

**TOWNSHIP OF CHATHAM  
TOWNSHIP COMMITTEE MEETING MINUTES  
MAY 8, 2008**

Mayor Tubbs called the workshop meeting of the Township Committee of the Township of Chatham to order at 7:34 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 and Mayor Tubbs. Committeewoman Hagner and Deputy Mayor Brower were absent.

**Approval of Agenda**

Mayor Tubbs indicated that the discussion of the Tree Protection Ordinance would be postponed until the next meeting. Attorney Woodward indicated that there is an additional resolution for the Consent Agenda.

Committeeman Gallop moved to approve the agenda as amended. Committeeman O'Connor seconded the motion and it was approved unanimously.

**Special Awards/Recognition**

**RESOLUTION 2008-097**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM, COUNTY OF MORRIS HONORING WILLIAM D. OLINGER**

**WHEREAS, William D. Olinger** has served as the Township of Chatham Plumbing Sub-Code Official for 17 years; and

**WHEREAS, William D. Olinger** has been selected as the Plumbing Inspector of the Year 2008, and

**WHEREAS, William D. Olinger** was presented this award at the Building Safety Conference on May 1, 2008 by Joseph Doria, Commissioner of the New Jersey Department of Community Affairs; and

**WHEREAS, William D. Olinger** is a third generation plumber who ran the family business until 1991; and

**WHEREAS, William D. Olinger** serves as a Vice President of the New Jersey Plumbing Inspectors Association and is also a member of the Plumbing Sub-Code Advisory Board for the Department of Community Affairs.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that we hereby recognize and join with his peers in congratulating **William D. Olinger** upon the occasion of his selection as the New Jersey Plumbing Inspector of the Year for 2008.

Mayor Tubbs read Resolution 2008-097 honoring William Olinger. Mr. Olinger said that he appreciates the support of the Township of Chatham.

**Proclamations**

Mayor Tubbs read the attached proclamation proclaiming the week beginning May 11, 2008 as National Nursing Home Week.

Mayor Tubbs also read the attached proclamation supporting the *Click it or Ticket* seat belt mobilization from May 19, 2008 to June 1, 2008.

Furthermore, Mayor Tubbs read the attached proclamation proclaiming the week of May 18, 2008 to May 24, 2008 as National Public Works Week in the Township of Chatham. The Mayor also thanked the Department of Public Works for their efforts.

### **Reports**

Committeeman Gallop reported that the Bike Path Proposal has been submitted to the Planning Board, and will be reviewed at the Planning Board meeting on May 19, 2008. He and Engineer Ruschke met with Superintendent of Schools Jim O'Neill regarding a possible bike path from Southern Boulevard School to Spring Street. Committeeman O'Connor reported that the Board of Education had their reorganization meeting. He was unable to attend the recent Environmental Commission Meeting. Mayor Tubbs reported that the Castle Park opening ceremony went well, and he thanked Committeewoman Hagner, the Castle Park Committee, the Department of Public Works, and Engineer Ruschke for their efforts. The Electronics Recycling Event was also held on May 3, 2008 and exceeded expectations. Engineer Ruschke reported that the Shunpike Fields Pre-Application Report has been submitted to the DEP. Specifications for Noe Avenue improvements have been submitted to the Department of Transportation. A meeting was held with the Chatham Township Fire Department regarding the Bike Path plans, and the Tanglewood Sewer Plant evaluation is ongoing and on schedule. Engineer Ruschke and Administrator Ciccarone will be meeting with an architect regarding improvements to the Municipal Building. Administrator Ciccarone has also met with a landscape architect regarding a September 11<sup>th</sup> Memorial.

### **Public Hearing/Final Adoption of Ordinances**

#### **ORDINANCE 2008-08**

#### **AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REVISING THE MANDATORY RECYCLING ORDINANCE, CHAPTER 18-1 OF THE TOWNSHIP CODE**

**BE IT ORDAINED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Section 18-1, Mandatory Recycling Program, of the Township Code is hereby amended to delete existing Sections 18-1.1 through 18-1.10, to renumber Section 18-1.11, Fees Charged to Commercial Handlers of Recyclable Material, as 18-1.12, and to adopt new sections 18-1.1 through 18-1.11 as follows:

**1. 18-1. Municipal Source Separation and Recycling**  
**18-1.1 Definitions**

*Commingled* - means a combining of non-putrescible source-separated recyclable materials for the purpose of recycling;

*Designated recyclable materials* - means those materials designated within the Morris County District Solid Waste Management Plan to be source separated for the purpose of recycling. These materials include:

Aluminum Cans - Cans made from aluminum that was manufactured to hold a serving of a beverage. Specifically omitted from this definition are aluminum foil and aluminum pie plates.

Glass Bottles and Jars - Bottles and jars made from glass including clear, brown and green glass. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. A jar is defined as a wide mouthed container that can be capped. Caps and lids not included. Specifically omitted from this definition are drinking glasses, windows, mirrors, light bulbs, and anything made of Pyrex® or ceramic.

Plastic Bottles (coded 1 and 2) - Plastic bottles coded to indicate that they are comprised of the specific types of plastic compounds (polymers) known as polyethylene terephthalate (PETE) or high density polyethylene (HDPE).



PETE



HDPE

See symbols to the left. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. Caps and lids not included. Any item made of plastic that is not a bottle, and any plastic bottle without one of the symbols shown to the left is specifically omitted from this

definition. Empty bottles which contained hazardous materials, such as motor oil, antifreeze, etc. should not be recycled.

- Steel (Tin) Cans - An air-tight container for the distribution or storage of goods, composed of thin, usually ferrous, metal. Examples are soup cans and tuna fish cans.
- Newspaper - A publication containing news, information and advertising, usually printed on low-cost paper called newsprint. Newspaper may include glossy inserts which come with the paper, dependent upon the market conditions at the time.
- Corrugated Cardboard - Shipping containers made with kraft paper linerboard and corrugated medium.
- Mixed Paper - Various categories of recyclable paper including, but not limited to white and colored paper used in printers, photocopiers and fax machines, white and colored ledger paper, carbonless copy paper, construction paper, undeliverable mail, mailed promotional letters/advertisements/circulars, magazines, catalogues, envelopes, soft cover books.
- Leaves - Vegetative material, typically generated in the autumn when they fall from trees and then are raked from residents' and/or commercial lawns.
- Grass Clippings - Vegetative material generated when grass (lawns) are cut.
- Brush - Branches, woody plants and other similar vegetative material. Leaves and grass do not constitute brush.
- Natural Wood Waste - Logs, stumps, branches and other wood tree parts. Dimensional lumber is omitted from inclusion in this definition.
- Oil-Contaminated Soil - Non-hazardous soil that contains petroleum hydrocarbons (gasoline, diesel, kerosene, jet fuel, #4 & #6 heating oils and certain other refinery products including coal tar). This type of soil shall be determined to be non-hazardous in accordance with the standards set forth in N.J.A.C. 7:26.
- Used Motor Oil - Motor oil from motor vehicles, lawn mowers, boats, etc., which has served its intended useful purpose.
- Lead-Acid Batteries - Storage batteries in which the electrodes are grids of lead containing lead oxides that change in composition during charging and discharging, and the electrolyte is dilute sulfuric acid. These include starting batteries such as car batteries that deliver a short burst of high power to start the engine. In addition, they may include deep cell batteries found on boats or campers used to power accessories like trolling motors, winches or lights.
- Hazardous Dry Cell Batteries - Rechargeable batteries, such as nickel-cadmium, nickel-iron, nickel metal hydride, lithium ion, small sealed lead acid, etc. These are often used as substitutes for non-rechargeable batteries in standard sizes such as AAA, AA, C, D and 9V. Rechargeable batteries are commonly found in cordless tools, cellular and cordless phones, laptop computers, cameras, remote controls, toys, etc. Also included in this definition are non-rechargeable batteries that are hazardous as defined by the Resource Conservation Recovery Act ("RCRA"), regardless of the RCRA exclusion of household waste from the definition of hazardous waste pursuant to 40 C.F.R. 261.4(b). Non-rechargeable, hazardous batteries include older alkaline and carbon zinc batteries as well as silver oxide, mercury and magnesium button-type batteries, etc. It should be noted that domestically manufactured alkaline and carbon zinc non-rechargeable batteries made after circa 1994 eliminated mercury content to the point that they should not be considered RCRA hazardous and therefore are not included in this material category.
- Metal Appliances - Appliances composed predominantly of metal, and may include stoves, washing machines and dryers, for example, if the appliance is predominantly metal. Also included are air conditioners, refrigerators and dehumidifiers if they are predominantly metal. If these appliances on the latter list contain refrigerants that are prohibited by the Clean Air Act from being knowingly vented, the refrigerant must be recovered accordingly.
- Whole Tires\* - Tires that are whole, not chipped into small pieces.

\*Tires are allowed to be recycled and/or incinerated for energy recovery.;

*Electronic waste* - means a computer central processing unit and associated hardware including keyboards, modems, printers scanners and fax machines; a cathode ray tube, a cathode ray tube device, a flat panel display or similar video display device with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards, including a television, and cell phones;

*Multifamily dwelling* - means any building or structure, or complex of buildings in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see N.J.S.A. 13:1E-99.13a.) and shall include hotels, motels, or other guest houses serving transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the "Hotel and Multiple Dwelling Law," P.L. 1967, c. 76 (C.55: 13A-1 et seq.);

*Municipal Recycling Coordinator* - means the person or persons appointed by the municipal governing body to fulfill the requirements of the Morris County Solid Waste Management Plan and the New Jersey Statewide Mandatory Source Separation and Recycling Act and those rules and regulations promulgated therefore.

*Municipal Recycling Enforcement Coordinator* – means the person or persons named by the municipality who shall fulfill the responsibilities with respect to recycling enforcement coordination detailed in the March 2007 Morris County Solid Waste Management Plan Amendment Section 8.6. This person may be the same person designated as the Municipal Recycling Coordinator.

*Municipal solid waste (MSW) stream* - means all solid waste generated at residential, commercial, and institutional establishments within the boundaries of the Township of Chatham which is not bulky waste or construction and demolition debris;

*Recyclable material* - means those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

*Source-separated recyclable materials* - means recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

*Source separation* - means the process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

#### **18-1.2 Source Separation; Exemption from Source Separation Requirements**

- A. Mandatory source separation: It shall be mandatory for all persons who are owners, tenants, or occupants of residential and non-residential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations within the Township of Chatham, to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separate and apart from other solid waste generated by the owners, tenants, or occupants of such premises. Designated recyclable materials shall be placed separately at the curb in a manner and on such days and times as may be hereinafter established by regulations promulgated by the Township.
- B. Exemptions: Pursuant to N.J.S.A. 13:1E-99.16.6.(d), the governing body of a municipality may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this Chapter, a commercial or institutional generator of solid waste shall file an application for exemption with the municipal recycling coordinator on forms to be provided for this purpose. The form shall include, at a minimum, the following information: the name of the commercial or institutional entity; the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the commercial or institutional entity; the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled, and that, at least on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the municipal recycling coordinator of the total number of tons collected and recycled for each designated material.

#### **18-1.3 Acceptance of the Municipal Solid Waste Recycling Goal**

As set forth in N.J.S.A. 13:1E-99.13.3.b.(4)(c), the Township of Chatham accepts the goal of 50% recycling of municipal solid waste by 2015 and shall monitor its level of recycling and solid waste disposal and shall strive to achieve the recycling of 50% of the municipal solid waste generated within its borders.

#### **18-1.4 Collection of Recyclable Materials**

The collection of recyclable material shall be in the manner prescribed as follows:

- A. All containers and brown paper bags containing recyclable materials shall be placed, prior to collection, between the curb and the sidewalk, or in the absence of curb and sidewalk, as near to the street as not to constitute a danger, where such receptacles shall be readily accessible to the collector without providing obstruction to pedestrians. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Receptacles or other items to be disposed of shall be placed as noted above anytime after 5:00 PM of the day immediately preceding the day of collection, but no later than 6:00 AM of the day of collection. After collection, any containers shall be removed from the curbside by no later than 7:00 PM of the day of collection.
- B. All receptacles or dumpsters shall be maintained in accordance with the Health Code of the Township of Chatham.

**18-1.5 Residential Dwelling Compliance Requirements**

The owner of any property shall be responsible for compliance with this Ordinance. For multifamily units, the management or owner is responsible for setting up and maintaining the recycling system, including collection of recyclable materials, in accordance with guidelines or regulations established by the appropriate municipal office. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and every 6 months during their occupancy.

**18-1.6 Non-Residential Establishment Compliance Requirements**

- A. All non-residential generators, including commercial, industrial and institutional establishments, of solid waste shall be required to comply with the provisions of this Ordinance.
- B. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, unless the municipality provides for the collection of designated recyclable materials. All commercial, institutional or industrial properties which provide outdoors litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.
- C. All non-residential facilities shall report on an annual basis to the Municipal Recycling Coordinator, on such forms as may be prescribed, on recycling activities at their premises, including the amount of recycled material, by material type, collected and recycled and the vendor or vendors providing recycling service.
- D. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

**18-1.7 New Developments of Multi-Family Residential Units or Commercial, Institutional, or Industrial Properties**

- A. Any application to the planning board of the Township, for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, must include a recycling plan. This plan must contain, at a minimum, the following:
  - 1) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and
  - 2) Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the municipal recycling coordinator.
- B. Prior to the issuance of a Certificate of Occupancy by the Township, the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.
- C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the municipal engineer.

**18-1.8 Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials**

- A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly

display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.

- B. It shall be the responsibility of the resident or occupant to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article and the local sanitary code.
- C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than those authorized by the municipality, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.

**18-1.9 Enforcement**

The Code Enforcement Official, the Department of Health, the Recycling Coordinator, the Property Maintenance Official, the Housing Officer, the Chatham township Police Department and the Morris County Office of Health Management are hereby individually and severally empowered to enforce the provisions of this Ordinance. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material.

**18-1.9 Penalty for Non-compliance with Source Separation Requirement**

Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this ordinance or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine not less than \$25, nor more than \$1,000. Each day for which a violation of this Ordinance occurs shall be considered a separate offence. Fines levied and collected pursuant to the provisions of this Ordinance shall be immediately deposited into the Municipal Recycling Trust Fund (or equivalent). Monies in the Municipal Recycling Trust Fund shall be used for the expenses of the municipal recycling program.

**18-1.10 Scavenging Designated Recyclable Materials Prohibited**

All designated recyclable materials placed for collection or delivered to the Township Recycling Center are the property of the Township, and no person who is not authorized by the Township shall appropriate any such materials.

**18-1.11 Severability, Effective Date**

In the event that it is determined, by a Court of competent jurisdiction, that any provision or section of this Ordinance is unconstitutional, all other sections and provisions shall remain in effect. This Ordinance shall take effect immediately, unless otherwise provided by Resolution of the governing body.

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

Mayor Tubbs opened the Public Hearing on Ordinance 2008-08.

Hearing none, Mayor Tubbs closed the Public Hearing on Ordinance 2008-08.

Committeeman Gallop moved to adopt Ordinance 2008-08. Committeeman O'Connor seconded the motion.

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

**Great Reunion 2008**

Pete Stephans, the Chairman of the Great Reunion Committee, spoke about the 2008 Great Reunion. He explained that the Great Reunion is for all classes of Chatham High School graduates, and it will be held over the 4<sup>th</sup> of July Weekend.

**Consent Agenda**

**RESOLUTION 2008-097**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS HONORING WILLIAM D. OLINGER**

**WHEREAS, William D. Olinger** has served as the Township of Chatham Plumbing Sub-Code Official for 17 years; and

**WHEREAS, William D. Olinger** has been selected as the Plumbing Inspector of the Year 2008, and

**WHEREAS, William D. Olinger** was presented this award at the Building Safety Conference on May 1, 2008 by Joseph Doria, Commissioner of the New Jersey Department of Community Affairs; and

**WHEREAS, William D. Olinger** is a third generation plumber who ran the family business until 1991; and

**WHEREAS, William D. Olinger** serves as a Vice President of the New Jersey Plumbing Inspectors Association and is also a member of the Plumbing Sub-Code Advisory Board for the Department of Community Affairs.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that we hereby recognize and join with his peers in congratulating **William D. Olinger** upon the occasion of his selection as the New Jersey Plumbing Inspector of the Year for 2008.

**RESOLUTION 2008-098**

**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 \$921,347.33 and the prior month's payroll of \$459,255.84 Current Fund, \$43,128.19 Sewer No. 1, \$8,142.55 Sewer No. 2, and \$5,537.21 Police Private Employment be paid.

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

**BE IT FURTHER RESOLVED** that taxes due to the County of Morris, for the Second Quarter of 2008, in the amount of \$1,841,391.89 be paid.

**RESOLUTION 2008-099**

**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 April 24, 2008.

**RESOLUTION 2008-100**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM REFUNDING PERMIT FEE**

**WHEREAS,** the Township Committee has considered the request submitted by the Construction Official with regard to the plan review 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>AMOUNT</u> |
|---|---------------|
| Karl Schmidt<br>41 Van Houten Avenue<br>Chatham, NJ 07928 | \$3,385.00    |

**RESOLUTION 2008-101**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM REFUNDING SMOKE DETECTOR INSPECTION FEE**

**WHEREAS,** the Township Committee has considered the request submitted by the Fire Official with regard to the smoke detector inspection fee that was paid for a fire inspection certificate;

**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> |
|--|---------------|
| Beth Howard<br>15C Heritage Drive<br>Chatham, NJ 07928 | \$35.00       |

**RESOLUTION 2008-102**

**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> |
|---|-------------------|---------------|
| Loren Taylor<br>40 Dellwood Avenue<br>Chatham, NJ 07928 | 7200013007        | \$120.00      |

Re: Block 78 Lot 19.02

|   |            |          |
|---|------------|----------|
| Bonita Johnson<br>71 Mountain Avenue<br>Chatham, NJ 07928 | 7760011174 | \$333.00 |
|---|------------|----------|

Re: Block 37 Lot 24

|   |            |          |
|---|------------|----------|
| Consolidated Contracting Corp.<br>11 Clinton Street<br>Morristown, NJ 07960 | 7760011158 | \$377.00 |
|---|------------|----------|

Re: 73 Fairview Road

|   |            |           |
|---|------------|-----------|
| Maganti & Tejaswini<br>Raja Maganti<br>42 Mountain Ave<br>Chatham, NJ 07928 | 7760011127 | \$2071.25 |
|---|------------|-----------|

Re: Block 39 Lot 1.01

**RESOLUTION 2008-103**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING A REVISED PERSONNEL POLICIES & PROCEDURES MANUAL AND AN EMPLOYEE HANDBOOK**

**WHEREAS**, the Township has revised and updated its personnel policies and procedures manual and its employee handbook to assure compliance with all applicable laws and regulations;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that a revised personnel policies

and procedures manual and an 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 2008-104**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING KIWANIS CLUB OF MORRISTOWN COUNTRY SQUIRE 5K & 10K RUNS.**

**WHEREAS**, The Kiwanis Club of Morristown is sponsoring the Country Squire 5K & 10K Runs on Sunday, October 5, 2008, and

**WHEREAS**, the route for the runs includes streets in the Township of Chatham, and

**WHEREAS**, The Kiwanis Club of Morristown has made application to the Township of Chatham for permission to conduct the runs upon the streets of the Township, and

**WHEREAS**, The Kiwanis Club of Morristown has provided the Township with a Certificate of Insurance naming the Township as an additional insured,

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that permission is hereby granted to the Kiwanis Club of Morristown to conduct its annual Country Squire 5K & 10K runs upon the streets of the Township as shown on the route map attached, on Sunday October 5, 2008.

**RESOLUTION 2008-105**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING THE CHATHAM NJ HIGH SCHOOL REUNIONS FOR THE TOWNSHIP OF CHATHAM**

**WHEREAS**, the Chatham High School (“CHS”) and the Chatham Township High School (“CTHS”) jointly wish to hold its third Great Reunion known as the Great Reunion 2008 for the alumni of all Chatham High School graduating classes; and raise money to support the annual Paul Harris ’53 Great Reunion Scholarship award for a senior at CHS who shows outstanding school spirit; and

**WHEREAS**, said Great Reunion 2008 is to be held from July 3 through July 6, 2008 as one of the many events associated with the Fourth of July celebrations of the combined Borough and Township of Chatham, Morris County, New Jersey; and

**WHEREAS**, proceeds from the Great Reunion will be used to support the annual Paul Harris ’53 Great Reunion Scholarship award to be presented to a senior at Chatham High School who shows outstanding school spirit; and

**WHEREAS**, the Great Reunion is a multi-day celebration of the Chathams for the benefit, enjoyment and town spirit of its residents and all alumni of its graduating classes, and to raise funds for a worthwhile scholarship and/or cause.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris and State of New Jersey supports the efforts of the Great Reunion 2008 Committee.

**BE IT FURTHER RESOLVED** that the Great Reunion Committee shall be responsible for all costs associated with their celebration and fundraising activities, including Police for traffic control.

**RESOLUTION 2008-106**

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

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

| <u>Name of Organization</u>        | <u>Dates of Social Affair</u> | <u>Place where Affair will be held</u>  |
|------------------------------------|-------------------------------|---|
| Green Village Volunteer Fire Dept. | September 20, 2008            | Green Village Fire House<br>529 Green Village Road<br>Green Village, NJ 07935 |

**RESOLUTION 2008-107**

**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:

| <u>BLOCK</u> | <u>LOT</u> | <u>OWNER NAME &amp; ADDRESS</u>  | <u>YEAR</u>  | <u>AMOUNT</u>            |
|--------------|------------|--|--------------|--------------------------|
| 38           | 32         | Vincent Milich & Leann D. Tavgian<br>28 Johnson Drive<br>Chatham, NJ 07928 | 2007<br>2008 | \$2,726.51<br>\$1,168.50 |
| 74           | 15         | Ronald R. & Maybelene B. Young<br>239 Longwood Avenue<br>Chatham, NJ 07928 | 2007         | \$2665.26                |

**RESOLUTION 2008-108**

**RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING AGREEMENT TO RELEASE TAX DATA TO SIGNATURE INFORMATION SOLUTIONS**

**WHEREAS**, the Signature Information Solutions is in the business of providing tax searches to the title insurance industry and has sought to reach an agreement with the Township of Chatham to release tax payment information to it on a weekly basis through the existing electronic data management software used by the Township and has offered to pay the Township a fee of \$600 per year for such information in accordance with the agreement attached hereto; and

**WHEREAS**, the instructions to bidders and specifications required that the bid for the apparatus conform to the standards as to construction and testing, together with the specified details as to finish, equipment and appliances, set for therein; and

**WHEREAS**, Signature would be entitled to the information under the Open Public Records Act with separate weekly requests; and

**WHEREAS**, entering into the Agreement described herein will facilitate the transfer of the information in a regular and orderly manner;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that, for the reasons set forth above, the Mayor or Administrator is hereby authorized to execute the attached agreement and to provide the requested information as described therein.

Attorney Woodward explained that Resolution 2008-108 is in response to a request by Signature Information Solutions. They have asked that the weekly information generated from tax payment collections be provided in an electronic format. Signature Information Solutions will pay a \$600 annual fee to the Township for the information. Mayor Tubbs addressed Resolution 2008-103. He asked if any changes to the Personnel Policies and Procedures Manual would need to come before the Township Committee. Administrator Ciccarone said that any substantive change would come before the Township Committee. Attorney Woodward said that the Personnel Policies and Procedures Manual would need to be readopted by resolution every year at the Reorganization Meeting.

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

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

## Discussion

### NJ State Pension Changes – Classification of Positions

Administrator Ciccarone explained that the State Pension System has a new classification, abbreviated as DCRP, for certain positions such as municipal administrators. This classification will apply when people who are not already enrolled in the PERS system are hired for the applicable positions. This would apply to all managerial executive positions and municipal attorneys. Some positions that require certain certifications and licensing are exempt from this classification change. Administrator Ciccarone also said that the Township Committee would need to adopt an ordinance that would specify which Township positions fall under this new classification system. Attorney Woodward suggested that such an ordinance be introduced at the May 22, 2008 meeting.

### Hearing of Citizens/Petitions

Mayor Tubbs opened the Hearing of Citizens.

1. Peter Hofmann, May Drive resident, addressed the National Nursing Home Week proclamation and King James Care Center. He said that his wife resided in King James Care Center in the last few months of her life, and received excellent care while there.

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

### Executive Session

#### **RESOLUTION 2008-P-05**

#### **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:

Personnel Issues relating to the Department of Public Works and Police Department  
Possible Acquisition of Property

The matters discussed will be made known to the public at such time as appropriate action is taken on said matters, and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Township of Chatham; provided such disclosure will not violate Federal, State or Local Statutes and does not fall within the attorney/client privilege.

Committeeman O'Connor moved to adopt Resolution 2008-P-05 to go into Executive Session at 8:20 P.M. Committeeman Gallop seconded the motion.

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

The Township Committee returned from Executive Session at 8:45 P.M.

Committeeman Gallop made a motion to authorize the Public Works Director Joseph Barilla to make a conditional offer of employment for the Department of Public Works to the candidate discussed in executive session subject to successful completion of alcohol and drug screening. Committeeman O'Connor seconded the motion and it carried unanimously.

#### **RESOLUTION 2008-109**

#### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM AUTHORIZING A REDUCTION IN THE NUMBER OF POLICE DISPATCHERS**

**WHEREAS**, the Township of Chatham provided dispatching services to the Township of Harding, and

**WHEREAS**, the Township of Harding has terminated its dispatching services contract with the Township of Chatham, and

**WHEREAS**, there has been a significant drop in the call volume with the loss of the Harding Township dispatch contract,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that the number of police dispatchers be reduced from five to four.

Committeeman Gallop moved to adopt Resolution 2008-109. Committeeman O'Connor seconded the motion.

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

Committeeman O'Connor moved to adjourn at 8:47 P.M. Committeeman Gallop seconded the motion and it carried unanimously.

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Joy M. Wiley  
Municipal Clerk