

TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE MEETING MINUTES
JULY 23, 2009

Mayor Tubbs called the regular meeting of the Township Committee of the Township of Chatham to order at 7:37 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 requested a moment of silence for the passing of a few members of the community.

Mayor Tubbs led a short prayer and the flag salute.

Roll Call

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

Approval of Agenda

Committeeman Gallop requested that a letter of support for bicycle markings be added as a discussion item.

Deputy Mayor Hagner moved to approve the agenda as amended. Committeeman Gallop seconded the motion, and it carried unanimously.

Reports

Deputy Mayor Hagner reported that the Planning Board voted unanimously to approve the Walkway & Bikeway Plan, and it will be added to the Master Plan. Deputy Mayor Hagner also reported that she has tried to get in touch with Comcast, but has not been able to get them to set up a meeting to discuss having Township Committee meetings broadcast live, and she will ask Attorney Woodward to write them a letter to set up a meeting. Committeeman Gallop addressed the implementation of the Walkway & Bikeway Plan, and said that the Open Space Committee has members who are actively looking for possible new bike paths and connections. Regarding the Recreation Committee, Committeeman Gallop reported that travel baseball is going well. However, they are considering a policy in which players who miss two games or more cannot sign up to be on a travel team the year after. The Recreation Committee also met with the United Soccer Academy regarding a fall program. Summer camps have been going well, and registrations have been coming in for fall activities. Mayor Tubbs provided the schedule for the Summer Concert Series. A movie night will be held on July 28, 2009 and a car show will be held on August 11, 2009. On Saturday, September 12, 2009 there will be an event at Shunpike Field, which will include a movie followed by fireworks. Mayor Tubbs also reported that the DEP only needs a copy of the deed for the Riverwalk Property in order to release funds owed to the Township, and Attorney Woodward will be sending to them that which they need. Furthermore, the demolition work has begun on the Southern Boulevard Firehouse. Regarding Shunpike Field, Mayor Tubbs said that the permit has not yet been received, but it should be arriving soon. Administrator Ciccarone reported that a bond anticipation note sale was held on July 15, 2009. It was a combined note sale \$3,711,250.00, and bids were received from TD Bank and Jeffries & Company. Jeffries & Company was the low bidder with an interest rate of 1.5% per year and a premium of \$26,425.00 on the note, which results in a net interest cost of .786 of 1%. Additionally, \$760,000 for the firehouse project had originally been held back. A private direct sale was offered to Jeffries & Company, and they agreed to buy it at an interest rate of 2% and a premium of \$5,237.00 and net interest cost of 1.309. Administrator Ciccarone said he will close on these tomorrow and that he is very happy with the results they got.

Hearing of Citizens/Petitions

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

Public Hearing/Final Adoption 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, schools, municipal facilities other than the Recycling Center, non-profit facilities, 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 may 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.

Mayor Tubbs opened the Public Hearing on Ordinance 2009-14.

1. Ed Klein said that municipalities surrounding Chatham Township have adopted a New Jersey law, and allow clothing bins at churches, schools, firehouses, emergency squads, and shopping centers. He also said that clothing bins need to be visible and easily accessible. Mr. Klein also stressed the need to recycling clothing so that it does not wind up in landfills.

Seeing no further comment, Mayor Tubbs closed the Public Hearing.

Deputy Mayor Hagner suggested that schools and municipal properties could be added to the list of sites where clothing bins could be placed, especially since the recycling center is not open every day. Mayor Tubbs said that he would like the ordinance to be less restrictive.

Administrator Ciccarone reminded the Committee that the permits would be issued by the Zoning Officer, and he said that it should remain clear that it might become necessary in some instances to go before the Board of Adjustment. Administrator Ciccarone also said that Township residents are very committed to recycling efforts, and he advised that clothing bins should not be allowed at commercial properties.

Deputy Mayor Hagner moved to amend Ordinance 2009-14 to allow the placement of clothing bins at schools, municipal facilities and non-profit facilities. Committeeman Gallop seconded the motion.

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

Public Hearing on Ordinance 2009-14 as amended will be scheduled for August 13, 2009.

Consent Agenda

RESOLUTION 2009-152

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM CERTIFYING REVIEW OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2008 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, The Local Finance Board has promulgated N.J.A.C. 5:30-6-5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chatham, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION 2009-154

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, ACKNOWLEDGING RECEIPT OF REPORTS AND MINUTES FROM VARIOUS BOARDS AND COMMITTEES

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following monthly reports of departments be acknowledged as received:

Tax Collector – June

Animal Control – June

Fire Official – April, May, June

Chatham Emergency Squad – June

Municipal Court – June

Construction Official – June

Police – June

State Training Fees – 2nd Quarter

Dog Licensing Official – 2nd Quarter

BE IT RESOLVED by the Township Committee of the Township of Chatham that the following minutes from various boards and committees be acknowledged as received:

Board of Health – May

RESOLUTION 2009-155

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 July 9, 2009.

RESOLUTION 2009-156

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 July 9, 2009.

RESOLUTION 2009-157

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING RAFFLES FOR GREEN VILLAGE FIRE DEPARTMENT INC

BE IT RESOLVED by the Township Committee of the Township of Chatham that off-premise raffles to be conducted by the Green Village Fire Department Inc. on October 4, 2009, at the Green Village Firehouse, Chatham Township, are hereby approved.

RESOLUTION 2009-158

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING RAFFLES FOR ST HUBERTS GIRALDA

BE IT RESOLVED by the Township Committee of the Township of Chatham that on-premise raffles to be conducted by St. Hubert's Giralda on October 12, 2009, at the Fairmount Country Club, Chatham Township, are hereby approved.

RESOLUTION 2009-159

RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AWARDED A CONTRACT FOR PARKING LOT IMPROVEMENTS AT THE CHATHAM TOWNSHIP MUNICIPAL BUILDING

WHEREAS, the Township of Chatham has prepared the necessary bid document and published the appropriate advertisements to enable it to seek bids for the parking lot improvements at the Chatham Township Municipal Building; and

WHEREAS, bids were due and received on July 22, 2009 at 10:00 am; and

WHEREAS, two (2) bids were received at that date and time; and

WHEREAS, the firm of Z Brothers Concrete Contractors, Inc. was the lowest cost, most responsible bidder and whose bid for the parking lot improvements at the Chatham Township Municipal Building was \$40,075.50.00 for the base bid and \$59,922.00 for Supplemental Bid Item A for a total of \$99,997.50; and

WHEREAS, funding for the parking lot improvements at the Chatham Township Municipal Building was appropriated by Ordinance 2007-08; and

WHEREAS, pursuant to N.J.S.A. 40A:4-57, the Chief Financial Officer certifies herewith that there are adequate funds available to fund the project;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that a contract in the maximum value of \$99,997.50 be awarded to the firm of Z Brothers Concrete Contractors, Inc. of Sayreville, New Jersey;

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk be authorized to execute the appropriate contract upon completion of the following:

1. Review and approval of the proposed contract by the Township Attorney.
2. Review and approval by the Township Attorney of the following items to be submitted by Z Brothers Concrete Contractors, Inc.
 - a. Performance bond in the amount of \$99,997.50.
 - b. Insurance certificate(s) in conformance with the bid document.
3. Execution of the contract by the appropriate officials of Z Brothers Concrete Contractors, Inc.

RESOLUTION 2009-160

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>AMOUNT</u>
Sisters of the Holy Child Jesus Oak Knoll School 44 Blackburn Road Summit, NJ 07901 Re: Block 144, Lot 33, 34, 34.01, 35, 36	\$60,000.00

RESOLUTION 2009-161

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING SUMMER RECREATION PROGRAM FEE REFUNDS

WHEREAS, the Recreation Director has recommended that the following requests for refunds of the Summer Recreation Program fees be approved:

<u>NAME</u>	<u>ADDRESS</u>	<u>Program</u>	<u>AMOUNT</u>
Amy Crandall	161 Fairmount Ave. Chatham, NJ 07928	Summer Recreation	\$70.00
Tiffany Mortimer	8 School Ave. Chatham, NJ 07928	Summer Recreation	\$70.00
Laura Piervincenzi	69 Hillside Ave. Chatham, NJ 07928	Summer Recreation	\$140.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chatham that the above listed Recreation Program refunds be approved.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Chatham that the Township Clerk forward a certified copy of this resolution to the Township Chief Financial Officer and to the Recreation Director.

RESOLUTION 2009-162
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM
SETTING DUE DATE FOR TAXES

WHEREAS, due to the delay in the certification of state aid figures which in turn delayed the certification of the tax rate by the County, the tax collector has recommended that the due date for the third quarter taxes be changed from August 1, 2009 to September 8, 2009;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Chatham that September 8, 2009 be established, as the date taxes are due for the third quarter.

BE IT FURTHER RESOLVED that there shall be a ten (10) day grace period extending to September 18, 2009 at which time interest will accrue back to September 8, 2009.

RESOLUTION 2009-163
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>ACCOUNT #</u>	<u>AMOUNT</u>
Heritage Manor Homes, LLC 25 Debbie Place Berkeley Heights, NJ 07922 Re: Block 38, Lot 43	11157	\$2,120.40

RESOLUTION 2009-164
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,
COUNTY OF MORRIS, INCREASING THE AMOUNT IN THE CHANGE FUND FOR THE
MUNICIPAL COURT

WHEREAS, the Municipal Court of the Township of Chatham provides change for customers who make payments to the court;

WHEREAS, fines in the violations bureau are often paid with large denomination bills;

WHEREAS, the Superior Court of New Jersey has recommended that the change fund for the Municipal Court be increased from \$100.00 to \$200.00;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Chatham that the change fund administered by the Municipal Court be increased to \$200.00 to provide better service to the public.

Committeeman Gallop moved to approve the Consent Agenda. Deputy Mayor Hagner seconded the motion.

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

Discussion

Letter of Support for Bike Path

Committeeman Gallop said that a meeting was held with Morris County's Director of Planning Denise Chaplick and their engineer Chris Vitz. He said that the County would pay for and install the Share the Road signs, and the Township would be responsible for painting and

installing the road etchings. The stencil would cost about \$350, and Administrator Ciccarone estimated that the paint and labor costs would be somewhere between \$2000 and \$3000. Administrator Ciccarone said that the County has requested a letter from the Mayor agreeing to the terms reached at the meeting.

Committeeman Gallop moved to approve the sending of a letter of agreement to Morris County. Deputy Mayor Hagner seconded the motion and it carried unanimously.

Hearing of Citizens/Petitions

Mayor Tubbs opened the Hearing of Citizens.

1. Ed Klein asked for a definition of the term “front-yard setback.” Mayor Tubbs explained that in regard to the state law regarding clothing bins, municipalities have the right to pass ordinances that are more restrictive. Administrator Ciccarone said that a front-yard setback is an area of a property in which construction is not allowed. He also pointed out that the placement of clothing bins in parking spaces is not prohibited. Mr. Klein also asked whether or not clothing bins could be placed on grass areas.

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

Attorney Ray Fisher pointed out that in section B-2 of Ordinance 2009-14 says, “Such hazards shall include,” while it should say “Such hazards may include.”

Committeeman Gallop moved to amend Ordinance 2009-14. Deputy Mayor Hagner seconded the motion.

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

Public Hearing on Ordinance 2009-14 as amended will be scheduled for August 13, 2009.

Executive Session

RESOLUTION 2009-P-10 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

PBA Contract Negotiations

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.

Mayor Tubbs announced the Township Committee would be taking action following Executive Session.

Committeeman Gallop moved to pass Resolution 2009-P-10 to go into Executive Session at 8:33 PM. Deputy Mayor Hagner seconded to motion.

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

The Committee returned from Executive Session at 9:04 P.M.

RESOLUTION 2009-165 RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS,

**STATE OF NEW JERSEY APPROVING A CONTRACT SETTLEMENT BETWEEN
THE TOWNSHIP OF CHATHAM AND PBA LOCAL 170**

WHEREAS, the Township of Chatham and PBA Local 170 have reached an agreement on a new contract, the terms of which are contained in a Memorandum of Understanding executed on July 16, 2009.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Chatham hereby approves the Memorandum of Understanding between the Township of Chatham and PBA Local 170 for the term January 1, 2010 through December 31, 2012.

Administrator Ciccarone explained that during the Executive Session he briefed the Township Committee on an agreement made during contract negotiations with PBA Local #170. The new contract would be in effect from January 1, 2010 to December 31, 2012. A copy of the contract is on file in the Township Clerk's office. He advised that the Township Committee pass a resolution approving the memorandum of understanding.

Deputy Mayor Hagner moved to pass Resolution 2009-165 to approve a memorandum of understanding with the PBA Local #170. Committeeman Gallop seconded the motion.

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

Deputy Mayor Hagner moved to adjourn at 9:05 PM. Committeeman Gallop seconded the motion, and it carried unanimously.

Joy M. Wiley
Municipal Clerk