specific approval of the Township Committee. This includes all correspondence, written or otherwise, negotiations, and the like” was misinterpreted. Committeeman Brower said that in any business, any board member should have every reason to investigate every kind of avenue that they have and stated the By-Laws should not gag or place any limitation on the actions of the elected official to do his job. Committeeman Brower suggested that Section 4 of the By-Laws could be changed to say the term is limited to one year, but not a limitation on his service. Committeewoman Fair clarified the Mayor is not elected by the people and the Committee in the past had determined that the members should take time sharing the job of Mayor. The Committee discussed the word “intention” in Section 4. Deputy Mayor Hoag also requested that Article IV, Section 5 should be amended since the Board of Health member is a voting member of the Board and not just a liaison. Committeewoman Fair also recommended that Article III, Section 1, needs to include the second Hearing of citizens (time permitting). Committeeman O’Connor asked if there was enough flexibility in the By-Laws that the Township Committee could decide to reelect the same individual the second year. Attorney Woodward said there was.

Hearing of Citizens

Mayor DeMeo opened the hearing of citizens. Hearing no one, Mayor DeMeo closed the hearing.

Executive Session

RESOLUTION 2003-P-22

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.

Committeeman O'Connor moved to pass Resolution 2003-P-22 at 9:40 p.m. Deputy Mayor Hoag seconded the motion.

Roll call: Committeeman Brower, Aye; Committeewoman Fair, Aye; Committeeman O'Connor, Aye; Deputy Mayor Hoag, Aye; Mayor DeMeo, Aye.

The Committee returned from Executive Session at 11:36 p.m. Deputy Mayor Hoag moved to adjourn. Committeeman O'Connor seconded the motion and it carried unanimously.

Joy M. Wiley
Municipal Clerk