

**MINUTES
TOWNSHIP COMMITTEE
REORGANIZATION MEETING
JANUARY 7, 2009**

The former Mayor Kevin Tubbs called the Reorganization Meeting of the Township Committee of the Township of Chatham to order at 7:37 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 4, 2008; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 4, 2008; and notice was filed with the Township Clerk on January 4, 2008.

Committeeman Tubbs led the flag salute.

Invocation

Monsignor Mahoney from Corpus Christi Church gave the invocation.

Oath of Office

Bailey Brower, Jr. was sworn in as a Township Committee Member for a three-year term. The Municipal Clerk administered the oath.

William O'Connor was sworn in as a Township Committee Member for a three-year term. The Municipal Clerk administered the oath.

Roll Call

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

Selection of Mayor

Committeeman Tubbs opened the meeting for nominations for Mayor.

Committeeman Brower nominated Kevin R. Tubbs Mayor for 2009. Committeewoman Hagner seconded the nomination.

**RESOLUTION 2009-001
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM SELECTING MAYOR FOR 2009**

BE IT RESOLVED by the Township Committee of the Township of Chatham that Kevin R. Tubbs is hereby selected as Mayor of the Township of Chatham for the year 2009.

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

The Municipal Clerk administered the oath of office to Mayor Kevin R. Tubbs.

Selection of Deputy Mayor

Mayor Tubbs opened the meeting for nominations for Deputy Mayor.

Committeeman Brower nominated Nicole Hagner Deputy Mayor for 2009. Committeeman O'Connor seconded the motion.

**RESOLUTION 2009-002
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM SELECTING DEPUTY MAYOR FOR 2009**

BE IT RESOLVED by the Township Committee of the Township of Chatham that Nicole Hagner is hereby selected as Deputy Mayor of the Township of Chatham for the year 2009.

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

Nicole Hagner was sworn in as Deputy Mayor for the year 2009.

Mayor's Statement

Mayor Tubbs recognized the presence of Senator Kean, Assemblyman Munoz, and Assemblyman Bramnick. Mayor Tubbs then gave the Mayor's Message 2009 (attached).

Approval of Agenda

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

Resolutions

**RESOLUTION 2009-003
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM ADOPTING RULES AND ORDER OF BUSINESS OF THE TOWNSHIP
COMMITTEE**

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, that the following Rules and Order of Business of the Township Committee are hereby adopted:

RULES AND ORDER OF BUSINESS OF THE TOWNSHIP COMMITTEE

ARTICLE I.

Robert's Rules of Order Newly Revised.

The deliberations of the Township Committee shall be governed by Robert's Rules of Order Newly Revised.

ARTICLE II.

Meetings.

Section 1. The Mayor shall preside at all meetings of the Township Committee. In the absence of the Mayor, the Deputy Mayor shall perform all the duties of the Mayor. The Mayor shall on all occasions preserve order and shall cause the arrest or removal of all persons who interrupt the proceedings of the Township Committee.

Section 2. The Mayor shall decide all questions of order subject to appeal to the Township Committee.

Section 3. Each member of the Township Committee, including the Mayor, shall have the right to make and second motions and nominations and to vote thereon.

Section 4. Regular and Conference ("Workshop") meetings shall be held as scheduled at the annual organization meeting each year or as rescheduled by resolution adopted at a regular meeting.

Section 5. Special meetings shall be held as provided by Code of the Township of Chatham and applicable State law. Upon the filing of a proper call for a special meeting, the Township Clerk shall give at least two (2) business days' notice thereof with a copy of the call to all members of the Township Committee by delivery to each member personally or to each member's residence. Copies of the notice shall be promptly released to the news media and posted in a prominent place in the Township Hall.

Section 6. Regular and Conference ("Workshop") meetings of the Township Committee shall be open to the public. A portion of all Regular and Conference meetings shall be set aside for citizens to address the Township Committee on any matter of interest.

Section 7. All items of business on a consent agenda will be delivered to each member of the Township Committee at least 2 days prior to the meeting with which it is considered.

Section 8. No new business will be considered after 11 PM. This rule may be waived by an affirmative vote of a majority of the Township Committee Members then present. In all instances Township Committee meetings will adjourn no later than 12 AM (midnight).

Section 9. All Township Committee meetings will be conducted in accordance with the requirements of the Open Public Meetings Act. (N.J.S.A. 10:4-6 et seq.)

ARTICLE III.

Order of Business.

Section 1. The following shall be the normal order of business of all Regular meetings of the Township Committee:

1. Meeting called to order.
2. Sunshine Law announcement.
3. Salute to flag.
4. Roll Call.
5. Review and acceptance of agenda.
6. Special Recognition/Awards.
7. Reports.
8. Hearing of citizens.
9. Public Hearing and final adoption of ordinances.
10. Introduction of ordinances.
11. Adoption of resolutions.
12. Miscellaneous business.
13. Hearing of Citizens (Time Permitting)
14. Closed session resolution; if applicable.
15. Adjournment.

Section 2. The final agenda shall be adopted as amended, if need be, by vote of the Township Committee at the start of each meeting.

Section 3. The agendas for the conference meetings of the Township Committee shall be as the Township Committee may agree upon at a prior meeting or at the conference meeting.

Section 4. Hearing of the citizens will be limited to 30 minutes. Citizens will be restricted to discuss only those topics not subject of a public hearing. Each speaker will be limited to three minutes. These time limits may be extended at the discretion of the Mayor.

Section 5. Sub-Committee chairpersons and liaisons will provide short update reports to the Township Committee during the report section of meetings.

Section 6. The Chief of Police, Public Works Manager, Recreation Director and Township Administrator shall report on a quarterly basis to the Township Committee, during the report section of meetings.

ARTICLE IV.

Committees and Boards.

Section 1. The Township Committee hereby creates four Standing Committees, each consisting of two (2) members of the Township Committee as follows:

1. Public Safety/Emergency Management
2. General Administration/Finance/Personnel
3. Parks and Recreation
4. Public Works
5. Land Use

Note: The Township Administrator shall supervise all departments, attend all meetings of the Standing Committees and implement the policies adopted by the Township Committee. The Standing Committees are not authorized to exert any administrative control over the departments assigned.

Section 2. Except as otherwise required by State statute and the Code of the Township of Chatham, the Mayor shall appoint members to the various Township boards with the approval of the Township Committee.

Section 3. The Township Committee may appoint advisory committees for special purposes composed of no more than 2 Members of Township Committee and such other Administrative staff members and members of the general public as it deems necessary and appropriate.

Section 4. At the time of creation of an advisory committee, the Township Committee shall establish the duration of the advisory committee. No advisory committee shall take a position on behalf of the Township Committee without the Township Committee's approval.

Section 5. A member of the Township Committee, appointed by the Committee, shall serve as liaison to the following Boards, Commissions and Community Groups:

- Board of Education
- Colony Pool Advisory Committee
- Emergency Management Council (Mayor)
- Environmental Commission
- Senior Citizens Center
- League of Municipalities (State and County)
- Ten Towns Great Swamp Committee
- Cross Acceptance Committee
- CDRS Committee

ARTICLE V.

Ordinances.

Section 1. All proposed ordinances, supplements to and amendments of ordinances shall be presented in writing at a regular meeting, except in those instances when the Township Committee decides to act on an ordinance at a conference or special meeting.

Section 2. Every ordinance duly passed by the Township Committee shall be recorded by the Township Clerk in the Township Ordinance Book, with a proper index. Each ordinance entered in the Ordinance Book shall be compared with the original and shall not be entered unless it is identical in content with such original. The Township Clerk shall enter at the foot of the ordinance the date it was passed and the number and page of the Minute Book containing the minutes of the meeting at which it was passed. Each ordinance entered in the Ordinance Book shall be signed by the Mayor or Deputy Mayor and the Township Clerk.

Section 3. The Township Ordinance Book is hereby established as the original permanent record of the Ordinances of the Township.

Section 4. All ordinances shall be introduced, considered, read, heard, adopted and published in accordance with applicable law and inserted in the correct place in the Code of the Township of Chatham.

ARTICLE VI.

Filings.

Section 1. The Township Committee shall file with the Township Clerk all ordinances, resolutions, reports, petitions, correspondence and other papers considered by or presented to the Township Committee.

ARTICLE VII.

Minutes.

Section 1. The Township Clerk shall keep minutes of all Township Committee meetings as provided by law.

Section 2. Draft minutes for all meetings shall be delivered to the Township Committee Members no later than the Friday preceding the next regular meeting. Such minutes shall be clearly marked as a draft minutes.

Section 3. Minutes will be filed into the minute book and released to the public only by the Township Clerk and only after approval by the Township Committee.

Section 4. All open sessions of the regular and conference meetings will be recorded.

Section 5. The recordings will be kept by the Township Clerk as required by law.

Section 6. The recordings will be made available to the public at the Township Clerk's office only after the related minutes have been approved by the Township Committee.

Section 7. The approved minutes shall become the official record of the meeting.

Article VIII.

Code of Conduct.

Section 1. No member of the Township Committee, including the Mayor, can conduct business for, or on behalf of, the Township without express, specific approval of the Township Committee. This includes all correspondence, written or otherwise, negotiations, and the like.

Section 2. It is the responsibility of each Committee member to disclose to the Township Attorney any personal or private interest, directly or otherwise, in any question or measure proposed or pending before the Township Committee. The Township Attorney will determine whether a conflict of interest exists.

Section 3. A member of the Township Committee who has a conflict of interest on a particular matter shall neither vote on nor take part in discussion of same.

ARTICLE IX.

Township Administrator.

Section 1. The Township Administrator shall be the Chief Administrative Officer of the Township, shall supervise all Departments, perform the duties of Township Administrator as specified in the Code of the Township and shall be responsible to the Township Committee for the proper and efficient administration of Township affairs. The Township Administrator shall prepare the annual budget

Section 2. The Township Administrator shall make reports to the Township Committee as requested and shall make an annual report of his work. The municipal budget shall be prepared by the Township Administrator and presented to the Township Committee at a public meeting in January.

Section 3. It is intended that the Township Committee shall act in all matters as a body. Members of the Township Committee shall not seek individually to influence the official acts of the Township Administrator or any other officer or to interfere in any way with the performance by such officers of their duties.

ARTICLE X.

Amendments.

Section 1. These rules shall be subject to and governed by the laws of the State of New Jersey and the ordinances of the Township. These rules shall not be amended except at a regular meeting of the Township Committee. All proposed amendments shall be submitted in writing at a regular meeting, read and referred to a special committee appointed by the Mayor and acted upon at a regular meeting subsequent to the special committee's report.

Committeeman Brower moved to adopt Resolution 2009-003. Committeeman O'Connor seconded the motion.

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

RESOLUTION 2009-004

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM DESIGNATING COMMITTEE ASSIGNMENTS AND LIAISONS

BE IT RESOLVED by the Township Committee of the Township of Chatham that Township Committee assignments be made as follows:

Name of Committee

Public Safety/Emergency Management
General Administration/Finance/Personnel
Parks and Recreation
Public Works

Committee members

Kevin Tubbs and William O'Connor
Kevin Tubbs and William O'Connor
Robert Gallop and Nicole Hagner
Bailey Brower and Robert Gallop

Land Use (Planning Board)

Bailey Brower and Nicole Hagner

Liaisons

Board of Education	Nicole Hagner
Colony Pool Advisory Committee	Kevin Tubbs
Emergency Management Council	Kevin Tubbs
Environmental Commission	William O'Connor
Senior Citizen Center	Bailey Brower
County League of Municipalities	Kevin Tubbs
State League of Municipalities	William O'Connor
Ten Towns Great Swamp Committee	William O'Connor
Cross Acceptance Committee	Nicole Hagner
CDRS Committee	Robert Gallop
Tree Protection Committee	Robert Gallop
Shared Services	Nicole Hagner
Television Committee	Nicole Hagner
COAH Compliance/Implementation	William O'Connor
Transportation/Alternate Transportation	Robert Gallop
County Freeholder Liaison	Robert Gallop
Web Communications	Robert Gallop
CERT Liaison	Robert Gallop
Fire Department Liaison	Kevin Tubbs
SEEMLESS Liaison	William O'Connor
Municipal Alliance Liaison	William O'Connor
Rescue Squad Liaison	William O'Connor
Senior Citizen Services/Outreach	Bailey Brower
Business/Chamber of Commerce	Bailey Brower
Deer Management	Bailey Brower
Rolling Knolls Landfill	Kevin Tubbs
Wastewater Treatment	Kevin Tubbs

Committeeman Brower moved to adopt Resolution 2009-004. Committeeman Gallop seconded the motion.

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

**RESOLUTION 2009-005
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM AND MAYOR'S APPOINTMENTS FILLING VARIOUS BOARD AND
COMMITTEE VACANCIES FOR SPECIFIC TERMS**

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following board and committee appointments be made:

Planning Board: Mayor's appointments

- | | | | |
|----|-----------|-------------------|--------|
| 1. | Class I | Nicole Hagner | (2009) |
| 2. | Class II | Thomas Ciccarone | (2009) |
| 3. | Class III | Bailey Brower Jr. | (2009) |
| 4. | Class IV | Jack Hurring | (2012) |
| 5. | Alt. #1 | Kevin Sullivan | (2009) |
| 6. | Alt. #2 | Joseph Ali | (2010) |

Zoning Board of Adjustment: Committee appointments

- | | | | |
|----|-------------|------------------------------|--------|
| 1. | Full member | A. Parker Godwin | (2012) |
| 2. | Full member | Therese Hough | (2012) |
| 3. | Alt. #1 | Kathryn Surmay Kenny | (2010) |
| 4. | Alt. #2 | Philip A. (Tony) Vivona, Jr. | (2009) |

Local Assistance Board: Committee appointments

- | | | | |
|----|------------------|--------------------|--------|
| 1. | Committee member | Bailey Brower Jr. | (2009) |
| 2. | Full member | Mary Louise Calnan | (2010) |

Environmental Commission: Mayor's appointments

- | | | | |
|----|--------------|---------------------|--------|
| 1. | Full member | Steve Carrol | (2011) |
| 2. | Full member | Dot Stillinger | (2011) |
| 3. | Full member | Patricia Collington | (2009) |
| 4. | Alternate #1 | Richard Barrett | (2010) |
| 5. | Alternate #2 | Frank Esposito | (2009) |

Board of Health: Committee appointments

- | | | | |
|----|------------------|------------------|--------|
| 1. | Committee member | Kevin Tubbs | (2009) |
| 2. | Full member | Michael Marano | (2011) |
| 3. | Full member | Kenneth R. Newby | (2011) |

Joint Library Trustees: Mayor's appointment

- | | | |
|----|-------------|--------|
| 1. | Mayor | (2009) |
| 2. | Alice Lundt | (2013) |

Tree Protection Committee: Committee appointments

- | | | | |
|----|------------------------|--------------|--------|
| 1. | Administrator/Designee | John Pacelli | (2009) |
| 2. | Full member | Mary Olmsted | (2010) |
| 3. | Full member | June Tullman | (2010) |
| 4. | Full member | Vacant | (2010) |
| 5. | Full member | Vacant | (2009) |
| 6. | Full member | Vacant | (2009) |

Colony Pool Advisory Committee: Committee appointments

- | | | |
|----|----------------|--------|
| 1. | Terry Santora | (2011) |
| 2. | Terry McGovern | (2011) |

Joint Recreation Advisory Committee: Committee appointments

- | | | | |
|----|--------------|------------------|--------|
| 1. | Full member | William Karpowic | (2011) |
| 2. | Alternate #1 | Larry Ioffredo | (2009) |

Open Space Advisory Committee: (one year terms)

- | | | |
|----|----------------------------------|-----------------|
| 1. | Committee member | Nicole Hagner |
| 2. | Full member | Susan Rigal |
| 3. | Full member | Dana McClintock |
| 4. | Full member | Anne Bukata |
| 5. | Full member | William Smith |
| 6. | Full member | Jeff Furbish |
| 7. | Recreation Advisory Board Member | |
| 8. | Environmental Commission Member | |
| 9. | Planning Board Member | |

Mayor Tubbs added Frank Esposito as Alternate #2 on the Environmental Commission. He also read the resolution aloud.

Committeeman O'Connor moved to adopt Resolution 2009-005. Committeeman Brower seconded the motion.

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

**RESOLUTION 2009-006
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY,
ESTABLISHING REGULAR MEETING SCHEDULE FOR THE TOWNSHIP
COMMITTEE DURING 2009**

WHEREAS, the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq. requires that public bodies provide adequate notice of meetings.

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

1. During the calendar year 2009, meetings will be held by the Township Committee to discuss or act upon public business at 7:30 p.m. (unless otherwise noted), prevailing time, at the Municipal Building, 58 Meyersville Road, Chatham Township on the following dates:

January	22
February	12
February	26
March	12
March	26
April	16
April	30
May	14
May	28
June	11
June	25
July	9
July	23
August	13
August	27
September	10
September	24
October	8
October	22
November	12
December	3
December	17
January 7, 2010	

2. Certified copies of this Resolution shall be:
 - a) Mailed to the Chatham Courier;
 - b) Mailed to the Morris County Daily Record;
 - c) Filed with the Clerk of the Township of Chatham;
 - d) Posted on the bulletin board in the main hallway of the Municipal Building; and
 - e) Mailed to any person requesting notice of meetings to N.J.S.A. 10:4-19 who has paid the required fee thereof.
3. All of the foregoing shall be accomplished within seven (7) days of adoption of this Resolution pursuant to N.J.S.A. 10:4-18.

Committeeman Brower moved to adopt Resolution 2009-006. Committeeman O'Connor seconded the motion.

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

Consent Agenda

RESOLUTION 2009-007
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, WITH RESPECT TO RATE OF INTEREST ON DELINQUENT TAXES

BE IT RESOLVED by the Township Committee of the Township of Chatham in the County of Morris, New Jersey, that

1. The rate of interest to be charged by the Tax Collector on delinquent taxes on the first \$1,500.00 is hereby fixed at the rate of eight (8) percent per annum, to remain in force until January 1, 2010.
2. The rate of interest to be charged by the Tax Collector on delinquent taxes in excess of \$1,500.00 is hereby fixed at the rate of eighteen percent (18%) per annum, to remain in force until January 1, 2010.

3. Notwithstanding the provisions of this resolution, no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became payable.

4. A certified copy of this resolution shall be forwarded to the Tax Collector for his information and guidance.

RESOLUTION 2009-008

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, WITH RESPECT TO RATE OF INTEREST ON DELINQUENT SEWER SERVICE CHARGES

BE IT RESOLVED by the Township Committee of the Township of Chatham in the County of Morris, New Jersey, that

1. The rate of interest to be charged by the Tax Collector on delinquent sewer service charges on the first \$1,500.00 is hereby fixed at the rate of eight (8) percent per annum, to remain in force until January 1, 2010.

2. The rate of interest to be charged by the Tax Collector on delinquent sewer service charges in excess of \$1,500.00 is hereby fixed at the rate of eighteen percent (18%) per annum, to remain in force until January 1, 2010.

3. A certified copy of this resolution shall be forwarded to the Sewer Accounts Clerk and the Township Auditor.

RESOLUTION 2009-009

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, WITH RESPECT TO TAX SEARCHES AND ASSESSMENT SEARCHES

BE IT RESOLVED by the Township Committee of the Township of Chatham, Morris County, New Jersey, that

1. The Tax Collector of the Township of Chatham is hereby designated as the official to make examination of the Township record as to unpaid tax liens and to certify the results thereof pursuant to R.S. 54:5-11.

2. The Township Clerk is hereby designated as the official to make and issue certificates as to liability for assessment for municipal improvements pursuant to R.S. 54:5-18.1 et seq.

3. The Township Clerk is hereby designated as the official to make and issue certificates as to approval of subdivision of land pursuant to R.S. 40:55-1.24.

RESOLUTION 2009-010

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, WITH RESPECT TO DEPOSITORIES FOR TOWNSHIP FUNDS

BE IT RESOLVED by the Township Committee of the Township of Chatham, Morris County, New Jersey, that

1. TD Bank N.A., Chatham, New Jersey; MBIA of Armonk, New York, and State of New Jersey Cash Management Fund, Jersey City, are hereby designated as depositories for Township Funds; and

2. Warrants for the withdrawal of funds from the above-mentioned depository be signed by the two members of the Township Committee serving on the standing Finance Committee and the Chief Financial Officer.

3. A certified copy of this resolution shall be forwarded to TD Bank N.A., MBIA of Armonk, New York and State of New Jersey Cash Management Fund.

RESOLUTION 2009-011

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, DESIGNATING OFFICIAL NEWSPAPERS AND FIXING CHARGES FOR NOTICES OF PUBLIC MEETINGS OF SAID TOWNSHIP COMMITTEE DURING 2009

WHEREAS, the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq., requires that notification be given of meetings of public bodies as herein defined and in the manner therein set forth.

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

1. The Chatham Courier and the Morris County Daily Record are hereby designated for the calendar year 2009 as the newspapers to receive notice of meetings of the Township Committee required by any and all sections of the Open Public Meeting Act, it appearing that these newspapers are most likely to inform the local public of such meetings.
2. The public place for the posting of notices of the meetings of the Township Committee for the calendar year 2009 shall be the bulletin board in the main hallway of the Township Hall.
3. The sum of \$35.00 is hereby fixed as the fee to be paid by any person requesting that notices of meetings of the Township Committee during that calendar year 2009 be mailed to such persons as specified in N.J.S.A. 10:4-19, provided, however, that no charge shall be made to any newspaper requesting the mailing of notices to its business office.
4. A certified copy of this Resolution shall be mailed by the Township Clerk to the Chatham Courier and the Morris County Daily Record, and a certified copy shall be filed with the Clerk of the Township of Chatham.

RESOLUTION 2009-012

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, DESIGNATING THE OFFICIAL NEWSPAPERS FOR THE PUBLICATION OF LEGAL NOTICES OF THE TOWNSHIP

BE IT RESOLVED by the Township Committee of the Township of Chatham in the County of Morris, New Jersey, that pursuant to N.J.S. 40:53-1, **the Chatham Courier and the Morris County Daily Record** are hereby designated as the official newspapers for the publications of all notices required by law to be published by the Township on and after January 1, 2009.

BE IT FURTHER RESOLVED that a copy of this resolution shall be published in the Chatham Courier and in the Morris County Daily Record on January 15 and January 22, 2009, and a certified copy of this resolution shall be forwarded to the Township Planning Board, Board of Adjustment, Board of Health, and any other Board or Body which shall have the occasion to publish a legal notice.

RESOLUTION 2009-013

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL LEGAL SERVICES WITH CARL R. WOODWARD, III OF CARELLA, BYRNE, BAIN, GILFILLAN, CECCHI & STEWART FOR 2009

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

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

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

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

WHEREAS, the Chief Financial Officer has determined that sufficient funds are or will be available upon adoption of the budget for year 2009; and

NOW THEREFORE, BE IT RESOLVED that the Township of Chatham authorizes the Mayor and Clerk to enter into a contract with Carl R. Woodward, III of Carella, Byrne, Bain, Gilfillan, Cecchi & Stewart as described herein; and,

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

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

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

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

RESOLUTION 2009-014
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR MUNICIPAL ENGINEERING SERVICES WITH JOHN K. RUSCHKE OF HATCH MOTT MacDONALD FOR 2009

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

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

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

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

WHEREAS, the Chief Financial Officer has determined that sufficient funds are or will be available upon adoption of the budget for year 2009; and

NOW THEREFORE, BE IT RESOLVED that the Township of Chatham hereby appoints John K. Ruschke as Township Engineer and authorizes the Mayor and Clerk to enter into a contract with Hatch Mott MacDonald as described herein; and,

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

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

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

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

RESOLUTION 2009-016
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING ANNUAL EMPLOYEE APPOINTMENTS FOR 2009

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following appointments be made effective January 1, 2009:

Administrative Assistant/Assistant Treasurer
Deputy Clerk
Township Prosecutor
Tax Assessor
Assistant Assessor/Recycling Coord.
Assistant Tax Collector/Sewer Rent Collector
Collector of Dog & Cat License Fees
Secretary
Accounting Clerk
Planning/Zoning Board Manager
Recreation Director
Secretary, Colony Pool
Administrative Secretary, Police Department
Fire Official/Prevention Inspector

Debra King
Gregory LaConte
Peter Fico
Glen Sherman
Eileen Hladky
Sally Nigro
Kali Tsimboukis
Ruth Sabonya
Marge Gerba
Kali Tsimboukis
Thomas Denning
Janet Russell
Barbara Luciani
Barry Howard

Electrical Subcode Official	Anthony Giampietro
Fire Subcode Official	Dennis Bettler
Plumbing Subcode Official	William Olinger
Construction Official/ Building Subcode Official	Gregory Impink
Building Inspector	Kevin Kelly
Senior Technical Assistant to Construction Official	Kali Tsimboukis
Construction Office Secretary	Chrisanthy LaBua
Construction Clerical (PT)	Dotti Rudnick
Secretary, Public Works	Nancy Esposito
Public Works Manager	Joseph Barilla
Deputy Zoning Officers	Gregory Impink
	Thomas Ciccarone
	John Ruschke
Assistant Public Works Manager	John Pacelli
Chief Operator, Water Pollution Control	Marc Christensen
Deputy Court & Violations Clerk	Nancy Bogosian
Public Assistance Officer	Linda Durney
Police Dispatchers	June Bessler
	Benjamin Keenan
	Scott Baumann
	Kathy Anthony
	Thomas Balsamo
Crossing Guards	Debbie Smith
	Joseph Cooney
	Jacqueline McCabe
	Robert Apati
	Wallace Lee
Police Matrons	June Bessler
	Kathy Anthony
Special Police Officer	Scott Baumann
Developer's Escrow Administrator	Eileen Hladky

RESOLUTION 2009-017
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING EXECUTION OF A CONTRACT BETWEEN THE TOWNSHIP AND ST. HUBERT'S GIRALDA.

WHEREAS, R.S. 40:58-5.1 provides that any municipality in which there is not established under municipal authority a public pound for the keeping of stray dogs, cats or other domestic pets may contract with a humane society or other similar organization, not organized for profit, which maintains a pound within the County, for a period not exceeding five (5) years for the collection, keeping for redemption and destroying of all such stray animals found within the municipality;

WHEREAS, St. Hubert's Giralda, a corporation of the State of New Jersey not for pecuniary profit, having its principal place of business in the Township of Chatham, County of Morris, and State of New Jersey, being a humane society maintaining a pound in the County of Morris, has offered to furnish services to the Township of Chatham, in accordance with terms and conditions set forth in copy of agreement dated January 1, 2009 attached hereto and made a part hereof; and

WHEREAS, the Township Committee is desirous of engaging St. Hubert's Giralda to perform such services commencing January 1, 2009.

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

1. The Township of Chatham contract with St. Hubert's Giralda pursuant to R.S. 40:48-5.1 for the collection, keeping for redemption and destroying of stray dogs, cats and other domestic pets found within the Township of Chatham.
2. The Mayor and Township Clerk be authorized and directed to execute an agreement between the Township of Chatham and St. Hubert's Giralda in the form of the agreement annexed hereto and made a part hereof.

RESOLUTION 2009-018

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY
APPOINTING A RISK MANAGEMENT CONSULTANT**

WHEREAS, the Township of Chatham has resolved to join the Morris County Municipal Joint Insurance Fund, following a detailed analysis; and

WHEREAS, the bylaws of said funds require that each Governing Body appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the bylaws; and

WHEREAS, the Board of Fund Commissioners established a fee equal to six percent (6%) of the Municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Governing Body; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW THEREFORE, be it resolved that the Township of Chatham does hereby appoint David J. Sgalia of Henry O. Baker Insurance Group as its Risk Management Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER resolved that the governing Body is hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5(1)(a)(i).

**RESOLUTION 2009-019
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM APPOINTING MEMBERS OF LOCAL EMERGENCY PLANNING
COMMITTEE**

BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the following individuals be appointed to the Local Emergency Planning Committee for a term ending December 31, 2009:

Lt. George Petersen	Acting Coordinator
Sergeant John Paton	Deputy Coordinator
Sergeant William Behre	Deputy Coordinator
Patrolman Michael Giannone	Deputy Coordinator
Joseph Sciarretta	Deputy Coordinator
Cathy Condu	Deputy Coordinator
Gregory Impink	Deputy Coordinator
	Mayor
Carl Woodward	Attorney
Thomas E. Ciccarone	Township Administrator
Chief	Green Village Volunteer Fire Department
Chief	Chatham Township Volunteer Fire Department
Joseph Barilla	Manager Department of Public Works
Captain	Chatham Emergency Squad
John Theese	Board of Health
Tracy Ness	Media Representative
Barbara Chestnut	Red Cross Administrator
Ralph Goodwin	Business Administrator School District of the Chathams
Linda Durney	Social Services
Ed Guy	RACES-radio Official

**RESOLUTION 2009-020
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE
OF NEW JERSEY DESIGNATING INSURANCE FUND COMMISSIONER.**

WHEREAS, the Township of Chatham is a member of the Morris County Municipal Joint Insurance Fund, and

WHEREAS, it is necessary to designate a Township Official to serve as a Fund Commissioner to represent the Township at meetings of the Fund;

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

Township Administrator, Thomas E. Ciccarone, is hereby designated to serve as the Township's Fund Commissioner in the Morris County Municipal Joint Insurance Fund.
 Administrative Assistant/Assistant Treasurer, Debra A. King, is hereby designated to serve as the Alternate Township's Fund Commissioner.

RESOLUTION 2009-021
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, ESTABLISHING TEMPORARY BUDGET APPROPRIATION FOR 2009

WHEREAS, 40A:5-19 Local Budget Act provides that (where any contracts, commitments or payments are to be made prior to the final adoption of the 2009 budget) temporary appropriations be made for the purposes and amounts required in the manner and time therein provided;

WHEREAS, the date of this resolution is within the first thirty days of 2009, and

WHEREAS, the total appropriations in the 2008 Budget, less appropriations made for capital improvement fund, debt service, and relief of the poor (public assistance) are as follows:

General	\$ 10,508,588.20
Sewer No. 1	\$ 1,541,000.00
Sewer No. 2	\$ 392,650.00

WHEREAS, 26.25% of the total appropriations in the 2008 Budget less appropriations for capital improvement fund debt service and relief of the poor (public assistance) in the said 2008 Budget is as follows:

General	\$ 2,758,504.40
Sewer No. 1	\$ 404,512.50
Sewer No. 2	103,070.62

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

General Administration	
Salaries and Wages	\$ 62,000.00
Other Expenses	17,000.00
Mayor and Twp. Committee	
Salaries and Wages	
Other Expenses	\$250.00
Municipal Clerk	
Salaries and Wages	\$32,000.00
Other Expenses	\$6,500.00
Financial Administration	
Salaries and Wages	\$ 2,200.00
Other Expenses	500.00
Audit Services	
Other Expenses	\$ 9,000.00
Computerized Data Processing	
Salaries and Wages	\$9,200.00
Other Expenses	1,000.00
Assessment of Taxes	
Salaries and Wages	\$20,000.00
Other Expenses	\$1,500.00

Collection of Taxes	
Salaries and Wages	\$17,000.00
Other Expenses	1,700.00
Legal Services and Costs	
Salaries and Wages	\$14,000.00
Other Expenses	26,000.00
Municipal Prosecutor	
Salaries and Wages	\$6,500.00
Other Expenses	100.00
Engineering Services and Costs	
Other Expenses	\$ 33,000.00
Public Building and Grounds	
Salaries and Wages	\$105,000.00
Other Expenses	12,000.00
Planning Board	
Salaries and Wages	\$4,200.00
Other Expenses	6,800.00
Board of Adjustment	
Salaries and Wages	\$2,500.00
Other Expenses	4,000.00
Insurance	
Liability	\$76,000.00
Worker's Compensation	81,000.00
Group Insurance Plan	315,000.00
Public Safety	
Fire	
Other Expenses	\$ 25,000.00
Aid to Volunteer Fire Co.	20,000.00
Police	
Salaries and Wages	\$700,000.00
Other Expenses	45,000.00
Police Dispatch / 911	
Salaries and Wages	\$60,000.00
Other Expenses	
First Aid Organization – Contribution	2,000.00
Emergency Management Services	
Salaries and Wages	\$ 3,000.00
Other Expenses	650.00
Road Repairs and Maintenance	
Salaries and Wages	\$162,000.00
Other Expenses	30,000.00
Tree Protection	\$1,000.00
Environmental Commission	\$1,000.00
Solid Waste Collection	
Salaries and Wages	\$44,000.00
Other Expenses	30,000.00
Vehicle Maintenance	

Other Expenses	\$ 17,000.00
Board of Health	
Salaries and Wages	\$2,550.00
Other Expenses	30,000.00
Animal Control Service	
Other Expenses	\$9,200.00
Administration of Public Assistance	
Salaries and Wages	\$3,000.00
Other Expenses	50.00
Recreation Services and Programs	
Salaries and Wages	\$ 33,000.00
Other Expenses	16,000.00
Colony Pool	
Salaries and Wages	
Other Expenses	22,000.00
Maintenance of Parks	
Other Expenses	\$ 00
Celebration of Public Event, Anniversary or Holiday	\$1000.00
Code Enforcement and Administration	
Salaries and Wages	\$80,000.00
Other Expenses	10,000.00
Utilities:	
Electricity	\$30,000.00
Street Lighting	14,000.00
Telephone	20,000.00
Water	5,000.00
Natural Gas	21,000.00
Gasoline	30,000.00
Social Security System (O.A.S.I.)	\$65,000.00
Municipal Court	
Salaries and Wages	\$36,000.00
Other Expenses	3,000.00
Public Defender	
Other Expenses	\$ 500.00
Maintenance of Joint Free Public Library	\$205,000.00
Affordable Housing	
Salaries and Wages	\$ 2,000.00
Other Expenses	500.000
LOSAP	\$ 20,000.00
Current Fund Subtotal	\$2,669,200.00

Debt Service	
Payment of Bond Principal	330,000.00
Payment of Bond Interest	118,000.00
Payment of Note Interest	0.0
<u>Current Fund Total</u>	\$3,117,200.00

Water Pollution Control - Sewer Utility No. 1

Salaries and Wages	\$140,000.00
Other Expenses	250,000.00
Social Security	<u>11,000.00</u>
Total	\$ 401,000.00
Capital Outlay	\$ 25,000.00
Debt Service	
Payment of Bond Principal (Wastewater Loan)	\$ 11,515.46
Payment of Bond Interest (Wastewater Loan)	\$ 18,337.51
Total (Operating & Capital)	\$ 455,852.47

Water Pollution Control - Sewer Utility No. 2

Salaries and Wages	\$26,250.00
Other Expenses	75,000.00
Social Security	<u>2,000.00</u>
Sub-total	\$95,250.00
Capital Outlay	\$ 25,000.00
Payment of Bond Principal	\$80,000.00
Payment of Bond Interest	\$14,062.50
Total	\$222,312.50

RESOLUTION 2009-022

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR SPECIALIZED LEGAL SERVICES FROM BOND COUNSEL

WHEREAS, the Township of Chatham has a need to acquire specialized legal services in connection with the authorization and the issuance of bonds or notes of the Township as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

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

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

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

WHEREAS, the Chief Financial Officer has determined that sufficient funds are or will be available upon adoption of the budget for year 2009; and

NOW THEREFORE, BE IT RESOLVED that the Township of Chatham authorizes the Mayor and Clerk to enter into a contract for specialized legal services in connection with the authorization and the issuance of bonds or notes of the Township with Carella, Byrne, Bain, Gilfillan, Cecchi & Stewart as described herein; and,

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

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

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

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

RESOLUTION 2009-023

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICIAL

BE IT RESOLVED by the Township Committee of the Township of Chatham in accordance with N.J.A.C. 17: 27-3.5, “Designation of Public Agency Compliance Official”, Thomas E. Ciccarone is hereby appointed the Public Agency Compliance Official.

RESOLUTION 2009-024

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING MEMBERS TO THE MUNICIPAL ALLIANCE COMMITTEE

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following be appointed to the Municipal Alliance Committee of the Chathams for the year 2009.

Kathy Belfiore
Margaret Dempsey
Jean Earle
Liz Knoedel-Gordon
Jean McFadden
Det. Jairo Otolaro
Jill Perrin
Psomi Psomas-Jacklosk
Beth Romero
Susan Serrao
Marianne Slamm
Carole Stubeck
Sandy Smith
Carol Ulmer
David Wise

RESOLUTION 2009-025

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A CASH MANAGEMENT PLAN.

WHEREAS, N.J.S.A. 40A:5-14 mandates that the Governing Body shall, by Resolution passed by a majority of the membership thereof, approve a Cash Management Plan.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham as follows:

1. The attached Cash Management Plan will guide the investment of idle funds of the Township of Chatham.
2. The attached Cash Management Plan includes a policy Statement to guide its implementation.
3. The Chief Financial Officer will administer the plan.
4. The Plan is subject to annual audit; and

BE IT FURTHER RESOLVED that a certified copy of this resolution with Cash Management Plan attached shall be forwarded to the following:

- A. The Chief Financial Officer of the Township.

- B. The Township Auditor.
- C. All appropriate depositories

This Resolution shall take effect immediately.

RESOLUTION 2009-026
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY,
APPOINTING ALTERNATE MUNICIPAL PROSECUTORS

WHEREAS, the Township Committee is required, pursuant to N.J.S.A. 2B:25-4a, to appoint alternate municipal prosecutors to serve in the absence of the municipal prosecutor;
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that Thomas A. Shepard, Jr., Esq., is hereby appointed as first alternate municipal prosecutor, and James M. DeMarzo, Esq., is hereby appointed as second alternate municipal prosecutor, to serve, respectively, in the absence of the municipal prosecutor.

RESOLUTION 2009-027
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM AUTHORIZING SERVICE CHARGES FOR RETURNED CHECKS

WHEREAS, P.L. 1990, Chapter 105, supplementing Title 40 of the New Jersey State Revised Statutes has been enacted to allow a municipality the authority to impose a service charge to be added on an account which was by check or other written instrument returned for insufficient funds; and

WHEREAS, whenever an account is owing a municipality for a tax or special assessment, the service charge authorized by this section shall be included on whatever list of delinquent accounts is prepared for the enforcement of the lien.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the Tax Collector be authorized to charge the aforementioned fee at a rate of \$20.00 per check or other written instrument for all checks returned for insufficient funds during 2009; and

BE IT FURTHER RESOLVED, that the Tax Collector may require future payments to be tendered in cash or by certified or cashier's check; and,

BE IT FINALLY RESOLVED, that a certified copy of this Resolution be forwarded to the Township Treasurer, Tax Collector and Township Auditor.

RESOLUTION 2009-028
A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AWARDED A
PROFESSIONAL SERVICES CONTRACT FOR LABOR COUNSEL.

WHEREAS, the Township of Chatham is in need of the services of a professional labor attorney to assist with legal advice relating to general employment law related issues which may include reviewing and revising existing documents and providing training on employment related issues, and

WHEREAS, the Township Administrator has recommended the appointment of the firm Nukk-Freeman & Cerra, P.C. to provide the services listed above.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that a professional service contract is hereby awarded to Nukk-Freeman & Cerra, P.C. in accordance with a proposal submitted and on file in the Office of the Township Clerk.

RESOLUTION 2009-029
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING A
REVISED EMPLOYEE HANDBOOK

WHEREAS, the Township Committee adopted Resolution 2008-103 on May 8, 2008 approving a revised and updated personnel policies and procedures manual and its employee handbook to assure compliance with all applicable laws and regulations; and

WHEREAS, the Township Committee wishes to approve a revised employee handbook, which incorporates the following changes/additions:

1. Tape Recording Policy (added in section II.P.);
2. Amendment to retiree health benefits policy (modified in section V.G.2.); and
3. NJ Paid Family Leave Act Policy (added in section IX.H.).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that a revised employee handbook be and the same are hereby adopted and shall be available to employees and the public in the office of the Township Clerk.

RESOLUTION 2009-030
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPOINTING TOWNSHIP FORESTER.

WHEREAS, the Township of Chatham, County of Morris is in need of a Township Forester to provide urban forestry consulting services;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham as follows:

1. John D. Linson of The Shade Tree Department LLC is hereby appointed to serve as Township Forester for the Township of Chatham for the year 2009.
2. Compensation for services rendered shall be billed at \$90 per hour in accordance with a letter proposal on file with the Municipal Clerk.
3. This Resolution shall take effect immediately.

RESOLUTION 2009-031
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING SETTLEMENT OF NEW JERSEY ENVIRONMENTAL FEDERATION V. CHATHAM TOWNSHIP

WHEREAS, the Township of Chatham has been named as a defendant in the case of New Jersey Environmental Federation v. Chatham Township, Docket No. 08-3042(KSH) (D.N.J.) ; and

WHEREAS, the parties have resolved their differences and settled the case with the Plaintiff dismissing the action with a general release to the Township and the Township reimbursing the plaintiff \$1,500 for counsel fees and expenses;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the settlement of the litigation on the terms described above be and hereby is approved, and that the Mayor, Clerk and Township Attorney be and hereby are authorized to execute such documents on behalf of the Township as necessary to effectuate the settlement.

RESOLUTION 2009-032
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM REFUNDING CONSTRUCTION PERMIT FEE

WHEREAS, the Township Committee has considered the request submitted by the Construction Office Manager with regard to the fee that was paid for a construction permit;

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>PERMIT #</u>	<u>AMOUNT</u>
Mr. & Mrs. Merchant 104 Ormont Road Chatham, NJ 07928	08-0447+B	\$142.00

RESOLUTION 2009-033
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM REFUNDING FIRE PREVENTION INSPECTION FEE

WHEREAS, the Township Committee has considered the request submitted by the Fire Official with regard to the fee that was paid for an Annual Fire Prevention/Life Safety inspection;

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>
Peapack-Gladstone Bank Attn; Ms. Lynda Cross P.O. Box 172 Gladstone, NJ 07934	\$80.00

**RESOLUTION 2009-034
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF CHATHAM APPROVING MINUTES OF MEETINGS**

BE IT RESOLVED that the Township Committee of the Township of Chatham acknowledges receipt of and approves the minutes of the Township Committee meeting held on December 4, 2008 and December 18, 2008.

**RESOLUTION 2009-035
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 December 4, 2008 and December 18, 2008.

**RESOLUTION 2009-036
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY,
REFUNDING OVERPAYMENT OF TAXES**

WHEREAS, due to inadvertence, error, tax appeal settlement or judgement, an overpayment of property taxes has been made for the following property; and

WHEREAS, the Tax Collector has recommended the refund of such overpayment,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the following refunds be made:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER NAME & ADDRESS</u>	<u>AMOUNT</u>
65.01	2.16	William Clinton 20A Kensington Road Chatham, NJ 07928	\$1,077.09

**RESOLUTION 2009-037
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>
Ann Halliburton 12 Deer Run Circle Chatham, NJ 07928 Re: Block 26 Lot 10, Road Open Inspection	7760011185	\$533.00

Administrator Ciccarone noted that Resolution 2009-14, appointing the township engineer, should include Engineer Ruschke's name in the body of the resolution. Deputy Mayor Hagner asked if the amount for this year's contract with St. Hubert's has changed at all from last year. Township Clerk Wiley reported that there was a slight increase from about \$12,200 to \$12,970. Committeeman Gallop asked how much is paid to the risk management consultant. Administrator Ciccarone reported that it is 6% of the assessed value, and the assessed value is \$312,000. Committeeman Brower asked that Resolution 2009-015 be voted on separately.

Committeeman Gallop moved to adopt the Consent Agenda. Committeeman O'Connor seconded the motion.

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

**RESOLUTION 2009-015
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL AUDITING SERVICES WITH
VM ASSOCIATES, INC. FOR 2009**

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

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

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

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

WHEREAS, the Chief Financial Officer has determined that sufficient funds are or will be available upon adoption of the budget for year 2009; and

NOW THEREFORE, BE IT RESOLVED that the Township of Chatham authorizes the Mayor and Clerk to enter into a contract with VM Associates, Inc. as described herein; and,

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

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

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

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

Committeeman Brower said that since he has been on the Township Committee, he has questioned the business acumen of using the same auditor every year, and he thinks it would be a better business practice to change auditors. Mayor Tubbs said that he advocates keeping the same auditor. Administrator Ciccarone added that he is confident that the Township's business practices would withstand scrutiny no matter who the auditor might be.

Committeeman O'Connor moved to adopt Resolution 2009-015. Committeeman Gallop seconded the motion.

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

Hearing of Citizens / Petitions

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

Closing Prayer

Monsignor Mahoney from Corpus Christi Church gave the closing prayer.

Committeeman Brower made a motion to adjourn the meeting at 8:15 P.M. Committeeman O'Connor seconded the motion and it carried unanimously.

Joy Wiley
Municipal Clerk