

**TOWNSHIP OF CHATHAM
COMMITTEE MEETING MINUTES
APRIL 14, 2005**

Mayor O'Connor called the workshop 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 7, 2005; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 7, 2005; and notice was filed with the Township Clerk on January 7, 2005.

Mayor O'Connor led the flag salute.

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

Approval of Agenda

Mayor O'Connor advised the discussion item- Establishing Parking Regulations at Certain Municipal Lots- would become Ordinance 2005-008 under Introduction of Ordinances.

Reports

Committeeman Brower reported on the following:

- The Planning Board is continuing discussions on the conservation element of the Master Plan. There is a non-profit applicant before the Board at this time and Committeeman Brower suggested that the Township Committee should consider encouraging applicants of non-profit business operations to make contributions to the Township's volunteer organizations, i.e., fire departments and emergency squad in order to help offset the loss of tax revenues.
- Relative to the deer population issue, Committeeman Brower was appreciative of the resolution forwarded to the Morris County Freeholders requesting permission to use County land for bow hunting.
- Committeeman Brower also referenced correspondence from the Environmental Commission to the DEP and requested that it be added under "Discussion" items. The Committee agreed to add it.

Deputy Mayor DeMeo reported on the following:

- The Senior Center has had changes on the Board and is preparing an annual report, which will be discussed at the next meeting.

Committeeman Hartford reported on the following:

- When the Board of Health met on April 12, 2005, Lyme Disease was discussed and the Madison Health Department will provide statistics on this reportable illness as it relates to the deer population issue. Committeeman Hartford advised that the Madison Health Department also inspects retail food establishments, offers flu vaccine clinics, and inspects septic systems. Recently there was an emergency preparedness test in the State, which Chatham Township and Madison participated.
- The picnic area improvements at the Colony Pool are being considered and retaining a tennis court consultant is pending. Administrator Ciccarone advised that retaining the consultant is pending approval of the Bond Ordinance that appropriates money for the project, which is on the Agenda, and would have an anticipated public hearing date set for May 12, 2005. Tennis court improvements would have a fall timeframe.
- Relative to traffic concerns on Hilltop Terrace, Committeeman Hartford suggested entertaining a discussion relative to lowering the speed limit to 20 miles per hour. Administrator Ciccarone stated concern that the Department of Transportation would not approve such a request and it would lead to other residents requesting the same benefit for their street. After a brief discussion, the majority of the Township Committee agreed that the weight limit ordinance should alleviate the traffic concerns.

Committeewoman Hagner reported on the following:

- The Passaic River clean-up project is taking place this Saturday, April 16, 2005 from 9:00 a.m. to noon.

Hearing of Citizens

Mayor O'Connor opened the hearing of citizens.

1. Peter Hofmann, May Drive resident, referenced the non-profit applicant before the Planning Board and recommended ascertaining their non-profit status through their tax returns. Relative to the Woodland Park project, Mr. Hofmann strongly recommended selling the property and returning any contributions as he feels this project is a mistake. Relative to school taxes, Mr. Hofmann expressed the senior citizens' concern and asked if taxes could be frozen for seniors who qualify. Administrator Ciccarone stated that the Tax Office has brochures about what types of relief is available for citizens and that the Township's website offers links to the State's website for additional information. Following discussion by the Township Committee, Administrator Ciccarone stated he would provide such brochures to the Township Committee members as well.

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

Public Hearing/Final Adoption of Ordinances

ORDINANCE 2005-003

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 2005 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 \$62,762.30 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 2005 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 \$62,762.30 and that the CY 2005 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.

Mayor O'Connor opened the hearing on Ordinance 2005-003. Since there were no comments, Mayor O'Connor closed the public hearing.

Administrator Ciccarone advised that this ordinance does not spend any money, however, creates a cap bank and the amount banked this year lapses if not used in the next two years; the money can be appropriated in next year's budget if needed.

Committeeman Brower moved to adopt Ordinance 2005-003. Deputy Mayor DeMeo seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Aye; Committeeman Hartford, Aye; Deputy Mayor DeMeo, Aye; Mayor O'Connor, Aye.

ORDINANCE 2005-005

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING ORDINANCE 97-015 AND REPEALING ORDINANCE 2000-001 TO ADJUST THE ANNUAL TAX LEVY FOR THE RESERVE FOR OPEN SPACE ACQUISITION.

WHEREAS, by Ordinance 97-015 the Township of Chatham established an Open Space Trust Fund which the voters of the Township recommended in a referendum, and which provided that it would be funded through an annual tax levy of \$.01 per \$100.00 of assessed valuation commencing with the year 1997, and

WHEREAS, by Ordinance 2000-001 the Township of Chatham amended Ordinance 97-015 to increase the levy to \$.02 per \$100.00 of assessed valuation following the passage of another referendum approved by the voters of the Township, and

WHEREAS, the Township of Chatham completed a property revaluation in 2004 effective for the tax year 2005 that has had the effect of approximately doubling the overall ratable base and thereby reducing the municipal levy, and

WHEREAS, the Township of Chatham wishes to adjust the Open Space Tax Levy to reflect the results of the revaluation of properties.

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

1. Ordinance 2000-001 is hereby repealed.
2. The tax levy of \$.01 per \$100 of assessed valuation established by Ordinance 97-015 is hereby reinstated effective for the tax year 2005.

Mayor O'Connor advised that this Ordinance reduces the current two cents per \$100 per assessed value back to one cent per \$100 per assessed value.

Mayor O'Connor opened the hearing on Ordinance 2005-005.

1. Peter Hofmann, May Drive resident, stated that this ordinance is a step in the right direction.

Mayor O'Connor closed the public hearing and asked the Township Committee for their comments.

Deputy Mayor DeMeo stated that this Ordinance keeps the Township revenue neutral. Committeeman Hartford said this ordinance is a result of the recent revaluation and the increase in assessed values. Committeeman Hartford addressed concern with taxes, the impact on senior citizens and additional burdens placed on them. Committeeman Hartford felt that since the public had voted to raise the rate to 2 cents per \$100 of assessed value, another referendum would be needed since the town still needs more fields and open space. Mayor O'Connor stated that the County takes eight cents in Open Space Tax and believes the public should decide again in November 2005. Administrator Ciccarone stated that we would know the County Open Space

Tax rate in July 2005. Committeeman Brower stated that a large amount of open space is owned by the town, schools, and golf and swim clubs, and that the town needs to determine purchases based on usable open space.

Committeeman Brower moved to adopt Ordinance 2005-005. Committeewoman Hagner seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Aye; Committeeman Hartford, Nay; Deputy Mayor DeMeo, Aye; Mayor O'Connor, Aye.

Public Hearing & Final Adoption of 2005 Municipal Budget and Related Resolutions:

Administrator Ciccarone advised that Resolution 2005-080, Capital Budget Amendment Resolution, should be pulled as this resolution is no longer necessary.

RESOLUTION 2005-078

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Chatham has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2005 budget year; so

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes

That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)

That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate, and correctly stated
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

5. The budget has been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A.

40A:4-5 shall not prevent such certification.

That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Mayor O'Connor opened the public hearing. Since there were no comments, Mayor O'Connor closed the public hearing.

Committeewoman Hagner moved to adopt Resolution 2005-078-Local Unit Budget Examination. Deputy Mayor DeMeo seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Aye; Committeeman Hartford, Aye; Deputy Mayor DeMeo, Aye; Mayor O'Connor, Aye.

Administrator Ciccarone later clarified that Resolution 2005-078 did not need a public hearing.

RESOLUTION 2005-079

RESOLUTION APPROVING 2005 MUNICIPAL BUDGET (See attached)

Mayor O'Connor opened the public hearing on the budget. Since there were no comments, Mayor O'Connor closed the public hearing.

Committeewoman Hagner moved to adopt Resolution 2005-079-Approving 2005 Municipal Budget. Deputy Mayor DeMeo seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Aye; Committeeman Hartford, Aye; Deputy Mayor DeMeo, Aye; Mayor O'Connor, Aye.

Public Hearing/Final Adoption of Ordinances:

ORDINANCE 2005-004

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, 2005

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 salary ranges established herein, is established by Township Resolution.

Office or Position of Employment	Minimum	Maximum
Member of Township Committee	1.00	1,200
Township Administrator	85,000	130,000
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	52,000
Administrative Assistant/Ass't. Treasurer	26,000	55,000
Accounting Clerk	24,000	45,000
Receptionist or Clerk Typist	22,000	45,000
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	110,000
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	95,000
Assistant Public Works Manager	56,000	85,000
Director Water Pollution Control	50,000	75,000
Tax Collector/Utility Collector	30,000	55,000
Ass't. Tax & Utility Collector	26,000	44,000
Tax Assessor (Part-time)	15,000	25,000
Ass't. Assessor	22,000	45,000
Recycling Coordinator	10,000	15,000
Escrow Accounting Clerk	3,500	5,000
Director of Recreation	45,000	88,000
Land Use Administrator and Facilities Manager	35,000	80,000
Board Manager Planning/Zoning	5,000	10,000
Planning Board Attorney	5,000	10,000
Zoning Board Attorney	5,000	10,000
Planning Board Secretary	2,400	6,000
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	50,000
Construction Official/Building Sub-code Official/Inspector	25,000	60,000
Zoning officer/Code Enforcement Officer (PT)	10,000	16,000
Plumbing Sub-code Official/Inspector	4,000	16,000
Fire Sub-code Official/Inspector	4,000	16,000
Fire Prevention Official/Inspector	4,000	16,000
Electrical Sub-code Official	4,000	16,000
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	10,000
<u>Seasonal and Hourly Positions</u>		
Pool Manager	10,000	18,000
Assistant Pool Manager	4,600	10,000
Playground Director	1,800	5,500
Tennis Manager	5,000	12,000
Swim Team Coach	1,400	5,000
Swim Team Ass't. Coach	500	4,000
Recreation Counselor	5.25 HR	12.00 HR
Lifeguards	7.00 HR	12.50 HR
Gate Attendants	5.50 HR	10.50HR
Recreation Aide	5.50 HR	10.50 HR
Laborer	7.50 HR	13.00HR
Crossing Guards	7.50 HR	20.00HR
Dispatcher PT	10.00HR	20.00HR
Clerk Typist PT	7.50HR	13.00HR
Building Inspector	25.00HR	30.00HR

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 be entitled to an annual clothing maintenance allowance of \$250.00 and shall have pay for 13 holidays added to the above listed salaries. Non-contractual superior police officers shall be entitled to an annual uniform maintenance allowance of \$550.00, both payable according to the Township's Personnel Policy.

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, 2005, 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.

Mayor O'Connor opened the public hearing on Ordinance 2005-004.

1. Joseph Kelly, Mountain Avenue resident, stated that specific salary amounts should be published, not just the ranges that are presently published. Administrator Ciccarone stated that the resolution lists specific salary amounts. Municipal Clerk Wiley advised that a copy of the salary resolution would be made available. Administrator Ciccarone explained that the costs associated with printing entire resolutions would be exorbitant as the Township passes hundreds per year. Mr. Kelly stated that the information should still be published in the newspaper. Administrator Ciccarone stated that the resolution will be available on the website and offered Mr. Kelly his copy of the resolution. Committeeman Brower agreed with Mr. Kelly about publishing actual salary amounts and added that certain job salaries should be compared with other towns and consideration should be given to potentially capping such positions.
2. William Smith, Heritage Drive resident, asked when the last time a compensation survey was done for municipal employees. Administrator Ciccarone advised that this is done when there is a vacancy and an average salary of surrounding towns for those jobs are placed in salary ranges. As a taxpayer, Mr. Smith recommended that a compensation survey be done on a regular basis due to all the increases over the years and commended Committeeman Brower for suggesting to publish municipal employee salaries.
3. Peter Hofmann, May Drive resident, believes that a comparison between Borough and Township salaries may indicate substantial differences.

Mayor O'Connor closed the public hearing.

Deputy Mayor DeMeo moved to adopt Ordinance 2005-004. Committeewoman Hagner seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Abstain; Committeeman Hartford, Aye; Deputy Mayor DeMeo, Aye; Mayor O'Connor, Aye.

Introduction of Ordinances:

ORDINANCE 2005-006

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL PROJECTS OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,470,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,396,500 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COSTS THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Chatham, New Jersey, as general improvements. For the improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,470,000, including the aggregate sum of \$73,500 as the several down payments for the improvements or purposes. The down payments are now available for capital improvement purposes in the Capital Improvement Fund.

Section 2. In order to finance the cost of the improvements or purposes not covered by application of the down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,396,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated costs of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows, and are more particularly described in the plans and specifications on file with the Township, which plans and specifications are hereby approved, including all work, materials and all else necessary therefor and incidental thereto:

	Improvement or Purpose	Appropriation & Estimated Cost	Maximum Amount of Bonds or Notes	Useful Life
1.	Purchase of DPW equipment	\$175,000	\$166,250	15
2.	Purchase of Police equipment	\$360,000	\$342,000	14.22
3.	Road improvements	\$50,000	\$47,500	15
4.	Recreation improvements	\$250,000	\$237,500	15
5.	Building improvements	\$70,000	\$66,500	15
6.	Fire equipment	\$500,000	\$475,000	5
7.	Underground storage tank remediation	\$65,000	\$61,750	15
	TOTAL	\$1,470,000	\$1,396,500	

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained, and the name of the purchaser.

Section 5. The capital budget of the Township of Chatham is hereby amended to conform with the provisions of this bond 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 6. Any grants received by the Township for any purpose set forth in Section 3 hereof are hereby appropriated for said purpose set forth in Section 3 hereof and shall be applicable either to the direct payment of the cost of such purpose or to the payment or reduction of the obligations issued or authorized herein. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 7. The following additional matters are hereby determined, declared, recited, and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof, within the limitations of the Local Bond Law, is 11.407 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and bond anticipation notes provided in this bond ordinance by \$1,396,500. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after publication thereof after final adoption, as provided by the Local Bond Law.

Administrator Ciccarone advised that this ordinance represents seven categories of capital improvements that include purchasing equipment for Public Works and the Police Department, miscellaneous road/recreation/ building improvements, fire equipment and underground storage tank remediation. Committeewoman Hagner asked if the calcium chloride equipment was included and Administrator Ciccarone replied that it was. Committeeman Brower recommended that Joseph Smith, Manager of Public Works, survey the Township with regard to the lighting in parking lots, curbs that are deteriorating, and retrofitting drains. Committeeman Hartford asked if the speed monitor requested by residents was included, and Administrator Ciccarone advised that it was not; Administrator Ciccarone stated that Chatham Borough would lend a speed monitor to us.

Committeeman Brower moved to introduce Ordinance 2005-006 Multipurpose Bond Ordinance. Committeewoman Hagner seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Aye; Committeeman Hartford, Aye; Deputy Mayor DeMeo, Aye; Mayor O'Connor, Aye.

Public hearing will be scheduled for May 12, 2005. Administrator Ciccarone advised the bond ordinance becomes effective 20 days after the final adoption notice is published.

ORDINANCE 2005-007

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REGULATING TURNS AND STOPPING OR STANDING ON PINE STREET IN THE TOWNSHIP

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Revised General Ordinances of the Township of Chatham, 1995 are amended to provide for modifications to Chapter VII, Section 7-10, Stopping Or Standing Prohibited During Certain Hours On Certain Streets, and Section 7-22, Turn Prohibitions, as respects Pine Street as follows:

1. Section 7-10 is hereby modified to add a stopping or standing prohibition on the following street:

<u>Name of Street</u>	<i>Side of Street</i>	<i>Location</i>
Pine Street	Both	From the westerly curblineline of Lafayette Avenue to a point 300 feet northwest thereof between 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m., prevailing time, during days school is in session.

2. Section 7-22 is hereby modified to add the prohibition of left turns at certain hours onto Pine Street as follows:

Intersection	Turn Prohibited	Movement Prohibited
From northeasterly on Lafayette Avenue to northwesterly on Pine Street at the northwesterly intersection of Lafayette Avenue and Pine Street between 7:00 a.m. to 9:00 a.m. and 2:00 p.m. and 4:00 p.m., prevailing time, during days school is in session.	Left	

3. All other provisions of Sections 7-10 and 7-22 shall remain unchanged.

4. This ordinance shall take effect as provided by law.

Mayor O'Connor advised that this ordinance is the result of traffic concerns addressed by residents of Pine Street and this ordinance would allow signage to be placed at certain locations indicated in the ordinance. Committeewoman Hagner asked what days of the week the signs would be in effect and Administrator Ciccarone advised that it was Monday through Friday on school days. Mayor O'Connor advised that he spoke with the school's representatives relative to school buses using Pine Street as a shortcut and they will take this recommendation under advisement. Deputy Mayor DeMeo asked that the school be made aware of the signs being put up so they are informed of the changes. Committeeman Brower asked how long it will take to put this into effect and Administrator Ciccarone advised that the Ordinance can be introduced tonight, public hearing and adoption will take place at the next meeting, and it will take effect immediately thereafter. Chief Goeckel advised that a survey was going to be done, however, the equipment borrowed from the Borough was faulty. The equipment is being repaired and will hopefully be available to perform the study prior to the next meeting. The Committee requested that Chief Goeckel check with Madison or New Providence to see if their equipment could be used to ensure a report by the next meeting. Deputy Mayor DeMeo stated that it was agreed at the previous meeting that the "No left turn" signs would indicate timeframes of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m., which was going to be the first approach to resolving the issue and recalled that Lt. Peterson stated that the study was done and a time stamp would be checked. Heather Gerding, a Pine Street resident, recollected a timeframe of 7:00 a.m. to 4:00 p.m. She also noted athletic and fieldtrip buses use Pine Street as a short cut, as well as the school maintenance trucks. Mrs. Gerding recalled Lt. Peterson advising that an average of 650 cars used Pine Street per day and was going to study whether the cars were using the road in the 7:00 a.m. to 9:00 a.m./2:00 p.m. to 4:00 p.m. timeframe or if traffic was consistent enough to prevent left turns from 7:00 a.m. to 4:00 p.m. After a lengthy discussion, Mayor O'Connor polled the

Township Committee and Committee members Brower and Hartford recommended the hours of 7:00 a.m. to 4:00 p.m. and Committee members Hagner and DeMeo recommended keeping the ordinance as it is written. Mayor O'Connor suggested keeping the proposed ordinance, continuing with the study, and revisiting the situation if it remains an issue. Copies of the study will be requested from Lt. Petersen.

Committeeman Brower moved to introduce Ordinance 2005-007. Committeewoman Hagner seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Aye; Committeeman Hartford, Aye; Deputy Mayor DeMeo, Aye; Mayor O'Connor, Aye.

Public hearing will be scheduled for May 12, 2005.

ORDINANCE 2005-008

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, ESTABLISHING PARKING REGULATIONS AT CERTAIN MUNICIPAL LOTS

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Revised General Ordinances of the Township of Chatham, 1995 are amended to add Section 7-16 to Chapter VII, Parking Regulations at Municipal Lots, as follows:

1. Section 7-16 Parking Regulations at Municipal Lots.

- a. No person shall park any commercial vehicle or truck at the parking lots adjacent to Shunpike Field (both lots), Nash Field (both lots), or Esternay Field at any time, unless such parking is in connection with an ongoing activity at such field.
- b. No person shall park any vehicle between the hours of 10:00 p.m. and 6:00 a.m. the following morning at the parking lots adjacent to Shunpike Field (both lots), Nash Field (both lots) or Esternay Field.

2. This ordinance shall take effect as provided by law.

Administrator Ciccarone explained that this ordinance addressed commercial vehicles at the parking lots and overnight parking of any vehicle in parking lots at certain municipal fields, and advised that appropriate signs will be placed at those lots. Committeeman Brower stated that reference should be made that this ordinance will be enforced by the police, and residential overnight parking will be approved at the discretion of the police department.

Committeeman Brower moved to introduce Ordinance 2005-008. Committeeman Hartford seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Aye; Committeeman Hartford, Aye; Deputy Mayor DeMeo, Aye; Mayor O'Connor, Aye.

Public hearing will be scheduled for May 12, 2005.

Consent Agenda

Prior to approving the Consent Agenda, Mayor O'Connor asked the Township Committee if they had questions on any of the resolutions. Committeewoman Hagner addressed Resolution 2005-090-Approving Referendum to Increase Open Space Tax, and asked if development, purchase and/or maintenance should be stipulated in the resolution. Administrator Ciccarone stated this is a non-binding referendum and, if it passes, the Township Committee would implement it by adoption of an ordinance outlining these details in January 2006. In addition, the referendum will be detailed on the ballot in November 2005. Committeeman Brower recommended pulling Resolution 2005-090 and Resolution 2005-084 from the Consent Agenda for further discussion. Committeeman Brower questioned if Resolution 2005-087-Awarding Contract for Southern Boulevard Proposed Sidewalk Improvements included the sections of sidewalk that was appealed by a resident. Administrator Ciccarone replied that the resolution awards the base bid and supplemental bid; the supplemental bid is the section being contested by the resident. The engineers will give the notice to proceed on the base bid; the supplemental portions will be

addressed when the appeal is resolved. If the DEP's decision is in favor of the Township, the resolution covers that area in the supplemental bid; if DEP's decision is not in favor of the Township, then the initial project is covered under the base bid. Relative to costs, Administrator Ciccarone advised that this resolution approves contractor costs to construct the sidewalk only. Committeeman Hartford asked for information relative to Resolution 2005-085-Approving Chatham Township Firefighters Benevolent Fund Request and Administrator Ciccarone replied that this resolution gives permission for them to conduct a fundraiser that involves closing a section of River Road in order to accommodate their traffic and parking needs during this event.

RESOLUTION 2005-081

**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 \$540,395.96 and the prior month's payroll of \$393,344.91 Current Fund, \$40,034.64 Sewer No. 1, \$6,864.43 Sewer No. 2, and \$1,572.47 Police Private Employment be paid.

BE IT FURTHER RESOLVED that taxes due to School District of the Chathams for the month of April 2005, in the amount of \$1,709,137.00 be paid.

RESOLUTION 2005-082

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF CHATHAM APPROVING MINUTES OF THE
MARCH 10, 2005 AND MARCH 24, 2005 MEETINGS**

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meetings held on March 10, 2005 and March 24, 2005.

RESOLUTION 2005-083

**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 meetings held on March 10, 2005 and March 24, 2005.

RESOLUTION 2005-085

**RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF CHATHAM APPROVING THE CHATHAM
TOWNSHIP FIREFIGHTERS BENEVOLENT FUND REQUEST**

WHEREAS the Chatham Township Firefighters Benevolent Fund of the Chatham Township Volunteer Fire Department will be holding it's annual pig roast at Fire Headquarters on River Road on Saturday, June 4, 2005, from 4:00 –10:00 p.m. and

WHEREAS due to limited parking in and around the firehouse, the Chatham Township Firefighters Benevolent Fund has requested permission from the Township Committee of the Township of Chatham to close the South Side of River Road and to

authorize Police Officers to help provide proper and safe traffic management during this event;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that approval is hereby granted to the request of the Chatham Township Firefighters Benevolent Fund;

BE IT FURTHER RESOLVED that the Township Clerk forward a copy of the Chatham Township Firefighters Benevolent Fund request and a copy of this resolution to the Police Department prior to the event.

RESOLUTION 2005-086

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM TO AWARD CONTRACT FOR NEW HVAC VAV BOXES AT THE MUNICIPAL BUILDING.

WHEREAS, the Township Committee of the Township of Chatham has received bids for **NEW HVAC VAV BOXES AT THE MUNICIPAL BUILDING** and,

WHEREAS, "Certification of Availability of Funds" is annexed hereto:

NOW, THEREFORE, BE IT RESOLVED by the Township Committee on this day, April 14, 2005 that:

1) Contract for: **NEW HVAC VAV BOXES** be and is hereby awarded to:

**Mechanical Degrees
1071 Valley Road
Stirling, NJ 07980**

On their bid of \$58,500.00.

2) The exact title of the appropriation to be charged is: Ordinances 2004-007.

3) This Resolution shall take effect immediately.

RESOLUTION 2005-087

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM TO AWARD CONTRACT FOR SOUTHERN BOULEVARD SIDEWALK IMPROVEMENTS.

WHEREAS, the Township Committee of the Township of Chatham has received bids for **SOUTHERN BOULEVARD SIDEWALK IMPROVEMENTS** and,

WHEREAS, the Township Engineer has recommended award of the project to the low bidder, conditioned upon acceptance and approval by the New Jersey Department of Transportation (NJDOT), and

WHEREAS, "Certification of Availability of Funds" is annexed hereto:

NOW, THEREFORE, BE IT RESOLVED by the Township Committee on this day, April 14, 2005 that:

1) Contract for: **SOUTHERN BOULEVARD SIDEWALK IMPROVEMENTS** be and is hereby awarded to:

**Jenicar Builders Contractors Co., Inc.
573 Belgrove Drive**

Kearny, NJ 07032

On their **Base Bid** of \$101,850.00 plus their **Supplemental Bid for Item "A"** of \$25,300.00 for a **Total Contract Price** of \$127,150.80.

- 2) The exact title of the appropriation to be charged is: Grant Fund (NJDOT) and Ordinance 2004-007.
- 3) This Resolution shall take effect immediately.

RESOLUTION 2005-088

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

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

<u>Name of Organization</u>	<u>Dates of Social Affair</u>	<u>Place where Affair will be held</u>
Quindiandoj Unidos Por Colombia	April 23, 2005	Green Village Volunteer Fire Department 529 Green Village Road Green Village, NJ 07935

RESOLUTION 2005-089

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM REFUNDING APPLICATION FEES

WHEREAS, the Township Committee has considered the request submitted by Robert Rose with regard to Surface Grading Application fees paid for Block 54, Lot 7, 17 Mountain View Road;

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

<u>NAME</u>	<u>AMOUNT</u>
Robert Rose 6 Mattben Drive Warren, NJ 07059	\$400.00

RESOLUTION 2005-091

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING THE ISSUANCE OF AN AFFIDAVIT "CERTIFICATE OF REDEMPTION"

WHEREAS, Peter Gallic, owner of Block 117, Lot 3 also known as 13 Oak Hill Road, in Chatham Township, failed to file a cancelled tax sale certificate; and

WHEREAS, the current owner, Peter Gallic, in order to secure clear title to

the aforementioned parcel, requires a signed and certified affidavit "Certificate of Redemption" confirming payment of the lien imposed by the tax sale certificate; and

WHEREAS, the Township Committee wishes to authorize the Tax Collector to issue such affidavit based on official tax records.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that it, hereby, authorizes the

Tax Collector to issue an affidavit entitled "Certificate of Redemption" and to provide a certified copy of same to the current owners, a completed copy of which is attached hereto.

RESOLUTION 2005-092

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

WHEREAS, a Performance Guarantee in the amount of \$ 1,468,889.00 was provided to the Township of Chatham by Braemar Homes for Block 48.17, Lot 129; and

WHEREAS, the Township Engineer has inspected the site and recommended that the Performance Guarantee provided by Braemar Homes be reduced to \$ 440,666.70.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Chatham that the Performance Guarantee provided by Braemar Homes for Block 48.17, Lot 129 is hereby reduced to \$ 440,666.70.

RESOLUTION 2005-093

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>
Cecile G. Cashman 486 Green Village Road Green Village, NJ 07935	7200038932	\$120.00

RESOLUTION 2005-094

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING SEWER CONNECTION FOR 296 LAFAYETTE AVENUE

WHEREAS, the Township Administrator has certified that all applications requirements for 296 Lafayette Avenue, Block 106, Lot 18 including the payment of the administrative review fee have been met and that sewer capacity is available.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that it hereby, approves the issuance of a sanitary sewer permit for 296 Lafayette Avenue, Block 106, Lot 18.

Committeeman Brower moved to approve the Consent Agenda, Resolution 2005-081 through Resolution 2005-083, Resolution 2005-085 through Resolution 2005-089, and Resolution 2005-091 through Resolution 2005-094. Committeewoman Hagner seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Aye; Committeeman Hartford, Aye; Deputy Mayor DeMeo, Aye; Mayor O'Connor, Aye.

RESOLUTION 2005-084

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, ESTABLISHING EMPLOYEE SALARIES FOR THE YEAR 2005.

BE IT RESOLVED by the Township Committee of the Township of Chatham, in the County of Morris, New Jersey, that annual salaries of non-contractual employees are hereby established as shown below, effective January 1, 2005, unless otherwise indicated. Employees terminating their employment prior to the effective date of this resolution shall not be eligible for any increase

Township Committee Member	\$1.00 - 1,200
Township Administrator	\$126,375
Township Clerk/Registrar	\$54,632
Secretary Board of Health	\$8,591
Deputy Clerk	\$40,000
Chief Financial Officer	\$3,000
Township Attorney	\$51,039
Administrative Assistant/Assistant Treasurer	\$54,338
Accounting Clerk	\$44,400
Director Glenwood Housing	\$5,485
Secretary (Administration)*	\$38,000
Secretary (DPW)	\$26,910
Secretary (Police)*	\$38,295
Police Records Clerk	\$28,000
Chief of Police/Emergency Management Coordinator	\$105,130
Dispatcher (Herchick)	\$35,000
Dispatcher (Anthony)	\$40,000
Dispatcher (Rybka)	\$35,000
Dispatcher (Rome)	\$35,000
Dispatcher (Bessler)	\$28,000
Public Works Manager	\$93,150
Ass't. Public Works Manager	\$80,342
Director Water Pollution Control	\$72,450
Tax Collector/Utility Collector	\$54,338
Assistant Tax and Utility Collector *	\$40,159
Tax Assessor	\$24,309
Assistant Assessor/Recycling Coordinator	\$41,130
Escrow Account Clerk	\$3,622
Director of Recreation	\$87,624
Planning Board Attorney	\$10,000
Zoning Board Attorney	\$6,083

Planning Board Secretary	\$5,785
Zoning Board Secretary	\$5,508
Colony Pool Secretary	\$2,800
Construction Office Control Person/Bd. Manager/Dog Licensing Clerk	\$49,344
Construction Office Secretary	\$32,690
Construction Official/Building Sub-code Official/Inspector	\$57,326
Zoning Officer/Code Enforcement Officer	\$12,420
Plumbing Sub-code Official/Inspector	\$12,000
Electrical Sub-code Official/Inspector	\$36.10 Hr.
Fire Sub-code Official/Inspector	\$9,625
Fire Prevention Official/Inspector	\$12,900
Municipal Judge	\$39,500
Municipal Court Administrator	\$54,338
Deputy Court Administrator	\$27,718
Municipal Prosecutor	\$23,600
Director Public Assistance	\$10,000
Pool Manager	\$17,000
First Assistant Pool Manager	\$6,750
Second Assistant Pool Manager	\$6,000
Playground Director	\$1,800 - \$3,000
Tennis Manager	\$9,000
Swim Team Coach	\$2,300
Assistant Swim Team Coach	\$1,200
Recreation Counselor	\$5.15 - \$9.00 Hr
Lifeguard 1 st year	\$8.25 Hr.
Lifeguard 2 nd year	\$8.50 Hr.
Lifeguard 3 rd year and up	\$9.00 – 12.50Hr.
Water Safety Instructor (added to lifeguard wages)	\$.25- \$.50 Hr.
Gate Attendants	\$6.00 -\$12.00Hr.
Recreation Aide	\$6.00 - \$12.00 Hr.
Laborer (PT or seasonal)	\$7.50 - \$13.00 Hr.
Crossing Guards	\$10.00- \$16.00Hr.
Clerk Typist (PT)	\$10.00- \$13.00Hr
Building Inspector (PT)	\$31.25 Hr.
Secretary to Open Space Committee	\$800.00

*Employees holding positions marked with an asterisk above may be eligible for longevity payments according to the Township’s “Personnel Policies.” Such payments, not to exceed \$1,400.00, are included in the above salaries. Dispatcher salaries do not include Holiday pay.

This Resolution shall take effect immediately.

Committeeman Brower expressed that the points he made earlier during the public hearing for Ordinance 2005-004-Salary Ordinance relative to capping certain salaries and publishing salaries in the newspaper is restated herein.

Committeewoman Hagner moved to approve Resolution 2005-084. Deputy Mayor DeMeo seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Abstain; Committeeman Hartford, Aye; Deputy Mayor DeMeo, Aye; Mayor O’Connor, Aye.

RESOLUTION 2005-090

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING A NON-BINDING REFERENDUM TO INCREASE THE TOWNSHIP’S OPEN SPACE TAX FROM 1 CENT TO 2 CENTS PER \$100 ASSESSED VALUE

The Committee discussed the proposed resolution. Deputy Mayor DeMeo thought the explanatory statement should read additions/improvements. Committeeman Brower recommended that this should be a two-part referendum with two separate questions, one dealing with increasing Open Space Tax and the other with using the funds for improvement and development. Deputy Mayor DeMeo agreed. Deputy Mayor DeMeo questioned whether the current Open Space Ordinance could be modified to allow use of the funds for development. If that could be done, the resolution as proposed could be left as it is. Administrator Ciccarone said he would discuss the options with Attorney Woodward and make a recommendation to the Township Committee at the next meeting. The Township Committee agreed to table Resolution 2005-090 to the May 12, 2005 meeting.

Discussion

1. **Update on Sunset Lake:** Mayor O'Connor stated that three alternatives have been discussed at past meetings and the census of the Township Committee was the stormceptor option. Administrator Ciccarone advised that Engineer John Ruschke provided him with a written update, which stated that Engineer Ruschke met with the Sunset Lake Association members about a potential bypass to improve water quality in the lake. The Sunset Lake Association members have reservations about reducing the buffer and recreation areas, and with the infringement upon the wooded area for the detention basin, and therefore encouraged the installation of the stormceptor as soon as possible. Administrator Ciccarone also advised that Engineer Ruschke spoke with U.S. Fish & Wildlife Service regarding the grant application; the project received a favorable rating, however, they need more information. They would like to expand the scope of project to include pre and post water quality testing to evaluate the stormceptor device and have offered to fund this investigation. Engineer Ruschke stated that a water quality study was available from the Ten Towns Committee and U.S. Fish & Wildlife Services will review the data to see if additional testing is required. Engineer Ruschke recommended further discussion be deferred to the May 12, 2005 meeting in order to provide U.S. Fish & Wildlife Services with adequate time to reply to this information. Engineer Ruschke informed Sunset Lake Association of the status of the grant money, which will necessarily be somewhat delayed until their review of the data is completed. Administrator Ciccarone stated that a verbal commitment has been received from the County relative to funding this project and asked Engineer Ruschke to request this commitment in writing. The Township Committee discussed options at length. Committeeman Brower made a motion to build the interceptor as proposed and if the design does not work, make sure it is adaptable for the bypass. Committeeman Brower also stated that it should be emphasized to the Sunset Lake Association that their request will solve the silt issue, but is not going to solve the contaminant problem. Joseph Smith, Manager of the Public Works Department, agreed with Committeeman Brower and added that the stormceptor will improve the existing conditions. Administrator Ciccarone advised that this project was established by ordinance already and \$75,000 has been appropriated to this project; the issue now is whether to move forward with the stormceptor, but in order to do so additional funding needs to be resolved. Administrator Ciccarone added that contributions were sought from the County and Madison, as well as through the grant application to U.S. Fish & Wildlife Services. The Township Committee agreed to appropriate additional funds for this project, if necessary, and Administrator Ciccarone recommended re-appropriation of old funds. Administrator Ciccarone's advised that the project awarded this evening to replace the HVAV boxes came in at a lower cost than anticipated and that particular line item in last year's bond ordinance can be amended so that the excess can be re-appropriated to cover this funding. Administrator Ciccarone further recommended to the Township Committee that this option should not be acted on until a determination from the U.S. Fish & Wildlife grant is made, nor until the County and Madison provide a written commitment relative to contributions. An update should be available by the May 12, 2005 meeting.
2. **Oak Knoll:** Committeeman Brower expressed concern relative to the Environmental Commission's letter to the DEP. Administrator Ciccarone stated that upon the Township Committee's direction, discussions and meetings were held between Township representatives and Oak Knoll and their representatives, and Oak Knoll agreed to return the pond to its pre-existing condition. Oak Knoll needed a general permit from the DEP to replace the clay pipe and also made an application to the DEP to do an emergency pumping of the pond, which the latter was approved by the DEP. Committeewoman Hagner explained that the intention of the Environmental Commission letter was to expedite approval to repair the clay pipe. The Township Committee agreed to table this discussion and Committeeman

Hartford stated that the Environmental Commission Chairperson should be at the meeting when this will be discussed.

Before moving on to the next item on the agenda, Mayor O'Connor polled the Township Committee relative to attendance at the next meeting, April 28, 2005. It was unanimously agreed to cancel the April 28, 2005 meeting. The next meeting of the Township Committee will be on May 12, 2005.

Committeeman Hartford asked whether the street lighting project on River Road would now move forward since the JCP&L strike has been resolved. Administrator Ciccarone advised that this project should be completed by the next meeting, May 12, 2005. Residents will be notified once the plans are finalized.

Hearing of Citizens

Mayor O'Connor opened the hearing of citizens.

1. Peter Hofmann, May Drive resident, requested that the open space proposal discussion be deferred for a couple of months due to an increase in taxes. Mr. Hofmann also noted discrepancies in the wording on the School District's flyer and the information on the ballot. Mr. Hofmann added that Woodland Park should not be developed so there are no additional expenses incurred by the residents.

Mayor O'Connor closed the hearing of citizens.

Executive Session

RESOLUTION 2005-P-04

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 DeMeo moved to pass Resolution 2005-P-04 at 10:01 p.m. Committeewoman Hagner seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Aye; Committeeman Hartford, Aye; Deputy Mayor DeMeo, Aye; Mayor O'Connor, Aye.

The Committee returned from Executive Session at 10:45 p.m.

RESOLUTION 2005-095

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING THE APPOINTMENT OF BARBARA ANN LUCIANI TO THE POSITION OF POLICE RECORDS CLERK.

BE IT RESOLVED that the Township Committee of the Township of Chatham hereby approves the appointment of Barbara Ann Luciani to the position of Police Records Clerk effective May 2, 2005 at a starting salary of \$26,000 per year with a 3 month probationary period. Upon satisfactory completion of the probationary period the salary shall be increased to \$28,000. Subsequently, the salary shall be adjusted annually in accordance with the annual salary ordinance and salary resolution.

Mayor O'Connor moved to pass Resolution 2005-095. Committeeman Brower seconded the motion.

Roll Call: Committeewoman Hagner, Aye; Committeeman Brower, Aye; Committeeman Hartford, Aye; Deputy Mayor DeMeo, Aye; Mayor O'Connor, Aye.

Deputy Mayor O'Connor moved to adjourn the meeting at 10:47 p.m. Mayor O'Connor seconded the motion and it carried unanimously.

Joy M. Wiley
Municipal Clerk