

**TOWNSHIP OF CHATHAM
COMMITTEE MEETING MINUTES
JUNE 9, 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 and Mayor O'Connor. Deputy Mayor DeMeo was absent.

Approval of Agenda

Committeeman Brower requested discussions on Sunset Lake, Parking along Green Village Road (Oak Knoll) and the Conservation Element of the Master Plan be added under Discussion items. Mayor O'Connor moved to approve the agenda as amended. Committeeman Brower seconded the motion and it carried unanimously.

Reports

Committeeman Hartford provided the following reports:

- Suggested publicizing the process and duties of the Board of Health on the Township website.
- Advised that Colony Pool will be sponsoring an open house the weekend of June 11, 2005.

Administrator Ciccarone provided the following reports.

- Stated that three replacement and three new streetlights for River Road, from Passaic to Fairmount, were ordered this day, June 9, 2005 and should be completed by the end of the month.
- Advised that a response was received from the County relative to the expanding the bow hunting request submitted by the Township. They will be granting the request for Loantaka this season and will consider including Passaic River in the future.
- Informed the Township Committee the entire Southern Boulevard sidewalk project is under construction as the third party appeal has been dismissed by the DEP. This project is anticipated to be completed within the next two to three weeks.

Mayor O'Connor provided the following reports:

- Relative to the Recreation Study performed by New Jersey Professional Management, a subcommittee was formed and includes Mayor O'Connor, Committeewoman Hagner, Township Administrator Ciccarone, Mayor Plambeck, Jamie LaJeunesse and Borough Administrator Falzarano. The subcommittee met recently and plans to meet again within the next two weeks; Mayor O'Connor will provide a status report as progress is made.
- Correspondence has been received concerning the Trenton Tea Party in support of Assembly Bill A269 to rally in support of a tax convention program on Thursday, June 16, 2005.
- The Tree Ordinance will be on the July Workshop Agenda for discussion.
- The Planning Board will hold a public meeting on June 20, 2005 to discuss the Master Plan's Conservation Element.
- The County has been asked to repave Fairmount Avenue from Meyersville Road to Southern Boulevard, which will be done Spring 2006 and they will look at traffic concerns at the intersection. Chief Goeckel will ask Officer Curtis to discuss the intersection with the County Engineer.
- EJ'S Day is set for Saturday, June 18, 2005 and will include a 5K walk, baseball and softball games and activities.

Chatham Athletic Foundation Presentation:

Thomas Winter, a Chatham Township Resident and member of the Chatham Athletic Foundation, stated that this foundation was incorporated in January 2005 and provided copies of the foundation's by-laws. Mr. Winter introduced members and trustees. The Chatham Athletic Foundation would like to enhance athletic groups for children in kindergarten through grade 8. A Project Advisory Group has been established and includes parents, Administrator Ciccarone, Committeewoman Hagner, Administrator Falzarano, Jamie LaJeunesse, Harvey Cohen, Jim O'Neill, Tom Denning and Carol Nauta. Their focus is to address the current field situations throughout Chatham and to look to the Township Committee for guidance. The goals of the foundation include supporting athletics while increasing safety, improving athletic fields and applying for grants, enhancing public knowledge relative to safety issues, benefiting many sports so that fair and equal field time is provided, identifying projects with the broadest effect for the children, etc. Mayor O'Connor asked what the group's approach is and Mr. Winter replied that they will determine and prioritize projects on a regular basis and address it, fund it, and provide a successful outcome for each project. Committeeman Brower suggested having the township officials in an advisory capacity in lieu of being active members and questioned if this is a charitable organization. Administrator Ciccarone stated he will help the group understand how municipal funding works and will not be involved in activities such as fundraising. Relative to a charitable organization status, the foundation has applied to the IRS for exemption status. After a lengthy discussion, Mayor O'Connor thanked the Chatham Athletic Foundation for this presentation and asked the foundation to come back, and Committeeman Brower asked that the foundation provide a list of priorities in order for the Township Committee to review their needs. Mr. Peter Hofmann, a May Drive resident, was offered an opportunity to comment and suggested offering additional sports such as handball and bocce ball, and wished the foundation success. Mr. Hofmann added that the Township should be supportive of the foundation's needs and should create a plan for fields.

Hearing of Citizens

Mayor O'Connor opened the hearing of citizens.

1. William Smith, Heritage Drive resident, questioned the progress on the Chatham Glen sanitary sewer treatment plant upgrade. Administrator Ciccarone advised that a study is being done at this time to determine the parameters of the project.
2. Peter Hofmann, May Drive resident, asked what costs have been incurred to date on the Woodland Park project. Administrator Ciccarone distributed a handout per Committeeman Brower's request from the last meeting, and advised that the two issues involved include the purchase with Open Space, Green Acres and County grant funds, and a bond ordinance that was approved in 2003, which \$1.1 million was for the development of Woodland Park and upgrades to Esternay Field. To date \$44,000.00 has been spent out of the \$1.1 million on various projects. A joint contract was awarded to HMM for approximately \$170,000.00, which was split between two towns; however, only half has been paid out since construction has not yet begun. The net amount that the Township has paid out in total, including the purchase, is approximately \$400,000.00. Mr. Hofmann questioned the preparation of an agreement by Attorney Woodward that was discussed at a recent Board of Education meeting, and how the basis of such an agreement was formed. Administrator Ciccarone replied that discussions with the School Board included an agreement that they would retain ownership to the parcel of land, however, details of a long-term lease are still being worked out. In response to numerous questions and comments from Mr. Hofmann, Administrator Ciccarone explained who was involved with the project and the representatives who attended meetings to develop a concept plan. Committeeman Brower commented that he never thought the town should develop properties that belong to the School Board and added that this was a misuse of public funds. Administrator Ciccarone advised that there was an interlocal agreement for the purchase of the land and that it was always understood that, subsequent to the permitting, a three way interlocal service agreement among the Township, Borough and Board of Education was planned for construction. Administrator Ciccarone stated that when the property was going on the market, the Township Committee, Borough Council and representatives of the Township and Borough walked the site and never knew there were wetlands. Administrator Ciccarone advised that the public owns the Board of Education property and Chatham Township municipal property. Committeeman Hartford added that a determination needs to be made as to what degree services are shared.

Mayor O'Connor closed the hearing of citizens.

Public Hearing/Final Adoption of Ordinances

ORDINANCE 2005-010

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, MODIFYING WEIGHT LIMITS ON TREADWELL AVENUE 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 7-17, Trucks Over Designated Weight Excluded From Certain Streets, to lower truck weight limits on certain streets within the Township as follows:

1. Section 7-17 is hereby modified to add the weight limits on the following street:

<u>Name of Street</u>	Weight	Location
Treadwell Avenue	4 tons	Entire length.

2. All other provisions of Section 7-17 shall remain unchanged.
3. This ordinance shall take effect as provided by law.

Mayor O'Connor opened the hearing on Ordinance 2005-010 to the public. Since there were no comments, Mayor O'Connor closed the public hearing. Mayor O'Connor asked for comments from the Township Committee members, however, there were none.

Mayor O'Connor moved to adopt Ordinance 2005-010. Committeeman Brower seconded the motion.

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

ORDINANCE 2005-011

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE LAND DEVELOPMENT ORDINANCE AS RESPECTS PAYMENT OF CERTAIN FEES

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 XXX, Section 30-17.8, Payment of Fees, as respects payment of certain fees as follows:

1. Subpart a. of Section 30-17.8, Payment of Fees, is amended to read as follows:
 - a. All fees required by this chapter shall be paid by check or money order drawn to the order of the Township of Chatham. Any check for fees in excess of five hundred (\$500.00) dollars shall be in the form of a certified or bank check, or an attorney's bank or trust check. Except as otherwise provided, all fees shall be paid at the time of the filing of any application or appeal and shall be submitted with the application or appeal.
2. All other subsections of Section 30-17.8 shall remain unchanged.
3. This ordinance shall take effect as provided by law.

Mayor O'Connor opened the hearing on Ordinance 2005-011 to the public. Since there were no comments, Mayor O'Connor closed the public hearing. Mayor O'Connor asked for comments from the Township Committee members. Committeeman Hartford stated that it may be time to

review the fee structure. Committeeman Brower stated that the escrow accounts should be increased and that legal fees should be averaged out in the escrow fees to lessen the impact on the applicants. It is noted that there will be a future discussion on escrow fees and notification to the public.

Committeeman Brower moved to adopt Ordinance 2005-011. Committeewoman Hagner seconded the motion.

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

Introduction of Ordinances:

ORDINANCE 2005-013

AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REPEALING THE MANDATORY DEVELOPMENT FEE ORDINANCE

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 as follows:

1. Chapter 30, Article 11, Affordable Housing, Section 30-141, Mandatory Development Fees, is hereby repealed in its entirety.
2. All other provisions of Chapter 30 shall remain unchanged.
3. This ordinance shall take effect as provided by law.

Committeeman Hartford questioned the policy that this ordinance represents and, if it was originally passed in 1997, why it is not being enforced when there is a concern about affordable housing, especially for senior citizens, volunteers, township employees and younger professionals. Attorney Woodward advised that a Third Round Substantive Certification has been submitted to COAH, and the standards have changed since 1997. After the ordinance was adopted, the Committee members did not want the residents to incur additional charges for putting additions to their homes and, as the Township was six units over the requirement, they felt there was no need to enforce the ordinance. As part of the extension for the Substantive Certification, the original ordinance needs to be enforced or repealed. Committeeman Brower questioned if there would be a future impact or penalties and Attorney Woodward replied that the ordinance could be revised to avoid such repercussions. Relative to affordable housing, Committeeman Hartford stated he has received complaints from people residing at Glenwood Housing, and also believes there is a need for senior housing. Administrator Ciccarone stated that the recommendation for senior housing is notable, however, most of the Township seniors would not qualify because of the amount of equity they have in their properties. Committeeman Hartford stated that there are residents who would qualify. Mayor O'Connor asked Committeeman Hartford to get more information and report back to the Committee.

Committeeman Brower moved to introduce Ordinance 2005-013. Committeewoman Hagner seconded the motion.

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

The public hearing is scheduled for June 23, 2005.

Consent Agenda

RESOLUTION 2005-124

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 \$672,788.80 and the prior month's payroll of \$382,547.37 Current Fund, \$39,836.31 Sewer No. 1, \$6,925.94 Sewer No. 2, and \$13,396.83 Police Private Employment be paid.

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

RESOLUTION 2005-125

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, REGARDING THE RENEWAL OF ALCOHOLIC BEVERAGE LICENSES IN THE TOWNSHIP OF CHATHAM FOR THE FISCAL YEAR BEGINNING JULY 1, 2005

WHEREAS, applications for the renewal of Alcoholic Beverage Licenses in the Township of Chatham for the fiscal year beginning July 1, 2005 have been made by Charlie Brown's of Chatham, Inc., Fairmount Country Club, Inc., and Kanhaee Inc.;

WHEREAS, the applicants have complied with all the requirements of "An Act for the Manufacture, Distribution and Sale of Alcoholic Beverages", known as the "Alcoholic Beverage Act and Amendments and Supplements thereto", as well as the Ordinance of the Township of Chatham entitled "An Ordinance to Regulate the Sale and Distribution of Alcoholic Beverages", as amended, including the submission of the appropriate license fees, and no objections to the renewal of said licenses have been received.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk be and hereby is authorized to deliver a plenary retail distribution license as issued by the New Jersey Division of Alcoholic Beverage Control for the fiscal year beginning July 1, 2005, as follows:

To Kanhaee Inc., trading as the Chatham Wine & Liquor, for premises situate at 650 Shunpike Road, Chatham, New Jersey (Lic. No. 1405-44-004-005).

BE IT FURTHER RESOLVED that the Township Clerk be and hereby is authorized and directed to issue and deliver plenary retail consumption licenses for the fiscal year beginning July 1, 2005, as follows:

To Charlie Brown's of Chatham, Inc., for premises situate at 522 Southern Boulevard, Chatham Township, New Jersey (Lic. No. 1405-33-002-008).

To Fairmount Country Club, Inc., a private club for members only, for premises situate at 400 Southern Boulevard, Chatham Township, New Jersey (Lic. No 1405-33-001-002).

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk be forwarded to the Division of Alcoholic Beverage Control and the State Department of Taxation and Finance, Newark, New Jersey, for their information and guidance.

RESOLUTION 2005-126

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REGARDING A PERSON-TO-PERSON TRANSFER OF A PLENARY RETAIL DISTRIBUTION LICENSE

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License Number 1405-44-003-006, issued to Nimit Wines Inc. for a license held at 641 Shunpike Road, Chatham, New Jersey;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham does hereby approve, effective June 10, 2005, the Person-to-Person transfer of the aforesaid Plenary Retail Distribution License from Nimit Wines Inc. to N and M Chatham Inc., and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to N and M Chatham Inc., effective June 10, 2005."

RESOLUTION 2005-127

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2005 BUDGET.

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

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

WHEREAS, the Township of Chatham has received \$12,000.00 from the Hyde and Watson Foundation for the purchase of computer equipment to enhance the Township's GIS system and wishes to amend its 2005 Budget to include these funds as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2005 in the sum of \$12,000.00 which is will be available as a revenue from:

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

Hyde and Watson Foundation Grant, and

BE IT FURTHER RESOLVED, that a like sum of \$12,000.00 be and the same is hereby appropriated under the caption of:

Public and Private Programs Offset by Revenues:
Hyde and Watson Foundation Grant.

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

RESOLUTION 2005-128

RESOLUTION OF THE TOWNSHIP OF CHATHAM, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 58:11B-9

WHEREAS, the TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY desires to make application to the Local Finance Board for its review and/or approval of a proposed project financing through the New Jersey Environmental Infrastructure Trust.

WHEREAS, the Township of Chatham, in the County of Morris, New Jersey believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;

(d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units.

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

Section 1. The application to the Local Finance Board is hereby approved, and the Engineer, Auditor, Bond Counsel and Chief Financial Officer, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township of Chatham, New Jersey is hereby directed to prepare and file a copy of the proposed financing with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey statute.

RESOLUTION 2005-129

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING A PARTIAL CLOSING OF HALL ROAD AND AMPLIFIED OUTDOOR MUSIC

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following are, hereby, granted authorization to use Hall Road from the Corner of Highland Avenue to the dead end on Hall Road for a 6th Grade Yearbook Signing Party and, in accordance with the Township's noise ordinance, to use amplified music outdoors, but allowing emergency vehicles access and controlling music volume to minimize any inconvenience to neighbors:

1. The Hurleys, 57 Hall Road, from 5:00 p.m. to 8:00 p.m., Thursday, June 23, 2005.

BE IT FURTHER RESOLVED that the Township Clerk shall forward a copy of this Resolution to the Police Department prior to the event.

RESOLUTION 2005-130

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>
Robert Savitt 550 River Road Chatham, NJ 07928 Block 62 / Lot 61	7200012998	\$629.15

Committeeman Brower moved to pass the Consent Agenda, Resolution 2005-124 through Resolution 2005-130. Committeewoman Hagner seconded the motion.

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

Discussion

1. 1A Lake Road, Chatham Township, Easement: Administrator Ciccarone advised that the owner of this property, Mr. DeMatos, was present. An application was submitted to the Board of Adjustment to put an addition on the side of his home. The extent of paving on Lake Road stops past the property and continues as a paper street around Sunset Lake. A sanitary sewer cuts across the corner of the property, however, original plans indicate the sewer should have been in the paper road. The Board of Adjustment approved the application subject to the Township accepting an easement where the sanitary sewer exists. Engineer John K. Ruschke stated that the width of the proposed easement is 20 feet, and the applicant has requested a reduction of 10 feet in order for it to be practical for him to continue with the addition. Engineer Ruschke does not believe this is restrictive on the Township's behalf. Mr. DeMatos has agreed to convey the easement to the Township at no cost, however, has asked the Township Committee to direct the Township Attorney to prepare the necessary paperwork so he does not incur additional expenses. After a brief discussion, Attorney Woodward advised that this is a very reasonable solution and he will contact Board of Adjustment attorney to advise him to proceed with the resolution. The Township Committee directed Attorney Woodward to prepare the easement and resolution for the next meeting. Committeeman Brower stated that since the sewer connection was to be in the paper road and that it now infringes on Mr. DeMatos' property, the Township should bear any financial burdens.
2. Request to Change Address from Meyersville Road to Tree Top Lane: Administrator Ciccarone referred to the street map handout, which indicated that this house faces Meyersville Road with driveway access on Meyersville Road and another driveway access on Tree Top Lane. Mr. and Mrs. Thoennesen were present and told the Township Committee that the three reasons they were making this request is (1) life safety, (2) weather related and (3) missed deliveries. Mr. Thoennesen stated that the driveway access to Meyersville Road will not be plowed during the winter. After a brief discussion, the Township Committee decided to change the address from Meyersville Road to 8A Tree Top Lane.

RESOLUTION 2005-131

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, WITH RESPECT TO A CHANGE IN ADDRESS FROM 155 MEYERSVILLE ROAD TO 8A TREE TOP LANE

BE IT RESOLVED, by the Township Committee of the Township of Chatham that the request submitted by Richard K. and Pamela A. Thoennesen to change the address of their property, Block 35, Lot 5.05, from 155 Meyersville Road to 8A Tree Top Lane is hereby approved.

Committeeman Brower moved to pass Resolution 2005-131-Address Change to 8A Tree Top Lane. Committeewoman Hagner seconded the motion.

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

3. Request for Sewer Connection for 310 River Road: Administrator Ciccarone advised that this property, owned by the DeBiasses, is not in the sewer service area. When an addition was put on the house about 10 years ago, they ran a lateral out to River Road in the event there would be an opportunity to connect to the sewer. At this point, they are able to connect as the main sewer line comes down Kincaid and runs across River Road to Chatham Glen. The DeBiasses are willing to connect at their expense. Engineer Michael Bennett of Hatch Mott MacDonald stated a few more homes on the north side of the road would not cause a

problem for Chatham Glen. Attorney Woodward recommended that Engineer Ruschke review the plans and report back to the Township Committee at the next meeting and the members of the Township Committee agreed.

4. Discussion Concerning Block 95, Lot 30: This property is owned by Harvey Caplan and is located on Barnsdale Road, a paper road in Chatham Township; however, there is a limited portion of the road paved that is located in Madison. Administrator Ciccarone advised that the driveway to Block 95, Lot 30 would be better accessed through the paved part of this road. Sanitary sewer and water are located in this area. Administrator Ciccarone advised Mr. Caplan is requesting that the Township consider allowing this property be annexed into Madison and the owner has agreed to absorb any costs associated with lost ratables. Administrator Ciccarone recommended that should this be acceptable, it would be wise to vacate the portion of this road that lies in the Township, which would then be split among existing homeowners thus enhancing property values. Attorney Woodward advised that the process called annexation includes obtaining a petition from the individual requesting annexation to the adjoining town, and two-thirds majority vote would be required to adopt the resolution. Madison would then be required to adopt an ordinance authorizing the acquisition of the property, which would include an agreement to compensate Chatham Township for loss of the ratable. After a brief discussion, the Township Committee was in favor of granting this request and directed Attorney Woodward to begin the process. Attorney Woodward will also contact Madison and will prepare a resolution for the next meeting.
5. Request Concerning repaving of Linden Lane: Committeeman Brower recused himself from this discussion item. Administrator Ciccarone advised that Linden Lane is a privately owned road and not a dedicated Township street, however, there are services provided by the Township. This homeowners association asked if the Township could assist with the project of repaving. Administrator Ciccarone recommended that they obtain quotes to ascertain expenses, and advised that this project could be done through the County Co-op in order to save money. After a brief discussion, the Township Committee agreed with this recommendation and directed Administrator Ciccarone to oversee this request accordingly.
6. General Election Day Holiday: Administrator Ciccarone stated that the Township employees normally trade Election Day Holiday for a day closer to the Christmas Holidays. This year, Christmas will fall on a Sunday. Therefore, the request is to give up Election Day as a holiday and have a floating day to be used at the employees' discretion. The Township Committee agreed with this recommendation.
7. Sunset Lake: Committeeman Brower stated that he is very impressed with the way Engineer John K. Ruschke outlined the plan to the residents of Sunset Lake, who were also pleased with the progress made. Administrator Ciccarone is working on the financing and there is a pending application from the U.S. Fish & Wildlife Service for the grants. Administrator Ciccarone stated that he is very optimistic that this application will be granted. Engineer Ruschke advised that the County has made a verbal commitment to contribute a fair share toward the project, which will be documented shortly. Engineer Ruschke also had a meeting with the Madison Engineer who stated a willingness to contribute to the project and has requested Administrator Ciccarone follow-up with the Madison Administrator to work out the details.

River Road: Engineer Ruschke advised that the sewer project is going well and that the Treatment Works Approval Permit has been received. The remaining issues lie with the finance board and securing the easements, which are presently being worked on.

Mt. Vernon Avenue Bridge: Chief Goeckel advised that Chatham Borough is presently working on River Road, which prevents the repairs to the Mt. Vernon Avenue Bridge at this time due to the detours needed. Mayor O'Connor stated that this is a County road and the condo association will be notified of road closure upon receipt of information from the County. Committeeman Hartford asked if additional traffic will be a problem and Chief Goeckel advised that there are already weight restrictions in place which will prohibit traffic problems. Committeeman Brower questioned that if weight limits are implemented, could trucking associations bring an action for undue restrictions and Chief Goeckel and Administrator Ciccarone stated that the regulations would hold up. Attorney Woodward advised that it is most unlikely for such an action as the road is in a residential area.

8. Parking along Green Village Road- Oak Knoll: Committeeman Brower stated that Officer Curtis has made recommendation to support Oak Knoll School's request to allow buses to

stop along Green Village Road and to remove the “no parking” signs. Chief Goeckel advised that the ordinance would need to be changed. Administrator Ciccarone stated that he was directed to send a letter to Barry Osmund that any special events should be worked out with the Police Department and is concerned that removal of the signs would allow parking in that area any time. After a brief discussion, the Township Committee agreed to remove the signs and directed Attorney Woodward to prepare an ordinance for the next meeting modifying the specific regulations outlined in the Ordinance.

9. Conservation Element of the Master Plan: Committeeman Brower stated that this element of the Master Plan needed some fine-tuning, and provided two examples. One related to sewer system design standards and septic system management. The other dealt with the Community Forestry Plan, which includes public and private properties. Committeeman Brower advised the Planning Board makes general recommendations, but the Township Committee can implement the specific goals.

Hearing of Citizens

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

Executive Session

RESOLUTION 2005-P-06

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING CONFERENCE OF THE TOWNSHIP COMMITTEE WITH THE PUBLIC EXCLUDED

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 Brower moved to pass Resolution 2005-P-06 at 10:12 p.m. Committeewoman Hagner seconded the motion. No action is anticipated.

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

The Committee returned from Executive Session at 11:32 p.m.

Mayor O'Connor moved to adjourn the meeting. Committeewoman Hagner seconded the motion and it carried unanimously.

Joy M. Wiley
Municipal Clerk