

**TOWNSHIP OF CHATHAM**  
**TOWNSHIP COMMITTEE MEETING MINUTES**  
**JULY 9, 2009**

Mayor Tubbs called the workshop meeting of the Township Committee of the Township of Chatham to order at 7:36 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 8, 2009; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 8, 2009; and notice was filed with the Township Clerk on January 8, 2009.

Mayor Tubbs led a short prayer and the flag salute.

**Roll Call**

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

**Approval of Agenda**

Mayor Tubbs asked that a resolution certifying review of the annual audit be postponed until the next Township Committee meeting. He also asked that a bicycle path along Southern Boulevard be added as a discussion item.

Committeeman O'Connor moved to approve the agenda as amended. Committeeman Brower seconded the motion, and it carried unanimously.

**Reports**

Mayor Tubbs reported that Colony Pool has significantly fewer memberships thus far this year. Committeeman Gallop asked if it would be worth considering offering a reduced membership rate halfway through the season. Mayor Tubbs said that whatever is done would need to take into account the people who paid the full rate. Committeeman Brower added that the school year got out late, and students will be returning to school prior to Labor Day. Committeeman Brower suggested that in the future there should be discussion with the School District regarding the calendar. Engineer Ruschke reported that a discussion was held with the DEP regarding a deed restriction on the property adjoining Shunpike Field. The DEP might be willing to modify the deed restriction, and Engineer Ruschke is waiting to hear back about a meeting date. Engineer Ruschke said that the tree line at Shunpike Field was surveyed, and the revised drawings have been forwarded to the DEP. In regard to the Southern Boulevard Firehouse, Engineer Ruschke said that certification was received that there was not any asbestos at the site, and thus the demolition permit can be issued. Furthermore, site plan approval is needed from the Morris County Planning Board, but that should not hold up the project. He expects activity to begin in the next week or two. Mayor Tubbs said that the Chatham Township Fire Department took delivery of their new truck recently, and they are very happy with it. Committeeman Brower asked where equipment would be stored during the construction of the new firehouse. Administrator Ciccarone said that most of the equipment would be stored at the River Road Firehouse, and there has been some discussion of storing some equipment at the DPW Garage. Committeeman Brower advocated having a fire truck stored at the DPW Garage, but Public Works Director Joe Barilla indicated that the Fire Department has declined use of that facility. Engineer Ruschke further reported that the installation of generators at the DPW facility is substantially complete. The shop drawings for the repairs to the primary clarifier at the Tanglewood Plant have been approved, and the unit is under fabrication. The electrical improvements at the Tanglewood Plant are also underway, and a bid notice has also been advertised for the final repairs to the pumping stations. Engineer Ruschke is also going to be preparing a bid for repaving the front parking lot at the Municipal Building, which will include a supplemental bid item of milling and paving of Pine Street. There was a brief discussion of prioritizing paving projects. Committeeman Brower raised some concerns about a financial

report received from the Library of the Chathams. Mayor Tubbs said that he would bring Committeeman Brower's comments to the Library Board of Trustees.

**Public Hearing/Final Adoption of Ordinances**

**ORDINANCE 2009-13**

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, PARTIALLY VACATING FOR STREET PURPOSES THE RIGHT OF WAY FOR A PORTION OF CHATHAM STREET**

**WHEREAS**, a portion of the westerly end of Chatham Street in the Township of Chatham from its intersection with Rose Terrace easterly for a distance of 250 feet has never been paved or used for street purposes and thus constitutes a paper street; and

**WHEREAS**, the Township has constructed a paved bike path ten (10) feet in width through said portion of Chatham Street; and

**WHEREAS**, the Township has no need for said portion of Chatham Street to be used for street purposes, but desires to retain the right of way for a bike path and for vehicular access to Chatham Street and a Township of Chatham pump station for emergency and maintenance purposes and it appearing that the public interest will be better served by vacating said portion of Chatham Street for street purposes;

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

1. The portion of Chatham Street as shown on the Tax Map of the Township of Chatham from its westerly intersection with Rose Terrace and running easterly for a distance of 250 feet and for its entire width thereof is hereby vacated for street purposes, but that its right of way designation for a bike path and for vehicular access for emergency and maintenance purposes is hereby retained.
2. All rights and privileges possessed by public utilities, as defined by R. S. 48:2-13, and by any cable television company, as defined in the Cable Television Act, P.L. 1972, c.186 (N.J.S.A. 48:5A-1 et seq.) to maintain, repair and replace facilities, in, adjacent to, over or under Chatham Street are hereby expressly reserved from vacation.
3. The Mayor and Township Clerk are authorized to execute such documents as may be necessary to effectuate such purpose.
4. This ordinance shall take effect and be recorded in the Office of the Morris County Clerk in accordance with law.

Mayor Tubbs Opened the Public Hearing on Ordinance 2009-13.  
Seeing none, Mayor Tubbs closed the Public Hearing.

Committeeman Brower asked about the right-of-way for the bike path. Mayor Tubbs indicated that the bike path has already been installed.

Committeeman Brower moved to adopt Ordinance 2009-13. 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.

**Introduction of Ordinances**

**ORDINANCE 2009-14**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY TO REGULATE THE PLACEMENT AND USE OF CLOTHING BINS**

BE IT ORDAINED by the Township Committee of the Township of Chatham, County of Morris, New Jersey, that the Code of the Township of Chatham is hereby amended to add Section 18-5, Clothing Recycling, to Chapter XVIII, Solid Waste Management, as follows:

**1. Chapter XVIII, Solid Waste Management**

**Section 18-5. Clothing Recycling**

**18-5.1 Clothing Bins.**

Clothing bins may be placed only in the following locations:

Chatham Township Recycling Center (end of Tanglewood Lane) (maximum total of all clothing bins – 4).

Churches and religious institutions (maximum total of all clothing bins per institution – 3).

Notwithstanding any other provision to the contrary, no person shall place, use or employ a donation clothing bin, for solicitation purposes, unless all of the following requirements are met:

- A. The donation clothing bin is owned by a charitable organization registered with the Attorney General of the State of New Jersey pursuant to P.L. 1994, c.16 or any person; and
- B. The registered charitable organization or the person has obtained a permit valid for a period of one year, from the Zoning Officer in accordance with the following:
  1. In applying for such a permit, the registered charitable organization or person shall include:
    - a) The size of the bin (not larger than 6 feet by 6 feet by 6 feet) and the location where the bin would be situated, as precisely as possible;
    - b) The manner in which the charitable organization or person anticipates any clothing or other donations collected via the bin would be used, sold or dispersed, and the method by which the proceeds of collected donations would be allocated or spent;
    - c) The name, address, and telephone number of the bona fide office of the applicant and of any entity which may share or profit from any clothing or other donations collected via the bin;
    - d) The schedule of pick-ups removing the articles from the bins, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the scheduled date of pick-up; and
    - e) Written consent from the property owner, or the owner's authorized representative, to place the bin on his/her property.
  2. The Zoning Officer shall not grant an application for a permit to place, use, or employ a donation clothing bin if he/she determines that the placement of the bin is either in the front yard setback or could constitute a safety hazard. Such hazards shall include, but are not limited to, the placement of a donation clothing bin in parking spaces, in any area that interferes with pedestrian or vehicular traffic, or any place which stores large amounts of, or sells, fuel or other flammable liquids or gases.
  3. The fee for such application for the zoning permit shall be \$25.00.
  4. An expiring permit for a donation clothing bin may be renewed by a charitable organization or person upon payment of the \$25.00 renewal fee and by application that shall include the following information:
    - a) The location where the bin is situated, as precisely as possible, and, if applicant intends to move it, the new location where the bin would be situated after the renewal is granted;
    - b) The manner in which the person has used, sold or dispersed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the person anticipates it may make in these processes during the period covered by the renewal;
    - c) The name, address and telephone number of the bona fide office of the applicant and any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal;
    - d) The schedule of pick-ups removing the articles from the bins, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the date of pick-up; and
    - e) Written consent from the property owner, or the owner's authorized representative, to place the bin on his/her property;
  5. The following information shall be clearly and conspicuously written in either paint or permanent marker on the exterior of the donation clothing bin:
    - a) The name and address of the registered charitable organization or person that

owns the bin, and of any other entity which may share or profit from any clothing or other donations collected via the bin.

- b) The telephone number of the organization's bona fide office and, if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected via the bin. The telephone number of an answering machine or service unrelated to the charitable organization does not satisfy this requirement.
  - c) The charitable organization's registration number, permit number and its date of expiration.
  - d) In cases when any entity other than the person who owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating that clothing or other donations collected via the bin, their proceeds, or both, may be shared, or given entirely to, an entity other than the person who owns the bin, and identifying all such entities which may share or profit from such donations.
  - e) A statement, indicating the manner in which the charitable organization or person anticipates any clothing or other donations collected via the bin would be used, sold or dispersed, and the method by which the proceeds of collected donations would be allocated or spent.
6. Any clothing bin permitted hereunder shall be properly painted and maintained, and shall be free of defects.

C. The Zoning Officer or his designee shall receive and investigate, within 45 days, any complaints from the public about the bin.

1. Whenever it appears to the Zoning Officer or his designee that an organization or a person has engaged in or is engaging in any act or practice in violation of this ordinance, the organization or person who placed the bin shall be issued a warning, stating that if the violation is not rectified or an appeal taken within 15 days, then the bin, any clothing or other donations collected via the bin will be sold at public auction. In addition to any other means used to notify the person who placed the bin, a warning shall be affixed to the exterior of the bin itself.
2. In the event that the person who placed the bin does not rectify the violation or request a hearing within 15 days of the posting of the warning, the Township may seize the bin, remove it or have it removed, at the expense of the person who placed the bin, and sell it at public auction or otherwise dispose of any clothing or other donations collected via the bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the Township.
3. In addition to any other penalties or remedies under this ordinance, any person who violates any provision which results in the seizure of the donation clothing bin shall be subject to a penalty for each violation as specified pursuant to Section 1-5, Penalties, of the Code of the Township of Chatham.

D. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

**2. Repealer.** All ordinances or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

**Section 3. Effective Date.** This ordinance shall take effect as provided by law.

Attorney Woodward explained that this ordinance is different from the prior draft in that it limits placement of clothing bins to the recycling center and religious institution locations, and sets a limit of the number of bins at any site. Permits for the placement of bins would only be in effect for one year. Committeeman Brower asked about charitable organizations. Attorney Woodward said that this ordinance uses the definition of "charitable organization" as set by statute. Committeeman Brower asked about prohibiting vandalism to the clothing bins, and Attorney Woodward said that there are already laws in effect about vandalism. Committeeman Brower also addressed matters of the maintenance of the bins. A discussion was also held as to whether

or not the ordinance should require insurance, and Administrator Ciccarone said that he does not think that the placement of bins would carry any liability for the Township. Deputy Mayor Hagner suggested that maximum number of clothing bins at the recycling center be set at four. Mayor Tubbs said that he feels this ordinance is too restrictive. Administrator Ciccarone pointed out that applicants could go before the Board of Adjustment for a variance if they want to place clothing bins in areas other than those allowed in this ordinance. Committeeman Gallop asked how the Board of Adjustment could overrule this ordinance. Attorney Woodward explained that the Board of Adjustment could issue D variances to allow for exceptions to the ordinance. Committeeman Gallop suggested that the ordinance should contain a size limitation for the clothing bins.

Committeeman Brower moved to introduce Ordinance 2009-14. Committeeman O'Connor seconded the motion.

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

Public Hearing on Ordinance 2009-14 will be scheduled for July 23, 2009.

**Consent Agenda**

**RESOLUTION 2009-147  
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 \$832,734.44 and the prior month's payroll of \$485,882.50 Current Fund, \$46,957.33 Sewer No. 1, \$8,823.08 Sewer No. 2, and \$10,559.36 Police Private Employment be paid.

**BE IT FURTHER RESOLVED** that taxes due to the School District of the Chathams, for the month of July 2009, in the amount of \$3,169,015.05 be paid.

**RESOLUTION 2009-148  
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 June 25, 2009.

**RESOLUTION 2009-149  
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 meeting held on June 25, 2009.

**RESOLUTION 2009-150  
RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY MORRIS, STATE OF  
NEW JERSEY SUPPORTING SUSTAINABLE LAND USE**

**WHEREAS**, land use is an essential component of overall sustainability for a municipality; and  
**WHEREAS**, poor land use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and degradation of natural resources; and

**WHEREAS**, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space and allow for continued use of vital natural resources; and

**WHEREAS**, given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, with the intent of making the Township of Chatham a truly sustainable community, pledges as follows:

1. **Facilities Siting** - To consider factors, to the extent reasonable, such as walkability, bikability, access to transit and proximity to other uses when siting new or relocated municipal facilities, recognizing that the actions of a municipality when locating its own facilities can set a positive example and encourage other public and private sector entities to employ sustainable land use measures when locating their own facilities.
2. **Housing Variety** – Through the application, to the extent reasonable, of the Township’s Housing Element and Fair Share Plan, to foster a diverse mix of housing types to meet the needs of people from all ages and walks of life, recognizing that a variety of housing options from single family homes to one-bedroom apartments, including low and moderate income housing, is vital to allow residents to live and work in a municipality through various stages of their lives.
3. **Natural Resources Preservation** – To continue its existing program for preservation of open space and create recreational opportunities, recognizing that, as the most densely populated state in the nation, open space is at a premium, and that preservation of open space for its ecological and recreational value is critical for a sustainable future, and further to review and to update, as appropriate, the existing Natural Resources Inventory to identify and assess the extent of the Township’s resources and to link natural resource management and protection to carrying capacity analysis and land use planning and zoning.
4. **Transportation Choices** – Where appropriate, to create transportation choices within the Township by considering all modes of transportation, including walking, biking, public transit and automobiles, when planning transportation projects, given that emissions from transportation, mainly passenger cars, make up the largest share of the state’s carbon footprint, creating transportation alternatives at the local level is critical to reducing the state’s overall carbon footprint.
5. **Mix of Uses** – Where appropriate, to use the zoning power to create a mix of uses in areas that make the most sense for the Township, recognizing that allowing for a mix of compatible land uses can reduce the need for automobile transportation.
6. **Green Design** – To incorporate, as appropriate, green design principles and renewable energy generation when updating site plan and subdivision requirements, because green design strategies, including energy efficiency, water conservation, indoor environmental quality, use of recycled materials, construction waste reduction, reduced auto use, tree preservation, native planting and avoidance of environmentally sensitive features, not only improve the environmental performance of buildings, but lessen the environmental impact of those buildings.
7. **Regional Cooperation** – To work cooperatively with neighboring municipalities concerning land use decisions and to consider the respective concerns of each community, recognizing that local land use decisions often have regional impacts, even though decided exclusively by one municipality.
8. **Parking Regulations** – To reevaluate parking requirements with the goal of limiting the amount of required parking spaces and promoting shared parking, recognizing that flexible parking requirements decrease the amount of land dedicated to parking lots, storm water runoff, land clearing, and heat island effects, while promoting alternatives to individual automobile use., with special emphasis placed on appropriate locations for safe and secure bicycle parking.
9. **Legal Effect** – This Resolution is a policy statement of the Chatham Township Committee. It is a statement of goals that the Committee pledges to attempt to accomplish. However, these pledges create no legal obligation on behalf of the Township and have no legal weight.

**RESOLUTION 2009-151  
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 fees that was paid for construction permits;

**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>
National Contractors, Inc.	09-0386	\$3,894.00
Attn: Jennifer, Office Manager	09-0387	
145 Fifth Street	09-0388	
Ewing, NJ 08638	09-0389	
	09-0390	

**RESOLUTION 2009-153**  
**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>
Arthur & Lori Paradise 479 River Road Chatham, NJ 07928 Re: Board of Adjustment 63-16.01	7760011057	\$120.00

Committeeman Brower moved to approve 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.

**Discussion**

Sidewalk Maintenance/Construction Prioritization

Engineer Ruschke said that he met with Deputy Mayor Hagner and Committeeman O'Connor to discuss how to prioritize sidewalk projects. He said that he developed a map that shows the locations in the Township to which residents would likely be walking and notes whether or not there is an existing sidewalk in those areas. Engineer Ruschke also said that the prioritization plan would need to be a ten-year plan. Deputy Mayor Hagner noted that the plan would separate maintenance projects from the development of new sidewalks. Committeeman Brower raised a concern about having to meet standards that might make the cost of doing the work far higher than anticipated, and he suggested that such issues be taken into account before a section of sidewalk is added to the list. Engineer Ruschke is going to meet again with Deputy Mayor Hagner, Committeeman O'Connor and Administrator Ciccarone to further discuss the prioritization. Mayor Tubbs asked that Engineer Ruschke report on this topic again at the first meeting in September.

August Meeting Schedule

Committeeman Brower moved to cancel the August 27, 2009 meeting. Committeeman O'Connor seconded the motion, and it carried unanimously.

Southern Boulevard Bicycle Path

Committeeman Gallop reported that although Chatham Township and Long Hill Township were in favor of the Swamp Loop Bicycle Path, the proposed project did not proceed because Harding Township opposed the plan. As a result, he discussed with the County whether it would be worthwhile to move forward with a portion of the project, and the recommendation was that 16 bicycle stencils and 8 Share the Road signs be placed on Southern Boulevard. The total cost would be \$6040.00 that would be paid by the Township. Committeeman O'Connor asked who typically pays for signage along county roads. Administrator Ciccarone said that it would depend on the agreements between the County and the Township. Committeeman Brower raised a concern about the legal implications of bike lanes. Committeeman Gallop said that it would not be a bike lane, but would rather be an attempt to alert motorists and bicyclists to share the

road. Administrator Ciccarone added that bicyclists and motorists have equal rights to public roadways. Committeeman Gallop said that he would have Denise Chaplick from Morris County contact Administrator Ciccarone to set up a meeting. Deputy Mayor Hagner said she thought that Morris County was going to pay for a portion of the Swamp Loop. Committeeman Gallop pointed out that the County provided the engineering services for the Swamp Loop, however he will attempt to negotiate cost sharing during the meetings with the County.

### **Hearing of Citizens/Petitions**

Mayor Tubbs opened the Hearing of Citizens.

1. Ed Klein from Carecycle, Inc. said that clothing bins are usually 6 feet x 6 feet x 6 feet. He also took pictures of the clothing bins at the recycling center and said that they are disgraceful. Furthermore, Mr. Klein raised a concern about the hours of the recycling center.

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

### **Alarm Fees**

Committeeman Brower asked about fees collected by the Police Department for alarm systems. Chief Paton said that it is a permit fee, and the money goes into the general fund. Administrator Ciccarone said that the fees are collected by the Police Department because they have the records as to who has an alarm system. Committeeman Brower asked if the renewal letters could be sent out on Township letterhead rather than Police Department letterhead, and Administrator Ciccarone said that could be done.

### **Executive Session**

**RESOLUTION 2009-P-09  
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 Concerning Rolling Knolls Landfill

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 pass Resolution 2009-P-09 to go into Executive Session at 9:18 PM. Committeeman Brower seconded to motion.

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

The Committee returned from Executive Session at 10:15 PM. Deputy Mayor Hagner moved to adjourn. Committeeman O'Connor seconded the motion and it carried unanimously.

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Joy M. Wiley  
Municipal Clerk