

**TOWNSHIP OF CHATHAM  
TOWNSHIP COMMITTEE MEETING MINUTES  
MARCH 13, 2008**

Mayor Tubbs called the workshop meeting of the Township Committee of the Township of Chatham to order at 7:38 PM.

**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.

Mayor Tubbs led the flag salute.

**Roll Call**

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

**Approval of Agenda**

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

**Reports**

Committeewoman Hagner reported that 615 volunteers went through the background check process for the recreation program, and only 10 - 15 people declined to be investigated. An assessment was made of the football equipment for the recreation program, and it was deemed to be adequate. Also, a "Girls-on-the-Run" program is going to be held in the lower parking lot at the Municipal Building on Saturday mornings. Summer camp information is posted on the Chatham Recreation website, and registration will soon begin. In regard to the televising of meetings, Committeewoman Hagner reported that they have been having difficulty in getting equipment proposals from vendors. She has also been in contact with Comcast, and the check that they have promised the Township is on its way. Castle Park construction has begun, and should be completed by the end of April. Deputy Mayor Brower said that he is still waiting for a report from a biologist and environmentalist regarding deer in the Great Swamp. He also reported that the Senior Citizens board is very active. Furthermore, Deputy Mayor Brower reported that the Local Assistance Board has not had any new cases. Committeeman O'Connor reported that the Environmental Commission's "Turn the Key - Idle Free" program has been going well, and they will also be moving forward with a "Back to Tap" program. The Riverside Cleanup will be held on April 19, 2008. The Environmental Commission copied the Township Committee on a letter they sent regarding the new COAH proposals, and sent a letter to the Highlands Council regarding the master plan. Committeeman Gallop reported that the final comments from the Open Space Committee members regarding the bike path have been forwarded to Angela Clerico of Banisch & Associates, and they hope to have a draft at the end of the month. He also reported that he spoke with Dave Helmer of Morris County Parks regarding this year's first mowing of the Kirby Estate, and it should occur some time in March. Mayor Tubbs reported that the Public Safety Committee met and discussed the State Accreditation Program, and also discussed a recent power outage. Mayor Tubbs also reported that he and Administrator Ciccarone attended a meeting in Trenton to hear Governor Corzine discuss the State's budget. COAH was also discussed. Administrator Ciccarone added that the commercial development aspect of the affordable housing rules might be removed. Mayor Tubbs indicated that he has reached out to Mayor Holden of Madison, and indicated a desire to discuss potential development of recreational fields at the Exxon site. He also reported that the All Board Supper is scheduled for Wednesday, March 26, 2008 at 6:30 P.M. at the Municipal Building. Mayor Tubbs also cited several upcoming special event meetings that members of the Township Committee have the option of attending. Deputy Mayor Brower discussed the proposed changes in the COAH rules. Engineer Ruschke reported that paving of Noe Avenue is scheduled for the summer. The field survey for the bike paths has been completed, and engineering plans will be

drawn up. The pre-application report on Shunpike Fields improvements is being worked on as well. The delivery of the Colony Tennis gazebo is tentatively scheduled for the last week in March. Castle Park equipment is being installed, and after installation is complete the Department of Public Works will be conducting some site work. Improvements to the Chatham Glen and Tanglewood sewer plants will need to be discussed in the future, and the wastewater management plan will also need to be updated. Committeeman O'Connor asked about a section of Lafayette Avenue that needs to be repaved. Engineer Ruschke said that the County could perform patchwork as a temporary fix until the road can be repaved. Deputy Mayor Brower asked about installing sidewalks on Shunpike. Administrator Ciccarone indicated that sidewalks would be discussed at the next workshop meeting. A grant program for sidewalks was also discussed. Deputy Mayor Brower asked about a report from NJ American Water that discussed reverse osmosis as a way to prevent contamination by cryptosporia, and if there was any connection between this report and the fact that the State is demanding that sewer plants use reverse osmosis. Mayor Tubbs indicated that the reverse osmosis in the sewer plants would address total dissolved solids. Mayor Tubbs also discussed the concept of leasing the Colony Tennis Courts on a limited basis during the preseason.

### **Reports by Sub-Committees**

#### **Planning Board**

Planning Board Chairman Joel Jacobson presented the annual report of the Planning Board. Mr. Jacobson reported that in 2007 there was a lull in the number of applications, and he gave a breakdown of the various types of applications that were received. During a change-of-use application at Hickory Square Shopping Center, procedures for future changes of use were developed. If the shopping center stays within certain parameters, then they can change tenants without having to come before the Planning Board. The Planning Board has also been reviewing the proposed changes in the COAH rules, and will be amending the housing element of the Master Plan so as to be compliant. They will also be completing the land use element of the Master Plan this year. Mr. Jacobson also intends to dialogue with the Township Committee regarding ordinance recommendations. Committeeman O'Connor asked if it is known when Rexcorp is going to begin construction. Administrator Ciccarone indicated that Rexcorp got their TWA approved and can begin building a sewer pump station, but it will be a while before any buildings are constructed. Deputy Mayor Brower pointed out that prior to the changes in the COAH rules, the Township was one of five municipalities that were in compliance with the third round.

#### **Board of Adjustment**

Lawrence Dalziel, Chairman of the Zoning Board of Adjustment, presented to the Township Committee the annual report of the Board of Adjustment. Thirteen applications were completed in 2007. The Board also had success in working with applicants to modify their requests prior to approval. Mr. Dalziel recommended that the definitions for accessory structures and garages in Ordinance 30-6 be clarified. He also gave suggestions regarding steep slopes, and suggested that the lot-grading ordinance be modified to clarify when an LOI is needed for wetlands. Administrator Ciccarone added that satisfaction of local requirements does not absolve an applicant from meeting State and Federal regulations. Mr. Dalziel then suggested that clarification be made as to how setbacks should be measured for accessory structures such as patios. He also said that reported that the regulations regarding front steps would need to be addressed. Committeeman O'Connor asked about the application approval rate. Mr. Dalziel and Engineer Ruschke indicated that while most were approved, there were some withdrawals and denials. Engineer Ruschke added that there is often a difference between the plans that are approved and the plans that are originally submitted. Committeeman Gallop asked if any of the recommendations given by Mr. Dalziel should be treated with any urgency. Mayor Tubbs said that the list of suggestions, as well as an issue regarding monuments, would be placed on the agenda for the next workshop meeting.

#### **Ten Towns Committee**

Executive Director Harry G. Gerken presented the report for the Ten Towns Committee. Mr. Gerken explained that about 15 years ago, legislation was proposed that would have put Chatham Township and nine other communities in an environment similar to the Highlands region. The Ten

Towns Committee was formed to voluntarily address the water quality problems that were affecting the Great Swamp. The DEP has recently approved the Ten Towns watershed management plan, and as a result the Ten Towns is now eligible for priority funding under various state and federal grants, such as the 319(h) program. Mr. Gerken cited several examples of projects that the Ten Towns conducted with 319(h) funds. He also thanked the Township Committee for the \$7,250 that the Township contributes to the Ten Towns budget, and he indicated that the funding for programs comes from state, federal and private foundation grants. According to Mr. Gerken, one of their most important projects is their water quality-monitoring program. There has been a gradual improvement of water quality in the feeder streams flowing into the Great Swamp. Mr. Gerken also recognized the efforts made by Congressman Frelinghuysen to help the Ten Towns acquire EPA funding. Mayor Tubbs asked what would happen if the Ten Towns was unable to secure funding to continue their water quality-monitoring program. Mr. Gerken said that they would begin by performing sampling on a less frequent basis. Another step would be to enter into a partnership with the Great Swamp Watershed Association. Committeeman Gallop asked if the Loantaka Brook Bank Restoration program was successful. Mr. Gerken said that it was, and explained the process by which the work was completed. Committeeman O'Connor asked Mr. Gerken if the Ten Towns' primary monetary issue was with their operating budget or with funding for projects. He then asked how much higher the operating budget should be. Mr. Gerken said that the proposed budget for this year appropriates money from surplus, and he would prefer not to have to use surplus.

### Environmental Commission

Environmental Commission Chairwoman Dorothea Stillinger presented the annual report of the Environmental Commission. Mrs. Stillinger said that the enabling legislation for the Environmental Commission stresses land use, therefore they spend time reviewing land use applications for environmental factors. Last year, twelve letters were sent to the Planning Board and/or DEP commenting on applications. The Environmental Commission is also working on their Turn-the-Key campaign, Back-to-Tap campaign, and a pesticide reduction program. Mrs. Stillinger also mentioned that the issue of monuments for conservation easements is a critical issue. The Environmental Commission is also concerned about the potential relaxing of environmental restrictions in order to build affordable housing. In regard to the repaving of Noe Avenue, Mrs. Stillinger pointed out that there is not currently curbing, and requested that it remain that way because curbs are not environmentally friendly. Mrs. Stillinger also discussed an article by the Associated Press concerning pharmaceuticals and drinking water. Committeeman Gallop asked if there has been any attempt to institutionalize the process of reaching out to schools and churches when electronics recycling events are held to see if there is any equipment that they can use. Mrs. Stillinger said that the date of the recycling events will be posted on the website. Furthermore, there have members of the Key Club have been present at past recycling events looking over equipment as it comes in and taking things for the schools. Administrator Ciccarone raised a concern about reusing people's home computers, as the hard drives may still contain personal information. Committeeman Gallop said that he envisioned allowing reuse of such items as monitors and printers rather than personal computers. Mrs. Stillinger added that very little of what comes in at such events is useful, especially when it comes to computers. Deputy Mayor Brower asked if the letters sent to property owners by the Environmental Commission could also address positive aspects of property development. Mrs. Stillinger said that the letters sent to the DEP are statements of fact. Mayor Tubbs asked if it would be possible for the Environmental Commission to send a letter to the DEP expressing their support for the Shunpike Field turfing project.

### Tree Protection Committee

Mary Olmsted presented the Tree Protection Committee's annual report. Mrs. Olmsted said that the Tree Protection Committee hopes that the new tree protection ordinance will be passed in April. She also listed the following activities that the Tree Protection Committee would like to do once the new ordinance is adopted:

1. Create a tree brochure to advise residents on the benefits of trees;
2. Hold an educational seminar on horticultural processes;
3. Possibly look into planting trees to offset "carbon footprints";
4. Contact the NJ Forestry Department about the Shade Tree Program;
5. Hold quarterly daytime meetings so as to make the Tree Protection Committee more available to residents.

Mayor Tubbs commented that he had requested discussion on the tree ordinance would be held at the workshop meeting in April. Committeeman Gallop said that the Tree Committee's goals for 2008 are very positive. Deputy Mayor Brower asked if there has been any discussion on granting a Township Arborist with adequate authority to issue fines and stop-work orders. Mrs. Olmsted said that in New Jersey there is a lot of confusion as to what falls under Land Use Law. The arborist with whom the Tree Protection Committee has been working has offered the opinion that the Township could issue a fine of \$1000 per tree per occurrence. Deputy Mayor Brower asked if it would be possible to have a progressive fine. Mrs. Olmsted said that they are considering withholding certificates of occupancy if developers have not satisfied the requirements of the tree ordinance. Committeewoman Hagner pointed out that it is still unknown whether or not the arborist would have enforcement authority. Mrs. Olmsted added that the arborist would monitor sites to the best of his ability throughout the construction process.

Open Space Committee

Committeeman Gallop presented the annual report of the Open Space Committee and stated 2007 was a year of great success for the Open Space Committee. They have been working closely with Banisch & Associates to develop the bikeway plans. The Swamp Loop is also being officially designated as a bicycle route. A \$95,000 grant was also recently acquired for the development of the Southern Boulevard – Spring Street connection and Rose Terrace – Chatham Street connection. Discussions are being held with PSE&G to see if any portion of the power line right-of-way could be used for a bike trail. A meeting was also held with Bill Koch from the Great Swamp to discuss property acquisition areas. Banisch & Associates has submitted to the Open Space Committee a draft of the bikeway plan, and the Committee has made an effort to include public input in the planning process. Mayor Tubbs asked when the Open Space Committee expects the bikeway plan draft to be complete. Committeeman Gallop said that he hopes it will be complete by the end of March or early April, and it is in the process of being finalized. Mayor Tubbs also asked if the Open Space Committee has selected a new chairperson. Committeewoman Hagner added that the Open Space Committee did take a look at a few properties during 2007. Although they were not deemed appropriate for the Township to purchase, they were referred to other agencies for consideration. Committeeman Gallop also recognized Cynthia Merwin's many years of service to the Open Space Committee. Mayor Tubbs pointed out that when the Open Space Committee considers the purchase of a property, the decision as to whether or not to purchase the property remains with the Township Committee. Attorney Woodward added that any recommendations made by the Open Space Committee do not fall under the Open Public Records Act. Administrator Ciccarone said that any discussion of specific properties should not include the public. Deputy Mayor Brower asked if the Township should retain a real estate specialist. Committeeman Gallop asked about how discussion of properties should be reflected in the minutes of Open Space meetings. Administrator Ciccarone said that they should be handled as if they were an executive session. Attorney Woodward added that Open Space Committee minutes are not a public record, and should not be made public.

Mayor Tubbs called for a five-minute recess at 9:50 P.M.  
 The meeting was called back to order at 9:55 P.M.

Introduction of 2008 Budget

**RESOLUTION 2008-062**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING 2008 MUNICIPAL BUDGET**

**BE IT RESOLVED** of the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2008.

**GENERAL REVENUE**

Surplus Anticipated	\$2,040,000.00
Miscellaneous Revenue Anticipated	\$2,422,418.60
Receipts from Delinquent Taxes	\$ 350,000.00
Amount to be Raised by Taxation for	

Municipal Purposes	<u>\$8,268,786.21</u>
Total Revenues	\$13,081,204.81
<b><u>GENERAL APPROPRIATIONS</u></b>	
Operation Including Contingent (within cap)	\$8,743,951.00
Deferred Charges & Statutory	
Expenditures- Municipal (within cap)	\$ 254,856.00
Operations (outside cap)	\$1,863,459.78
Capital Improvements	\$ 60,000.00
Municipal Debt Service	\$ 940,000.00
Deferred Charges	\$ 79,068.83
Reserve for Uncollected Taxes	<u>\$ 1,139,869.20</u>
Total Appropriations	\$13,081,204.81

**BE IT FURTHER RESOLVED** that said Budget be published in the Chatham Courier in the issue of March 27, 2008.

The Governing Body of the Township of Chatham does hereby approve the following as the Budget for the year 2008:

**Ayes:**                      **Nays:**                      **Abstain:**                      **Absent:**

Notice is hereby given that the within budget is a true copy of the budget approved by resolution of the governing body on the 13th day of March 2008.

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building on April 10, 2008 at 7:30 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2008 may be presented by taxpayers or other interested persons.

Administrator Ciccarone presented the 2008 Municipal Budget, and provided highlights. As the Township lost \$135,443.00 in state aid, there will be a \$.005 per \$100 assessed value increase in the local purpose tax rate. In order to save money through attrition, a clerical position in the police department has been eliminated, and the part-time zoning officer's responsibilities have been delegated to other employees. Administrator Ciccarone also highlighted those appropriations that have been raised from last year. He also discussed revenue sources and use of surplus. Administrator Ciccarone also showed a pie chart breaking down where local tax revenues are spent. The 2008 Capital Budget was also discussed. Administrator Ciccarone also explained the reduction in state aid. Committeeman Gallop asked if the budget was as tight as it could be without cutting personnel. Administrator Ciccarone said that the Township could feasibly use more of the surplus, but he does not recommend doing so, and the only option for saving money would be to cut personnel. Committeeman Gallop also asked about the municipal bond market. Committeewoman Hagner asked if the improvements to the Municipal Building could be performed before the budget goes through final adoption. Administrator Ciccarone explained that the capital budget does not appropriate funds, but rather creates a plan, and a bond ordinance will need to be passed at some point in the future.

Deputy Mayor Brower moved to adopt Resolution 2008-062 approving the 2008 Municipal Budget. Committeewoman Hagner seconded the motion.

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

**Introduction of Ordinances**

**ORDINANCE 2008-04**

**AN ORDINANCE TO PROVIDE MINIMUM AND MAXIMUM RANGES FOR COMPENSATION FOR CERTAIN POSITIONS OF EMPLOYMENT IN THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, EFFECTIVE JANUARY 1, 2008**

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

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

<b><u>Office or Position of Employment</u></b>	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
Member of Township Committee	1.00	1,200
Township Administrator	85,000	150,000
Township Clerk/Registrar	40,000	75,000
Deputy Clerk	35,000	50,000
Secretary Bd. Of Health	3,500	10,000
Chief Financial Officer/Treasurer Part-time	3,000	15,000
Township Attorney	26,000	55,000
Administrative Assistant/Ass't. Treasurer	26,000	80,000
Accounting Clerk	24,000	55,000
Receptionist or Clerk Typist	22,000	50,000
Director Glenwood Housing	3,600	7,000
Secretary	24,000	45,000
Chief of Police/Emergency Management Coordinator	75,000	122,000
Dispatcher – Year 1 probationary (6 months)	26,000	
Dispatcher – Year 1 after probation	28,000	
Dispatcher – Year 2	30,000	
Dispatcher – Year 3	35,000	
Dispatcher – Year 4	40,000	
Dispatcher – Year 5	45,000	
Dispatcher - Year 6	48,500	55,000
Public Works Manager	65,000	110,000
Assistant Public Works Manager	56,000	95,000
Director Water Pollution Control	50,000	85,000
Tax Collector/Utility Collector	30,000	75,000
Ass't. Tax & Utility Collector	26,000	50,000
Tax Assessor (Part-time)	15,000	27,000
Ass't. Assessor	22,000	50,000
Recycling Coordinator	10,000	15,000
Escrow Accounting Clerk	3,500	5,000
Director of Recreation	45,000	100,000
Land Use Administrator and Facilities Manager	35,000	80,000
Board Manager Planning/Zoning	5,000	10,000
Planning Board Attorney	5,000	15,000
Zoning Board Attorney	5,000	10,000
Planning Board Secretary	2,400	7,000
Zoning Board Secretary	2,400	6,000
Secretary Environmental Commission	500	1,500
Secretary Open Space Advisory Committee	500	1,500
Construction Office Control Person	25,000	57,000
Construction Official/Building Sub-code Official/Inspector	25,000	80,000
Zoning officer/Code Enforcement Officer (PT)	10,000	18,000
Fire Sub-code Official/Inspector	4,000	18,000
Fire Prevention Official/Inspector	4,000	18,000
Municipal Judge	24,000	45,000
Municipal Court Administrator	30,000	65,000
Deputy Court Administrator/Violations Clerk	22,000	35,000
Municipal Prosecutor	12,000	30,000
Dog Licensing Clerk	2,000	4,000
Secretary Colony Pool	2,500	6,000
Director of Public Assistance	3,000	12,000

**Seasonal and Hourly Positions**

Pool Manager	10,000	20,000
Assistant Pool Manager	4,600	15,000
Playground Director	1,800	7,500
Tennis Manager	5,000	14,000
Swim Team Coach	1,400	6,000
Swim Team Ass't. Coach	500	5,000
Recreation Counselor	7.15 HR	15.00 HR
Lifeguards	7.15 HR	15.00 HR
Gate Attendants	7.15 HR	12.50HR
Recreation Aide	7.15 HR	12.50 HR
Laborer	7.50 HR	14.00HR
Crossing Guards	7.50 HR	25.00HR
Dispatcher PT	10.00HR	25.00HR
Clerk Typist PT	7.50HR	15.00HR
Building Inspector	25.00HR	40.00HR
Plumbing Sub-code Official/Inspector	25.00 HR	40.00 HR
Electrical Sub-code Official	25.00 HR	40.00 HR

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

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

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

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

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

Section 7. Salaries provided herein shall be effective January 1, 2008, except where noted, for those employed with the Township as of the adoption date of the ordinance.

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

Administrator Ciccarone explained that this is an annual ordinance establishing the minimum and maximum salaries for each position, and there were a few adjustments made from last year's salary ordinance. Some changes that were made include converting certain positions from salary to hourly. Specific salaries for specific individuals will be handled in the salary resolution. Mayor Tubbs asked for clarification on the Secretary position, and how it compares with the secretaries to the various boards and committees. Administrator Ciccarone explained that the Secretary position is a full-time secretarial staff member, which is different from the various part-time recording secretary positions. He also explained the step system for dispatchers. Committeeman Gallop asked how the salary ranges in this ordinance compare with surrounding municipalities. Administrator Ciccarone said that the rates are very comparable. Committeeman O'Connor asked if the Land Use Administrator and Facilities Manager position was currently occupied. Administrator Ciccarone explained that the position has been vacant for a few years, but he has chosen not to totally eliminate the position just in case a circumstance arose whereby it needed to be filled. Deputy Mayor Brower asked about the salary range for Colony Pool Secretary. He also indicated that he would like for some positions to have an hourly rate rather than a salary range. Administrator Ciccarone indicated that the average salary increase this year would be 3.8%.

Committeeman O'Connor moved to introduce Ordinance 2008-04. Mayor Tubbs seconded the motion.

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

Public Hearing for Ordinance 2008-04 will be scheduled for April 10, 2008.

**ORDINANCE 2008-05**

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

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

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

**WHEREAS**, the Township Committee of the Township of Chatham in the County of Morris finds it advisable and necessary to increase its CY 2008 budget by up to 3.5% over the previous year's final appropriations in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Committee hereby determines that a 1% increase in the budget for said year, amounting to \$85,861.09 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law is advisable and necessary; and

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

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Chatham in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring that in the CY 2008 budget year, the final appropriations of the Township of Chatham shall, in accordance with the ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$300,513.82 and that the CY 2008 municipal budget for the Township of Chatham be approved and adopted in accordance with this ordinance; and

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

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

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

Administrator Ciccarone explained that on the appropriations side of the budget, there is a 2.5% mandated cap. Any year that the index is above 3.5%, municipalities can pass a cap bank ordinance increasing the allowable bank up to 3.5%. This would allow the Township to make a larger appropriation increase in the following year if necessary.

Deputy Mayor Brower moved to introduce Ordinance 2008-05. Committeeman Gallop seconded the motion.

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

Public Hearing for Ordinance 2008-05 will be scheduled for April 10, 2008.

**Consent Agenda**

**RESOLUTION 2008-063**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM APPROVING RAFFLES FOR KIWANIS CLUB OF THE CHATHAMS**

**BE IT RESOLVED** by the Township Committee of the Township of Chatham that on-premise raffles to be conducted by the Kiwanis Club of the Chathams for cash prizes (50/50) of

less than \$400.00 at Charlie Brown's Steakhouse, 522 Southern Boulevard are hereby approved on the following dates:

2008 – May 20, 27; June 17, 24; July 15, 22, 29; August 19, 26; September 16, 23, 30; October 21, 28; November 18, 25; December 16, 23.

2009 – January 6, 13, 20, 27; February 3, 10, 17, 24; March 17, 24, 31; April 21, 28.

**RESOLUTION 2008-064**

**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 \$391,417.68 and the prior month's payroll of \$426,634.65 Current Fund, \$42,292.21 Sewer No. 1, \$8,073.97 Sewer No. 2, and \$7,641.73 Police Private Employment be paid.

**BE IT FURTHER RESOLVED** that taxes due to the School District of the Chathams, for the month of March 2008, in the amount of \$2,110,429.00 be paid.

**RESOLUTION 2008-065**

**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 February 28, 2008.

**RESOLUTION 2008-066**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING RAFFLES FOR MAKE A WISH FOUNDATION OF NJ**

**BE IT RESOLVED** by the Township Committee of the Township of Chatham that on-premise raffles to be conducted by Make A Wish Foundation of NJ on June 9, 2008, at Fairmount Country Club, 400 Southern Boulevard, Chatham Township, are hereby approved.

**RESOLUTION 2008-067**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING THE LIST OF VOLUNTEERS ELIGIBLE FOR LOSAP**

**WHEREAS**, the Township of Chatham has received a list of volunteers eligible for LOSAP from the Green Village Volunteer Fire Department, the Chatham Township Volunteer Fire Department and the Chatham Emergency Squad; and

**WHEREAS**, the Township Committee has reviewed the list from each emergency service organization;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the volunteers on the attached certified lists are hereby approved as being eligible for LOSAP.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to each emergency service organization for a 30-day posting.

**RESOLUTION 2008-068**

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

**WHEREAS**, the Township Committee of the Township of Chatham, County of Morris has determined that certain appropriations, in the 2007 municipal budget, are not sufficient to meet anticipated expenses; and

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

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

<u>Appropriation Reserves</u>	To	<u>From</u>
Engineering	\$40,000	
General Administration S&W		\$5,000
General Administration OE		\$15,000
Municipal Clerk OE		\$7,500
Code Enforcement OE		\$7,500
Police Dispatch S&W		\$5,000
Total	\$40,000	\$40,000

**RESOLUTION 2008-070**

**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>
American Properties Development 517 Route One South, Suite 2100 Iselin, NJ 08830-3011	7760011067	\$272.25

Re: 61 Buxton Road

**RESOLUTION 2008-071**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING TAX LIEN**

**WHEREAS**, due to payment by property owner of the lien amount, an overpayment of property taxes now exists; and

**WHEREAS**, the Tax Collector has recommended the refund of such tax lien

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the following refund be made as indicated:

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
38	42.06	Crusader Servicing Corporation 179 Washington Lane Jenkintown, PA 19046	\$53,526.96 Tax Sale \$60,000.00 Premium
		Re: 792 Fairmount Avenue	

Committeeman O'Connor moved to approve the Consent Agenda. Deputy Mayor Brower seconded the motion.

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

**RESOLUTION 2008-069**

**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 &amp; ADDRESS</u>	<u>AMOUNT</u>
27	22	Robert & Karen Lee Gallop 54 Susan Drive Chatham, NJ 07928	\$877.50

Committeeman O'Connor moved to adopt Resolution 2008-069. Deputy Mayor Brower seconded the motion.

**Roll Call:** Committeeman Gallop, Abstain; Committeeman O'Connor, Aye; Committeewoman Hagner, Aye; Deputy Mayor Brower, Aye; Mayor Tubbs, Aye.

**Hearing of Citizens/Petitions**

Mayor Tubbs opened the Hearing of Citizens.

1. Peter Hofmann, May Drive resident, complimented Administrator Ciccarone on the preparation of the budget. He also asked if he could obtain a copy.

Seeing no further comment, Mayor Tubbs closed the Hearing of Citizens.

**Executive Session**

**RESOLUTION 2008-P-04**

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

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

- Potential Litigation
- Contract Negotiations
- Personnel

The matters discussed will be made known to the public at such time as appropriate action is taken on said matters, and when disclosure will not result in unwarranted invasion of individual

privacy or prejudice to the best interests of the Township of Chatham; provided such disclosure will not violate Federal, State or Local Statutes and does not fall within the attorney/client privilege.

Deputy Mayor Brower moved to adopt Resolution 2008-P-04 to go into Executive Session at 10:41 P.M. Committeeman O'Connor seconded the motion.

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

The Township Committee returned from Executive Session at 11:41 P.M.

**RESOLUTION 2008-072**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING AN AGREEMENT TO MODIFY THE INTERLOCAL SERVICES CONTRACT FOR EMERGENCY DISPATCHING SERVICES WITH THE TOWNSHIP OF HARDING**

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement to modify the Interlocal Services Contract for Emergency Dispatching Services between the Township of Chatham and the Township of Harding for the year 2008. A copy of this agreement will be kept on file in the Office of the Township Clerk.

Deputy Mayor Brower moved to adopt Resolution 2008-072. Committeeman Gallop seconded the motion.

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

**RESOLUTION 2008-073**

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

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

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

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

Total Disability- Effective August 24, 2006

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER NAME &amp; ADDRESS</u>	<u>AMOUNT</u>
65.01	6.07	Jack Provost 17F Canterbury Road Chatham, NJ 07928	\$5482.07

Committeewoman Hagner moved to adopt Resolution 2008-073. Committeeman Gallop seconded the motion.

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

Deputy Mayor Brower moved to adjourn at 11:44 P.M. Committeeman Gallop seconded the motion, and it carried unanimously.

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Joy Wiley  
Municipal Clerk