

**TOWNSHIP OF CHATHAM  
TOWNSHIP COMMITTEE MEETING MINUTES  
DECEMBER 4, 2008**

Mayor Tubbs called the workshop 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 4, 2008; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 4, 2008; and notice was filed with the Township Clerk on January 4, 2008.

Mayor Tubbs led the flag salute.

**Roll Call**

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

**Approval of Agenda**

Mayor Tubbs added a right-of-way agreement discussion to the agenda, as well as a presentation by the Environmental Commission regarding turf fields.

Committeeman O'Connor made a motion to approve the agenda as amended. Deputy Mayor Brower seconded the motion, and it carried unanimously.

**Reports**

Committeewoman Hagner reported that the equipment for televising Township Committee meetings has been installed, and a practice recording will be conducted at the next Township Committee meeting. Gramco will also be providing a training session on how to use the equipment. Furthermore, Committeewoman Hagner reported that the Ten Towns Committee sent a thank you note for Mayor Tubbs' attendance at their Mayor's Breakfast, and she reminded the Committee that the Township's annual contribution to Ten Towns is \$7,250. Committeewoman Hagner also asked if the Township has provided feedback on the Morris County wastewater management plan. Engineer Ruschke said that he has been reviewing the correspondence on that issue so as to provide commentary. Committeeman O'Connor said that Paul Payton has resigned from the Environmental Commission, and the two alternates have become full members of the Commission. Therefore, the two alternate positions are now open. Committeeman Gallop reported that he received a report from Public Works Director Joe Barilla regarding use of the Motto Property for a Community Garden. He asked Mr. Barilla to comment on a statement in the report regarding the use of heavy equipment at the site. Mr. Barilla said that water issues at the site prevent the use of the loader and backhoe to do any leveling. Attorney Woodward said that he does not think that a Letter of Interpretation would be needed in order to do gardening on the Motto Property. The Township Committee will discuss whether or not they want to use the Motto Property for a community garden at the second meeting in January. Deputy Mayor Brower said that a deer fence would be necessary for the community garden site, and some parking issues would need to be worked out. He also wanted to have an estimate of the costs involved with this project before moving forward. Committeeman Gallop said that there will be a vacancy on the Open Space Committee. Deputy Mayor Brower reported that there has been a substantial decrease in the number of deer-related auto accidents, which demonstrates that the deer-culling program has been working. Mayor Tubbs reported that Morris County would be holding a meeting regarding solar energy, which either he or Administrator Ciccicone will attend. Engineer Ruschke reported that the contractor for the bike path will be at the site to address some issues next week. He also reported that soil samples have been collected at Shunpike Field, and drainage calculations have begun. Mayor Tubbs reported that the Township did not receive grant money for Lafayette Avenue improvements. Engineer Ruschke said that he would contact the DOT to find out why the grant was not received, and he suspects that it might have been because the Township received other grants from the DOT.

## **Hearing of Citizens**

Mayor Tubbs opened the Hearing of Citizens

1. Dr. Kenneth Benson, Aberdeen Road resident, said that he had some money stolen from him, and he has not heard back from the police department. Mayor Tubbs suggested that Dr. Benson speak with Lieutenant Petersen.
2. Paul Achenbach, Lake Road resident, wants to make comments regarding Shunpike Field. He will address his concerns after the Environmental Commission makes their presentation.

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

## **Presentation: Township Housing Element and Fair Share Plan**

Township Planner Frank Banisch made a presentation regarding the housing element of the Master Plan and the Fair Share Plan. He provided a handout that provided the relevant data for the Fair Share Plan. Mr. Banisch cited the purpose of COAH, and gave a brief history of the Township's past obligations. According to the latest Third Round COAH rules, the Township has been assigned a 212 Fair Share requirement. Mr. Banisch described how those obligations would be met, which will include a rehabilitation program, group home, extended controls, rental bonuses, accessory apartments, and market-to-affordable units. He recommended that the Township Committee endorse the Housing Element and Fair Share Plan so as to maintain protection from builders' remedy lawsuits. Deputy Mayor Brower complimented Mr. Banisch on the plan he created. He also asked if this plan is based on a full build-out. Mr. Banisch said that it is based on build-out, and Administrator Ciccarone added that the obligations would not come into effect if the growth does not occur. Deputy Mayor Brower also asked if the numbers in the plan could change. Mr. Banisch said that the numbers could change as a result of pending litigation, but that the numbers in the plan are what need to be in effect as of December 31, 2008. Deputy Mayor Brower also asked about the spending of funds on the building of new units within designated time frames. Mr. Banisch said that the Township would need to develop a spending plan and have it approved by COAH. Furthermore, if the units are not created in the designated time frame, then COAH can take those funds away from the Township and use them for affordable housing. Deputy Mayor Brower raised a concern about the owners of affordable property not improving their properties if they cannot make a profit. Administrator Ciccarone said that property maintenance in affordable housing has not been an issue. Attorney Woodward added that the maximum selling price of affordable housing units does go up with time, and they can get reimbursed for improvements to the unit. Mr. Banisch addressed affordable housing obligations because of job growth. Committeewoman Hagner asked if the Township currently has to create any new units. Administrator Ciccarone said that the Township is not currently deficient. He also explained that owner occupied rebuilds would not count toward the growthshare obligations. Mr. Banisch further explained how job creation factors in to growthshare. Deputy Mayor Brower asked what would happen to the Township's growthshare plan if the pending legal actions against the COAH regulations were successful. Mr. Banisch said that the Township could petition to have the plan modified accordingly.

### **RESOLUTION 2008-220**

#### **RESOLUTION OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ENDORSING THE AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN OF THE TOWNSHIP MASTER PLAN AND RE- PETITIONING THE COUNCIL ON AFFORDABLE HOUSING FOR SUBSTANTIVE CERTIFICATION**

**WHEREAS**, the Planning Board of Township of Chatham, County of Morris, State of New Jersey, adopted an amended Housing Element and Fair Share Plan on December 1, 2008 and

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the amended Housing Element and Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Township of Chatham, County of Union, State of New Jersey, hereby endorses the amended Housing Element and Fair Share Plan as adopted by the Township of Chatham Planning Board; and

**BE IT FURTHER RESOLVED**, that the Governing Body of Township of Chatham pursuant to the provisions of N.J.S.A. 52:27D-301, et seq. and N.J.A.C. 5:96-3.4, submits this re-petition for substantive certification of the amended Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

**BE IT FURTHER RESOLVED**, that all objectors and owners of sites in the Housing Element and Fair Share Plan have received notice of the re-petition; and

**BE IT FURTHER RESOLVED**, that notice of this re-petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Executive Director of the Council on Affordable Housing indicating that the submission is complete and that a copy of this resolution, the adopted amended Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Township of Chatham municipal clerk's office located at 58 Meyersville Road, Chatham, New Jersey, during the hours of 9:00 am to 4:00 pm on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

Committeeman O'Connor moved to adopt Resolution 2008-220. Committeeman Gallop seconded the motion.

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

### **Introduction of Ordinances**

#### **ORDINANCE 2008-21**

### **AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY ESTABLISHING A LIST TO PROHIBIT SOLICITING AND CANVASSING**

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

1. Chapter IV, GENERAL LICENSING, of the Revised General Ordinances of the Township of Chatham, 1995, is hereby amended to amend the first clause of Subsection 4-1.20 and to add Subsections 4-1.29 and 4-1.30 as follows:

**4-1.20 Exempt Persons.** Except as provided in Subsections 4-1.21, 4-1.29 and 4-1.30, the following persons are expressly exempted from the provisions of Section 4-1, Licensing of Peddlers, Solicitors and Canvassers:

**4-1.29 Entering on Posted Property Prohibited.** No peddler, solicitor or canvasser shall enter onto any property on which is located a sign or signs stating "No solicitors" or carrying a similar message forbidding the entry of any persons onto the property.

**4-1.30 Collection, Preparation and Maintenance of a Non-solicitation List.**

A. The Police Department of the Township of Chatham shall collect, prepare and maintain a list of addresses of those premises where the owner and/or occupant has notified the Police Department that peddling, soliciting and canvassing is not permitted on his/her premises. To be included on the non-solicitation list, residents shall complete and submit a form to the Police Department. The form shall be available to the public at the Township Clerk's Office and at the Police Department.

B. All peddlers, solicitors and canvassers shall obtain the list from the Police Department prior to peddling, soliciting or canvassing in the Township. Peddlers, solicitors and canvassers shall not peddle, solicit or canvass at any address on the non-solicitation list.

2. Except as provided herein, all other provisions of Section 4-1, Licensing of Peddlers, Solicitors and Canvassers, shall remain unchanged.

3. This ordinance shall take effect in accordance with law.

Attorney Woodward reminded the Committee that at the last meeting, Ordinance 2008-20 was adopted which expanded the hours during which canvassing and soliciting is allowed. During that meeting, the idea of a Do Not Solicit list was discussed. Ordinance 2008-21 would allow the creation of such a list, and allow residents to post Do Not Solicit signs on their properties. Canvassers and solicitors would thus be barred from visiting those homes. Deputy Mayor Brower asked if this ordinance would apply to everybody or just certain groups, and pointed out that it would prevent the Girls Scouts from selling cookies door-to-door. Committeewoman Hagner asked if people already have the right to post Do Not Solicit signs. Attorney Woodward said that they do have that right. Mayor Tubbs suggested that the Township Committee hold off on introducing this ordinance, and the subject could be revisited if a need for such an ordinance were to develop.

### **Field Turfing Technology**

Kathy Abbott from the Environmental Commission made a presentation regarding the choices of field turfing materials. Mayor Tubbs said that if the Shunpike Field project moves forward, the bid package would not specify a specific type of material. Mrs. Abbott said that a lot of research was done to obtain information regarding the different types of materials, and said that there are several different environmental concerns regarding artificial turf. Ideally, the Environmental Commission would prefer natural turf under organic care, but they realize that artificial turf is sometimes more practical. Mrs. Abbott said that Mondo and Limonta are two companies that offer artificial turf materials that are both safe and environmentally friendly. She also discussed the concerns regarding crumb rubber. Samples of crumb rubber and the alternative materials were passed around. Paul Hackett discussed heat issues on artificial turf fields. He said that the turf field at Cougar Field is noticeably hotter than the grass fields during the summer, and cited a study performed by an MIT scientist that demonstrated that crumb rubber turf fields give off more ambient heat than asphalt. Furthermore, the increased ambient heat poses health concerns. Mr. Hackett also discussed issues of field elasticity. Committeeman O'Connor asked about the cost difference between crumb rubber and the alternative materials. Mr. Hackett said that the alternative would cost about 10% more than the crumb rubber, because it is an engineered product. He added that the costs of disposing of crumb rubber could be high, and the same machine used for the maintenance of crumb rubber fields is used also for the alternative materials. Mr. Hackett also specified the difference in the materials used in the Mondo and the Limonta products. Deputy Mayor Brower asked about the resiliency of the alternative materials. Mr. Hackett said that Mondo sought to create a material that reverberates in a manner similar to natural turf. Administrator Ciccarone asked about the content of ecofill. Mr. Hackett described the content, and said that the carcinogenic effect is lower than that of crumb rubber.

Mayor Tubbs opened a public hearing on field technology.

1. Paul Achenbach, Lake Road resident, asked if a detailed site plan exists for Shunpike Field. Mayor Tubbs said that a detailed site plan has not yet been developed. Mr. Achenbach said that if the turf material were not specified in the bid package, crumb rubber would remain an issue. Furthermore, the DEP has put regulations into effect for a reason. Mayor Tubbs said that the DEP simply does not allow development within 300 feet of category one waterways. Deputy Mayor Brower said that it is unlikely that the turf material would migrate into the lake. Mr. Achenbach raised a concern about dust generated by the field. Deputy Mayor Brower said that typically the dust on the field is pollen, and are not the result of deterioration. Mr. Achenbach said that tires have hazardous materials in them. He also said that just because a problem is unknown does not mean the problem is not present. Deputy Mayor Brower pointed out that tire dust is created on roads, and tires would not be allowed on automobiles if there were a threat.
2. Ruth MacPherson, Lake Road resident, said that the Township is looking to spend a lot of money to turf a small portion of field when natural turf might be the better option.
3. Alan Sawyer, Madison resident, raised a concern about lighting and noise at Shunpike Field. He also said that parking becomes a problem in that neighborhood when the field is in use. Mayor Tubbs said that there is no intention to put up lighting or amplifiers at Shunpike Field. Mr. Sawyer said he would like to see that intention put in writing. He also discussed light pollution reduction, and thinks that Chatham Township should have a

light pollution control ordinance. Mr. Sawyer also suggested that a curfew on the use of the field be enacted.

4. Sharon Gill, Lake Road resident, said that even though the Mondo product costs more to install, the disposal costs are lower because the ecofill is recyclable.

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

**Consent Agenda**

**RESOLUTION 2008-212**

**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 \$495,367.55 and the prior month's payroll of \$443,926.86 Current Fund, \$43,658.51 Sewer No. 1, \$8,247.63 Sewer No. 2, and \$9,280.07 Police Private Employment be paid.

**BE IT FURTHER RESOLVED** that taxes due to the School District of the Chathams, for the month of December 2008, in the amount of \$3,393,900.97 be paid.

**BE IT FURTHER RESOLVED** that taxes due to the County of Morris, for Added and Omitted Taxes for 2008, in the amount of \$159,604.43 be paid.

**RESOLUTION 2008-213**

**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 November 13, 2008.

**RESOLUTION 2008-214**

**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 meetings held on November 13, 2008.

**RESOLUTION 2008-215**

**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:

<b><u>NAME</u></b>	<b><u>A/C NUMBER</u></b>	<b><u>AMOUNT</u></b>
Oak Knoll School 44 Blackburn Blvd Summit, NJ 07901	7760011170	\$731.25

Mark & Sandy Allen 13 Westminster Road Chatham, NJ 07928	7760011180	\$584.00
Presbyterian Church Chatham 240 Southern Boulevard Chatham, NJ 07928	7760011097	\$488.91
Brian & Suzanne Boutilier 31 Johnson Drive Chatham, NJ 07928	7200013002	\$120.00
Ronald Gunn Gunn Enterprises ROI 32-31	77600011126	\$500.00

**RESOLUTION 2008-216**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING THE SUBMISSION OF AN APPLICATION FOR PARTICIPATION IN THE LOCAL GOVERNMENT ENERGY AUDIT PROGRAM**

**WHEREAS**, the New Jersey Board of Public Utilities, Office of Clean Energy administers the Local Government Energy Audit Program (Program), an incentive program to assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures; and,

**WHEREAS**, the Township Committee of the Township of Chatham has decided to apply to participate in the Local Government Energy Audit Program; and,

**WHEREAS**, the facilities to be audited are in New Jersey, are owned by the Township of Chatham, are served by a New Jersey regulated public utility, and that the Township of Chatham has not already reserved \$100,000 in the Program this year as of this application; and,

**WHEREAS**, it is acknowledged that acceptance into the Program is dependent on the Scope of Work and cost proposal, and that Program rules will have to be met in order to receive incentive funds; and,

**WHEREAS**, upon acceptance into the Program, the Township of Chatham will prepare Facility Data Forms and Scopes of Work for each facility to be audited, solicit quotations from the authorized contractors, and submit the Part B application; and,

**WHEREAS**, the Township of Chatham understands that energy audit work cannot proceed until a Application Approval Notice is received from the Program; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chatham, approves the submission of an Application for participation in the Local Government Energy Audit Program of the New Jersey Board of Public Utilities.

**RESOLUTION 2008-217**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, CANCELLING VARIOUS UNEXPENDED BALANCES**

**WHEREAS**, The Report On Examination of Financial Statements (Audit) for the year ended December 31, 2007 revealed a number of miscellaneous items including unallocated receipts, appropriated reserves, reserves for special deposits, unexpended improvement authorizations, and state aid receivables and reserves, and

**WHEREAS**, The Chief Financial Officer has determined that these items may all be cancelled,

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

Current Fund Schedule of State Aid Receivable	
DEPE Environmental Services Grant	\$805.32
NJ Transit Grant	\$32,349.98

US Fish and Wildlife	\$2,000
Child Passenger Safety	\$5,723.96
Click It or Ticket	\$1,270
SHARE Grant	\$25,530.11
Municipal Stormwater Mitigation	\$2,552
Current Fund Schedule of Appropriated Reserves for Federal and State Grants	
NJ Transit Grant	\$38,129.22
US Fish and Wildlife	\$17,805
Office of Environmental Services State	\$5.53
Office of Environmental Services Local	\$5.53
Occupant Protection Grant	\$4,736.70
SHARE Grant	\$25,530.11
Current Fund Schedule of Reserves for Funds – Appropriated	
Revaluation	\$49,331.17
Current Fund schedule of Unallocated Receipts	\$3,023.70
Trust Fund Schedule of Reserve for Special Deposits	
Municipal Property Insurance Fund	\$1,032.27
Sewer Utility No.1 Schedule of Improvement Authorizations	
Ordinance 15-04	\$144.66
Ordinance 11-04	\$104,484.00
Ordinance 11-04	\$153,481.02
Ordinance 36-99	\$8,530.13
Sewer Utility No. 2 Schedule of Improvement Authorizations	
Ordinance 97-33	\$13,689.02
Ordinance 01-13	\$14,816.44

**RESOLUTION 2008-218**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM APPROVING RAFFLES FOR ROSARY SHRINE GUILD**

**BE IT RESOLVED** by the Township Committee of the Township of Chatham that off-premise raffles and on-premise raffles to be conducted by Rosary Shrine Guild on March 11, 2009, at Corpus Christi Church, Chatham Township, are hereby approved.

**RESOLUTION 2008-219**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING A SETTLEMENT OF THE TAX APPEAL OF JAMES R. SCHMELTZ AND MAUREEN E. SCHMELTZ**

**WHEREAS**, James R. Schmeltz and Maureen E. Schmeltz have appealed their assessment for the year 2008 in the Tax Court of New Jersey, Docket No. 004968-2008; and

**WHEREAS**, the Tax Assessor of the Township of Chatham has recommended acceptance of a proposed settlement of this appeal;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey that the above-referenced tax appeal be settled and the Municipal Attorney shall be authorized to execute a Stipulation of Settlement in the following amounts:

**BLOCK: 106**  
**LOT: 15**  
**STREET ADDRESS: 308 Lafayette Avenue**  
**YEAR: 2008**

	<b>Original Assessment</b>	<b>County Board Judgment</b>	<b>Requested 2002 Tax Court Judgment</b>
<b>Land:</b>	\$ 553,400.00	Direct Appeal	\$ 553,400.00
<b>Impvts:</b>	<u>\$ 607,600.00</u>		<u>\$ 436,600.00</u>
<b>Total:</b>	\$1,161,000.00		\$ 990,000.00

Interest due on any refund will be waived by Mr. and Mrs. Schmeltz, provided the refund is paid within 60 days of the date of entry of the Tax Court Judgment.

The provisions of the Freeze Act, N.J.S.A. 54:51A-8, shall apply to a final disposition of this case and the entire controversy and of any actions pending or hereinafter instituted by the parties concerning the assessment on the property referred to herein for any Freeze Act years, as permitted by applicable law. No Freeze Act year shall be the basis for the application of the Freeze Act for any subsequent year.

Committeeman O'Connor asked about a mileage charge on the bill list. Administrator Ciccarone said that it is a legitimate charge. Deputy Mayor Brower also asked some questions about the bill list, which were answered by Administrator Ciccarone.

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

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

### **Discussion**

#### **Right of Way Agreement with Chatham Township Fire Department**

Mayor Tubbs said that the proposed agreement is the same as the agreement entered into with the Chatham Emergency Squad for putting in the bike path.

Committeeman O'Connor moved to approve the agreement. Committeewoman Hagner seconded the motion.

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

Committeewoman Hagner asked about the status of the Southern Boulevard Firehouse. Administrator Ciccarone said that the final touches are being put into a presentation to be made by the architect and Engineer Ruschke. Bid documents will have to be finalized and a decision will have to be made as to when the Township will go out to bid for the project. Administrator Ciccarone also said that the authorization to borrow the money for the project has already been made, but the money will not actually be borrowed until it is needed. Deputy Mayor Brower said that at the very end of the planning process, the Environmental Commission made a suggestion for a rain garden at the firehouse, and he would like to see such suggestions made at an earlier phase in the planning process. Dot Stillinger said that the Environmental Commission did not get to view the plans until three days before the Planning Board received the plans, and stormwater management is a concern that they have. She also explained that a rain garden is a vegetated detention basin. Engineer Ruschke said that the plans meet or exceed the stormwater management regulations, and said that there may not be adequate space for a functional rain garden.

#### **Safe Routes to School**

Engineer Ruschke said that Banisch Associates provided a proposal to complete a travel plan for Safe Routes to School. The objective of having a travel plan would be not only to create a useful document for grant applications, but also to assess the hazards and risks along the routes to see what improvements could be made. That way the practical need for sidewalks and crosswalks could be determined. Mayor Tubbs asked if anything useful would come out of this project, and if it is worthwhile to spend \$2500 to prioritize sidewalks. Engineer Ruschke said that \$2500 sounded like a low figure for the work that would need to be done, but added that Banisch Associates might simply need to compile a report from data they already have. Mayor Tubbs said that it might be a good idea to have a sidewalk prioritization plan and cost assessment. He also asked Engineer Ruschke to confer with Mr. Banisch. Administrator Ciccarone asked how much of a radius from the schools that this program would affect, and said that nobody walks great distances to get to school. Mayor Tubbs said that the travel plan is helpful in applying for grants. Administrator Ciccarone added that it could also be hazardous for children to walk to bus stops. Engineer Ruschke said that he wants to speak with Mr. Banisch before making a

recommendation. Committeeman Gallop said that he would also speak with Angela Clerico from Banisch Associates on this topic.

**Hearing of Citizens/Petitions**

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

**Executive Session**

**RESOLUTION 2008-P-15**

**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  
Rolling Knolls Litigation  
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 Gallop moved to adopt Resolution 2008-P-15 to go into Executive Session at 10:42 P.M. Committeewoman Hagner seconded the motion.

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

The Township Committee returned from Executive Session at 11:20 P.M.

The meeting was adjourned at 11:21 P.M.

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Gregory J. LaConte  
Deputy Municipal Clerk