

**TOWNSHIP OF CHATHAM  
TOWNSHIP COMMITTEE MEETING MINUTES  
OCTOBER 8, 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 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**

Administrator Ciccarone said that a resolution authorizing the sale to Sergeant Zvolensky of his service weapon would need to be added to the Consent Agenda. Mayor Tubbs said that Resolution 2009-192 would also be voted upon as part of the Consent Agenda.

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

**Special Recognition**

**RESOLUTION 2009-192  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM HONORING VINCENT ZVOLENSKY FOR HIS YEARS OF FAITHFUL  
AND DEDICATED SERVICE TO THE RESIDENTS OF CHATHAM TOWNSHIP**

**WHEREAS, Vincent Zvolensky** has recently retired after twenty five years of loyal and dedicated professional law enforcement service to the Township; and

**WHEREAS, Vincent Zvolensky** began his employment with the Township on April 23, 1984 when he was appointed to the position of Special Officer and Dispatcher in the Chatham Township Police Department and became a regular Police Officer on February 6, 1986, and

**WHEREAS, Vincent Zvolensky** served in the Crime Prevention Unit, the Detective Bureau, and served as the Department's ESU Commander and is also a past president and vice president of the PBA, and

**WHEREAS, Vincent Zvolensky** is one the most highly decorated officers in the Department's history receiving numerous Meritorious Service Awards and Exceptional Service Awards, and

**WHEREAS, Vincent Zvolensky** was promoted to the rank of Sergeant on December 18, 2003, and

**WHEREAS, Vincent Zvolensky's** loyal and dedicated service and his commitment to the highest standards of police professionalism have made him a vital member of our outstanding police department.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that we hereby, recognize, and extend our deep appreciation to **Sergeant Vincent Zvolensky**, upon the occasion of his retirement, for his many contributions to our community, and to extend to him and his family our best wishes for success and happiness in the future.

Mayor Tubbs read Resolution 2009-192 honoring Sergeant Vincent Zvolensky, and he presented Sergeant Zvolensky with a framed copy of the resolution. Sergeant Zvolensky said that after 25 years of service to the Township, he understands why Money Magazine ranked Chatham as the

best place to live, and he is proud to have worked here. Chief Paton said that Sergeant Zvolensky would be missed.

The Municipal Clerk swore in Dan Papa as Sergeant. Sergeant Papa was given his new badge.

**Reports**

Deputy Mayor Hagner reported that the Open Space Committee discussed the Garden State Preservation Trust Bond Act, which would be discussed later by the Township Committee. The Open Space Committee is also preparing a tracking tool for open space properties, and Deputy Mayor Hagner will supply the Township Committee with a copy of the spreadsheet once it is completed. Committeeman O'Connor reported that the Environmental Commission is preparing a preliminary budget for next year. He also said that there would be a Sustainable Jersey luncheon on November 17, 2009 at the League of Municipalities Conference in Atlantic City. Mayor Tubbs added that Chatham Township is one of five municipalities in Morris County that have submitted all the required information for review for Sustainable Jersey Certification. Committeeman Gallop shared an e-mail with the Township Committee about sidewalks on Shunpike Road, and he said the affected residents are pleased with the sidewalk extension. Committeeman O'Connor asked when swine flu vaccinations would be available to Township residents. Administrator Ciccarone said that information regarding swine flu vaccinations has been posted on the Township website, with links to the Madison Health Department. He also reported that curb work has been completed at the Municipal Building, and the parking lot will soon be repaved. Furthermore, new exterior lighting has been installed by the Senior Center. Engineer Ruschke reported that supplemental information has been submitted to the Morris County Soil Conservation District so as to obtain soil erosion and sediment control certification for Shunpike Field. A meeting was held with residents from the Sunset Lake neighborhood, and they were concerned about the amount of clearing of a buffer area. Engineer Ruschke is evaluating ways to minimize the amount of clearing to be done. He is also pushing to get the paving at the Municipal Building done sooner rather than later. Administrator Ciccarone said that a new sign for the Municipal Building is going to be installed along Meyersville Road. Committeeman Brower asked if anyone knew anything about the absence of a mailbox at the Fairmount Country Store, and Administrator Ciccarone said that he would look into the matter. Mayor Tubbs said that a contract has been signed with Morris County for a book drop-off terminal to be located at the Municipal Building. Mayor Tubbs also acknowledged the receipt of a letter from residents of Treadwell Avenue regarding road conditions, and he said that the matter has been brought to the attention of Chief Paton and Public Works Director Joe Barilla. Committeeman Brower asked if speed bumps could be installed if requested by the residents. Administrator Ciccarone said that the Department of Transportation does not allow speed bumps in roadways. Engineer Ruschke said that elevated crosswalks and speed tables could be used, which have the same effect as speed bumps. Administrator Ciccarone pointed out that Treadwell Avenue is a very narrow street that is used by a lot of pedestrians and bicyclists, and suggested that perhaps signs could be installed to alert motorists to govern themselves accordingly.

**Public Hearing/Final Adoption of Ordinances**

**ORDINANCE 2009-17**

**AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, REGULATING PARKING ON MAPLE STREET IN THE TOWNSHIP**

**BE IT ORDAINED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the Revised General Ordinances of the Township of Chatham, 1995 are amended to provide for modifications to Chapter VII, Section 7-14, Parking Prohibited During Certain Hours on Certain Streets, as respects Maple Street as follows:

1. Section 7-14 is hereby modified to modify the parking restrictions on the following street:

<u>Name of Street</u>	<u>Side</u>	<u>Hours</u>	<u>Location</u>
Maple Street	Both	8:00 a.m. to 4:00 p.m. (school days)	Entire length

2. All other provisions of Section 7-14 shall remain unchanged.
3. This ordinance shall take effect as provided by law.

Mayor Tubbs opened the Public Hearing on Ordinance 2009-17.

1. Kathy Proto, Long Hill Lane resident, said that there is limited parking at the Chatham High School, and wondered where people are supposed to park. She also wanted for the public to be alerted to the parking changes. Committeeman O'Connor said that the issue was studied by the Police Department, Maple Street residents were surveyed, several options were considered, and this ordinance was deemed the best option. Mrs. Proto said that she thinks that parents would be more affected by this ordinance than students.
2. Robert Tesoro, Lafayette Avenue resident, pointed out that this topic has been discussed several times in public session during Township Committee meetings, and the ordinance was published in the newspaper, therefore he thinks there has been sufficiently adequate notice. Mr. Tesoro also indicated that Maple Street is a public road, not a parking lot, and said that people should park either in the school parking lot or in the Colony Pool parking lot.
3. Jeff Marshall, Maple Street resident, said that generally from 12:00 PM to 3:00 PM the street is blocked, with both driveways and mailboxes also blocked, and sometimes mail is not delivered because of all the cars parked along the street.

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

Mayor Tubbs asked Chief Paton to address the discussions that were held with the School District. Chief Paton said that Superintendent O'Neill has expressed an interest in assisting with this issue.

Committeeman Brower moved to adopt Ordinance 2009-17. Committeeman O'Connor seconded the motion.

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

**Consent Agenda**

**RESOLUTION 2009-192**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM HONORING VINCENT ZVOLENSKY FOR HIS YEARS OF FAITHFUL AND DEDICATED SERVICE TO THE RESIDENTS OF CHATHAM TOWNSHIP**

**WHEREAS, Vincent Zvolensky** has recently retired after twenty five years of loyal and dedicated professional law enforcement service to the Township; and

**WHEREAS, Vincent Zvolensky** began his employment with the Township on April 23, 1984 when he was appointed to the position of Special Officer and Dispatcher in the Chatham Township Police Department and became a regular Police Officer on February 6, 1986, and

**WHEREAS, Vincent Zvolensky** served in the Crime Prevention Unit, the Detective Bureau, and served as the Department's ESU Commander and is also a past president and vice president of the PBA, and

**WHEREAS, Vincent Zvolensky** is one the most highly decorated officers in the Department's history receiving numerous Meritorious Service Awards and Exceptional Service Awards, and

**WHEREAS, Vincent Zvolensky** was promoted to the rank of Sergeant on December 18, 2003, and

**WHEREAS, Vincent Zvolensky's** loyal and dedicated service and his commitment to the highest standards of police professionalism have made him a vital member of our outstanding police department.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham that we hereby, recognize, and extend our deep appreciation to **Sergeant Vincent Zvolensky**, upon the occasion of his retirement, for his many contributions to our community, and to extend to him and his family our best wishes for success and happiness in the future.

**RESOLUTION 2009-193**

**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 \$580,599.55 and the prior month's payroll of \$471,922.22 Current Fund, \$43,733.64 Sewer No. 1, \$7,889.57 Sewer No. 2, and \$1,899.31 Police Private Employment be paid.

**BE IT FURTHER RESOLVED** that taxes due to the School District of the Chathams, for the month of October 2009, in the amount of \$2,330,138.84 be paid.

**RESOLUTION 2009-194  
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 September 24, 2009.

**RESOLUTION 2009-195  
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 September 24, 2009.

**RESOLUTION 2009-196  
A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING THE 2009 BUDGET.**

**WHEREAS**, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have become available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Township of Chatham has received \$17,011.45 from the State of New Jersey Clean Communities Program and budgeted \$13,333.80, and

**WHEREAS**, the Township of Chatham wishes to amend its 2009 Budget to include the difference as a revenue,

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Chatham, County of Morris, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$3,677.65 which is now available as a revenue from:

**Miscellaneous Revenues – Section F: Special Items of General revenue – Public and Private Revenues Offset with Appropriations:**

Clean Communities Program, and

**BE IT FURTHER RESOLVED**, that a like sum of \$3,677.65 be and the same is hereby appropriated under the caption of:

**Public and Private Programs Offset by Revenues:**

Clean Communities Program.

**BE IT FURTHER RESOLVED**, that the Township Clerk forward a copy of this resolution to the Director of Local Government Services.

**RESOLUTION 2009-197  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY REINSTATING  
VETERAN’S TAX DEDUCTION FOR BLOCK 128, LOT 49**

**WHEREAS**, Alfred Norris, the co-owner of premises located at 33 Woodmont Drive, Block 128, Lot 49, has been eligible for the Veteran’s tax deduction for many years; and

**WHEREAS**, due to inadvertence when a deed change was made to Block 128, Lot 49 the 2008 Veterans tax deduction for said premises was removed from the property;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that, for the foregoing reasons, the Veteran’s tax deduction for premises known as 33 Woodmont Drive, Block 128, Lot 49 is hereby reinstated for the year 2008, and that Alfred Norris be reimbursed the \$250 deduction amount for the year 2008.

**BE IT FURTHER RESOLVED** that the Tax Collector reinstates the Veteran’s tax deduction for the year 2009.

**RESOLUTION 2009-198  
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>
FX Doherty Roofing, Inc. 86 Hanover Avenue Cedar Knolls, NJ 07927	\$24,500.00

Re: Roof Replacement at Police Headquarters

**RESOLUTION 2009-199  
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>
Nicholas Gentile	7760011080	\$3,900.00
Golden River Homes 2 Cramer Lane Mendham, NJ 07945	7760011102	\$500.00

Re: Block 17, Lot 81.11

Re: Block 122, Lot 8	7760011225	\$233.33
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**RESOLUTION 2009-200  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING OVERPAYMENT OF TAXES**

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

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

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

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER NAME &amp; ADDRESS</u>	<u>AMOUNT</u>
48.08	7	Jeffrey & Lori Sprengel 84 Glenmere Drive Chatham, NJ 07928	\$4317.74

**RESOLUTION 2009-201  
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, REFUNDING TAX LIEN**

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

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

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

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
102.11	4	Ralph Markiewicz 2881 Morris Avenue Apt. 112 Union, NJ 07083	\$1,407.11 Tax Sale

Re: 160 Southern Blvd.  
Certificate # 00907

**RESOLUTION 2009-202**

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

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

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

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

<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
141	9.01	Royal Tax Lien Services, LLC 179 Washington Lane Jenkintown, PA 19046	\$14,942.41 Tax Sale

Re: 255 Loantaka Way  
Certificate # 00904

**RESOLUTION 2009-203**

**RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING EXECUTION OF AGREEMENT WITH THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR CHATHAM TOWNSHIP OPEN SPACE ACQUISITION**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the Township of Chatham desires to further the public interest by obtaining a grant of \$3,200,000.00 from the State to fund the following project: Chatham Township Open Space Acquisition.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Thomas Ciccarone, Administrator or the successor to the office of the Township Administrator is hereby authorized to:

- (a) make application for such a loan and/or such a grant
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant, and

**WHEREAS**, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

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

1. That the Township Administrator of the Township of Chatham is hereby authorized to execute an agreement and any amendment thereto with the State known as Chatham Township Open Space Acquisition, and;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$3,200,000.00.
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

**RESOLUTION 2009-204**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM,  
COUNTY OF MORRIS, STATE OF NEW JERSEY, CANCELLATION OF STALE DATED  
CHECKS**

**WHEREAS**, there exist various reconciling items on the balance sheet of the Current Fund, Payroll and Municipal Alliance; and

**WHEREAS**, the funds creating these reconciling items have been investigated and it has been determined that these reconciling items should be cancelled; and

**WHEREAS**, these cancelled funds will be returned to their respective funds and or accounts;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, that the following reconciling items are hereby cancelled:

<u>Check #</u>	<u>Current Fund</u> <u>\$ Amount</u>	<u>Date</u>
19422	\$255.00	26-Jan-06
19444	\$3,384.28	26-Jan-06
19654	\$83.00	9-Mar-06
20860	\$10.64	26-Dec-06
20882	\$1,396.93	26-Dec-06
20974	\$1.00	18-Jan-07
21037	\$164.40	8-Feb-07
21422	\$111.00	10-May-07
21423	\$28.35	10-May-07
21749	\$1.00	14-Jun-07
22555	\$53.00	13-Dec-07
22564	\$15.30	13-Dec-07
23205	\$3,385.00	12-Jun-08
23904	\$11.49	18-Dec-08
	<hr/>	
	<u>\$8,900.39</u>	

<u>Check #</u>	<u>Payroll</u> <u>\$ Amount</u>	<u>Date</u>
10632	\$173.60	23-Mar-06
53259	\$648.54	30-Jun-06
54098	\$623.22	30-Mar-07
54647	\$125.33	30-Aug-07
54695	\$221.05	14-Sep-07
55233	\$23.44	30-Jun-08
55394	\$177.00	31-Jul-08
55411	\$171.53	31-Jul-08
55426	\$159.38	31-Jul-08
	<hr/>	
	<u>\$2,323.09</u>	

<u>Check #</u>	<u>Municipal Alliance</u> <u>\$ Amount</u>	<u>Date</u>
2672	\$350.00	14-Jun-07
2718	\$145.99	17-Jan-08
	<hr/>	
	<u>\$495.99</u>	

**RESOLUTION 2009-206**

**RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW  
JERSEY AUTHORIZING SALE OF SERVICE WEAPON TO RETIRING POLICE SERGEANT  
VINCENT ZVOLENSKY**

**WHEREAS**, Sergeant Vincent Zvolensky has announced his retirement from the Police Department of the Township of Chatham, County of Morris, State of New Jersey, and

**WHEREAS**, Sergeant Vincent Zvolensky has requested his service weapon upon retirement, namely a Smith & Wesson Model 4566T, Serial Number VHJ 0110.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that Sergeant Vincent Zvolensky is hereby authorized to purchase the Smith & Wesson Model 4566T, Serial Number VHJ 0110 for the sum of one dollar (\$1.00) payable to the Township of Chatham, provided, however that Sergeant Vincent Zvolensky shall first produce proof of all required licenses and permits for possession of the said weapon.

Administrator Ciccarone said that Resolution 2009-203 should be amended to give certain authorizations to the Township Administrator rather than the Chief Financial Officer. Deputy Mayor Hagner asked for clarification on the intent of Resolution 2009-203. Attorney Woodward explained that the State informed the Township that certain documents have to be signed in order to obtain Green Acres funds owed to the Township, and Resolution 2009-203 would allow Administrator Ciccarone to execute those documents. Committeeman Brower asked about the cancellation of stale dated checks. Administrator Ciccarone said that upon the cancellation of the checks, the money would return to the fund from which it was appropriated.

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

**Roll call:** Committeeman Gallop, Aye (Abstain on Resolution 2009-193); Committeeman O'Connor, Aye; Committeeman Brower, Aye; Deputy Mayor Hagner, Aye; Mayor Tubbs, Aye.

**Discussion**

Garden State Preservation Trust Bond Act

**RESOLUTION 2009-205**  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF**  
**CHATHAM ENDORSING THE “GREEN ACRES, WATER SUPPLY AND**  
**FLOODPLAIN PROTECTION, AND FARMLAND AND HISTORIC PRESERVATION**  
**ACT OF 2009.”**

**WHEREAS**, continued investment in open space, farmland and historic preservation is vitally important to the state, as it enhances New Jersey’s economy and health, safeguards its remaining natural, agricultural, recreational and cultural resources and preserves its character; and

**WHEREAS**, New Jersey continues to face incredible pressure from development, losing 50 acres of open space daily in recent years to new development projects; and

**WHEREAS**, protecting open spaces and improving community parks throughout the State, including urban areas, supports New Jersey state and local economies by stabilizing local property taxes and revitalizing communities; and

**WHEREAS**, the Garden State Preservation Trust, the financing authority for the Green Acres, Blue Acres, Farmland Preservation, and Historic Preservation programs, is virtually depleted; and

**WHEREAS**, on November 3, 2009, the voters of New Jersey will be asked to approve the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Act of 2009,” which authorizes the state to issue \$400 million in bonds to fund New Jersey’s preservation programs for three years; and

**WHEREAS**, passage of the Bond Act, which will equate to \$10 per household per year, is desperately needed to fund the continued protection of New Jersey’s natural areas and cultural sites while a long-term funding solution for the Garden State Preservation Trust is determined and secured; and

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

1. We support the passage of the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Act of 2009
2. We encourage the voters of New Jersey to vote yes on the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Act of 2009 on November 3, 2009.

**BE IT FURTHER RESOLVED** that the Township Clerk is hereby authorized and directed to forward a copy of this resolution to the Honorable Jon Corzine, Governor of the State of New Jersey; the Members of the 21<sup>st</sup> Legislative District; The Land Conservancy of New Jersey; Keep It Green c/o NJ Audubon Society; and the Chatham Courier.

Deputy Mayor Hagner said that a letter was received from the Land Conservancy of New Jersey requesting that the Township Committee pass a resolution endorsing the Garden State Preservation Trust Bond Act and encourage voters to vote in favor of this act. The question will be on the ballot in November. The Township has received money from this fund in the past, and

the Open Space Committee supports this resolution. Committeeman O'Connor said that failure to have this act passed would put more pressure on the Morris County Open Space Trust Fund. Committeeman Brower spoke against this resolution, because bonding would pass the burden onto future taxpayers.

Committeeman Gallop moved to pass Resolution 2009-205. Committeeman O'Connor seconded the motion.

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

**Hearing of Citizens/Petitions**

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

**New Business**

Committeeman Brower spoke about the Coffet gift that resulted in the creation of the Colony Club, and the Township was supposed to have acknowledged the Coffet family. He suggested that the Historical Society could come up with a plaque to recognize the family. Mayor Tubbs asked that Committeeman Brower speak with the Historical Society.

**Executive Session**

**RESOLUTION 2009-P-13  
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
- Acquisition of Property
- Potential Litigation

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 Brower moved to pass Resolution 2009-P-13 to go into Executive Session at 8:35 PM. Deputy Mayor Hagner seconded the motion.

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

The Township Committee returned from Executive Session at 9:20 PM.

Committeeman Gallop moved to adjourn at 9:20 PM. Committeeman O'Connor seconded the motion, and it carried unanimously.

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Joy M. Wiley  
Municipal Clerk