

AGENDA

Monday, May 12, 2014

Regular Meeting
Mayor and Borough Council

Borough of Chatham
54 Fairmount Avenue
Chatham, NJ 07928

CALL MEETING TO ORDER The meeting will be called to order at 7:30 p.m.

SALUTE TO THE FLAG

MOMENT OF SILENCE

ADEQUATE NOTICE

Statement re: Adequate Notice of Meeting

Pursuant to the requirements of R.S. 10:4-10, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the Municipal Bulletin Board, on the main floor of the Municipal Building, e-mailed to the Independent Press, the Morris County Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and the Alternative Press and filed with the Borough Clerk, all on January 2, 2014.

ROLL CALL

On a call of the roll the following officials should be present:

Mayor Bruce A. Harris
Council Member James J. Collander
Council Member James Lonergan
Council Member John Holman
Council President Victoria Fife
Council Member Gerald J. Helfrich
Council Member Alida Kass
Robert J. Falzarano, Borough Administrator
James L. Lott, Jr., Borough Attorney
Catherine Baldwin, Acting Clerk

RESOLUTION #14-184

PARENTS WHO HOST LOSE THE MOST

WHEREAS, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety and legal problems; and

WHEREAS, alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat to their long-term development and well-being; and

WHEREAS, it is illegal to give or allow your teen's friends to drink alcohol in your home, even with their parents' permission; and

WHEREAS, anyone found guilty of providing alcohol to youth can face up to a \$1,000 fine and six months in jail, in addition to any civil action that can be brought as a result of damages or injury related to the offense; and

WHEREAS, adults have the authority and responsibility to our youth to provide them with alternative opportunities by creating alcohol free activities; and

WHEREAS, Drug-Free Action Alliance, through the "Parents Who Host, Lose The Most: Don't be a party to teenage drinking" campaign provides the educational materials to raise community awareness regarding this illegal and unhealthy practice; and

WHEREAS, the Borough of Chatham encourages residents to refuse to provide alcoholic beverages to underage youth and to take the necessary steps to discourage the illegal and unhealthy practice, including the reporting of underage drinking by calling their local police.

BE IT RESOLVED, that the Borough of Chatham not only discourages the use of alcohol by those below the legal age of consumption but also exhorts all residents of Borough of Chatham to refuse to provide alcoholic beverages to those underage youth, and will continue to take the necessary steps to discourage this illegal and unhealthy activity; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council of the Borough of Chatham, State of New Jersey do hereby proclaim, the period of May 23 through the month of June 2014 to be: "Parents Who Host, Lose The Most: Don't be a party to teenage drinking" Month 2014.

RESOLUTION #14-185
RESOLUTION TO ADOPT COUNCIL MEETING MINUTES

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the minutes from the following meeting are approved as typed and filed in the Borough Clerk's office:

Council Meeting, April 28, 2014

DISCUSSION ITEMS

1. Municipal Alliance – Catherine Marino
2. Finalize Post Office Plaza Improvements – Mr. DeNave
3. Trail/Park Paving Projects – Mr. DeNave

MEETING OPEN TO THE PUBLIC

**NOTICE
OF PUBLIC COMMENT**

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

Board & Commission Members & Liaison Reports

Affordable Housing Advisory Committee
Traffic & Pedestrian Safety Advisory Committee
Clean Chatham Advisory Committee
Mayors' Wellness Committee
Public Arts Council (Advisory Committee)
Project Community Pride
Chamber of Commerce
Planning Board
Senior Center of the Chathams
Train Station Centennial Advisory Committee
Cares & Shares Advisory Committee
Communications and Technology Advisory Committee
Overnight Parking Advisory Committee
Municipal Pool Advisory Committee
Joint Recreation Advisory Committee
Joint Community Gardens Advisory Committee
Farmers' Market Advisory Committee
Board of Health

Mayor Bruce A. Harris
James J. Collander
Victoria Fife
Victoria Fife
Victoria Fife
Victoria Fife
Victoria Fife
Victoria Fife
Victoria Fife
Victoria Fife
James Lonergan
James Lonergan
James Lonergan
James Lonergan
James Lonergan
John Holman
John Holman
John Holman

COUNCIL MEETING

May 12, 2014

Madison Chatham Joint Meeting
Board of Education
9/11 Memorial Advisory Committee
Open Space & Historic Preservation Trust Advisory Comm.
Environmental Commission
Shade Tree Commission
Historic Preservation Commission

John Holman
Gerald J. Helfrich
Gerald J. Helfrich
Alida Kass
Alida Kass
Alida Kass
Alida Kass

MAYOR'S REPORT

Mayor Bruce A. Harris

ADMINISTRATOR'S REPORT

Robert J. Falzarano

CONSENT AGENDA

The following items are considered to be routine by the Chatham Borough Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

Resolutions #14-186 through Resolution #14- 195 have been placed on the Consent Agenda.

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA

CONTRACTS

RESOLUTION #14-186

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE MUNICIPAL ALLIANCE GRANT FOR THE PERIOD JULY 1, 2014 TO JUNE 30, 2015

WHEREAS, the County of Morris has received a grant from the State of New Jersey - Governor's Council on Alcoholism and Drug Abuse to be used to provide alcoholism and drug abuse prevention and education services to residents of Morris County; and

WHEREAS, in recognition of the fact that alcoholism and drug abuse is a serious societal problem among persons of all ages, the Borough of Chatham has applied for funding to the State of New Jersey - Governor's Council on Alcoholism and Drug Abuse through the County of Morris; and

WHEREAS, the County of Morris has awarded grant funds to the Borough and desires to enter into contract for the Borough to provide such services to Borough residents through a 2014 Municipal Alliance Contract; and

WHEREAS, such contract shall be memorialized in substantially the same form of agreement as the 2014 Municipal Alliance Contract attached hereto and made a part hereof this Resolution, subject to the approval of the Borough Attorney.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham as follows:

1. The Mayor and Borough Clerk be and hereby are to execute the 2014 – 2015 Municipal Alliance Contract in substantially the same form of agreement as the contract attached hereto and made a part hereof this Resolution, subject to the approval of the Borough Attorney.

2. Upon the recommendation of the Borough attorney, the Mayor and Borough Clerk are further hereby authorized to execute all necessary and incidental documents, including any extensions, corrections, amendments or modifications that do not substantively change the terms and conditions of the underlying 2014 – 2015 Municipal Alliance Contract other than to increase the amount thereof.

3. All Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

RESOLUTION #14- 187

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING EXECUTION OF JURISDICTIONAL AGREEMENT WITH THE STATE OF NEW JERSEY

WHEREAS, in connection with a pedestrian safety project, the Borough of Chatham will make improvements to a portion of the right-of-way area along State Highway Route 124 as well as to several Borough roads; and

WHEREAS, in order to prevent future legal or maintenance problems in those areas improved, it is necessary that the Borough and the State of New Jersey apportion the jurisdiction for highway maintenance and control in an equitable manner pursuant to N.J.S.A. 27:7-1 et seq.; and

WHEREAS, the agreement between the Borough and the State of New Jersey, acting through its Commissioner of Transportation, shall be memorialized by Jurisdictional Agreement in substantially the same form as the agreement attached hereto and made a part hereof this Resolution and in a form satisfactory to the Borough Attorney; and

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham in the County of Morris and the State of New Jersey as follows:

1. The Mayor and Acting Borough Clerk be and hereby are authorized and directed to execute the Jurisdiction Agreement with the State in substantially the same form as the

agreement attached hereto and made a part hereof this Resolution and in a form satisfactory to the Borough Attorney.

2. All Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

RESOLUTION #14-188

RESOLUTION OF THE BOROUGH COUNCIL, OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN ACCESS PERMIT AGREEMENT FOR THE USE OF NEW JERSEY TRANSIT TRAIN STATION RESTROOMS FOR THE FARMERS MARKET

WHEREAS, the Borough of Chatham desires to enter into an agreement with New Jersey Transit for the use of the Chatham Train Station restrooms in connection with conducting the Farmers Market; and

WHEREAS, New Jersey Transit has provided Access Permit #14-285 setting forth the duties and responsibilities of the parties, a copy of shall be available for public inspection in the Borough Clerk's office; and

WHEREAS, the approval of the Access Permit Agreement is in the best interests of the Borough of Chatham.

BE IT RESOLVED, by the Borough Council of the Borough of Chatham, County of Morris and State of New Jersey, that the New Jersey Transit Access Permit #14-285 for use of the Chatham Train Station restrooms in connection with the Farmers Market is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk of the Borough of Chatham are hereby authorized to sign the agreement.

RESOLUTION #14-189

RESOLUTION TO AWARD CONTRACT FOR THE INSTALLATION OF PERVIOUS PAVEMENT PATHWAY IMPROVEMENTS TO S&L CONTRACTORS,LLC.

WHEREAS, the Borough of Chatham has determined the need to improve certain Borough pathways; and

WHEREAS, the Borough of Chatham appropriates monies each year for Sidewalk Improvements; and

WHEREAS, the Borough of Chatham has decided that these improvements should be made by using pervious pavement to reduce stormwater runoff; and

WHEREAS, the Borough Engineer has located paths at Fuller Avenue to South Passaic Avenue and Washington Avenue to Lafayette Avenue, that are in need of paving, and

WHEREAS, the Borough of Chatham has received two (2) quotes for the required pathway installation; and

WHEREAS, the bid submitted by S&L Contractors of Berkeley Heights , N.J., in the amount of \$21,628.00 was the low quote for the pathway improvements; and

WHEREAS, the Borough Engineer has reviewed the quotes and finds the low bidder qualified; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in capital account # C-04-55-912-300.

BE IT RESOLVED, by the Council of the Borough of Chatham, County of Morris, State of New Jersey that a contract be processed and awarded to S&L Contractors of Berkeley Heights, N.J., in the amount of \$21,628.00; and

BE IT FURTHER RESOLVED, that the Mayor and the Acting Borough Clerk are hereby authorized and directed to execute a contract with S&L Contractors of Berkeley Heights, N.J., in the amount not to exceed \$21,628.00 for said Improvements.

FINANCE

RESOLUTION #14-190

RESOLUTION TO APPROVE PAYMENT OF VOUCHERS

WHEREAS, vouchers for payment have been submitted to the Borough Council by the various municipal departments.

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Director of Finance.

RESOLUTION #14-191

RESOLUTION TO REFUND PROPERTY TAXES

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that a refund of property taxes be issued to the individuals listed below as follows:

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BLK/LOT	OWNERS & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
115/13	Carroll, Richard & Joann Giovana 14 Red Road	\$5,944.59	2013 4 th Qtr. & 2014 2 nd Qtr. Overpayment - Homeowners and Mortgage Co. paid

RESOLUTION #14-192

RESOLUTION TO REFUND REDEMPTION OF TAX SALE CERTIFICATE #2013-5

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that a redemption of a tax sale certificate be issued to the individuals listed below as follows:

BLOCK/LOT	OWNERS & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
97/9	Torppey, William & Donna 172 Fairmount Avenue	\$6,252.41	Redemption Tax Cert. # 2013-5 (Total includes \$3,500.00 premium)

*Make check payable to lien holder:

John Venutolo
25 Hughes Place
Summit, NJ 07901

OTHER

RESOLUTION #14-193

RESOLUTION TO REAPPOINT THE FOLLOWING INDIVIDUALS AS SUB-REGISTRARS FOR A THREE YEAR TERM

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham that the licensed staff of Wm. A. Bradley's Funeral Home be reappointed for another three year term as sub-registrars, starting May 27, 2014 to May 26, 2017. They are to issue burial permits only in cases of extreme emergency.

Wm. A. Bradley & Son staff:
Scott W. Bradley #3894
Daniel Vander Ploeg #4225
Christopher J. Lisewski #4057
John Caffrey #4398

RESOLUTION #14-194

RESOLUTION TO AUTHORIZE THE SENIOR CENTER OF THE CHATHAMS TO PLACE A BANNER AT THE CHATHAM TRAIN STATION PARKING LOT

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WHEREAS, the Senior Center of the Chathams submitted a request to display a banner on the sign display posts that are located at the Train Station; and

WHEREAS, the banner will advise the public the Senior Center of the Chathams Garden Tour is scheduled for June 7, 2014.

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Chatham that the Senior Center of the Chathams is authorized to display, one banner on the sign display posts that are located adjacent to Fairmount Avenue in the Train Station parking lot island; and

BE IT FURTHER RESOLVED, the sign is authorized to be displayed from Friday, May 23rd through Saturday, June 7th, 2014 and;

BE IT FURTHER RESOLVED, the sign is to be removed before June 9, 2014.

RESOLUTION #14-195

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, MORRIS COUNTY TO AUTHORIZE THE CHATHAM TRAIN STATION CENTENNIAL CELEBRATION COMMITTEE TO DISPLAY A BANNER AT REASONER PARK

WHEREAS, the Mayor and Borough Council of the Borough of Chatham authorized the Chatham Train Station Centennial Celebration; and

WHEREAS, the Mayor and Borough Council are proud to commemorate the 100th anniversary of the Chatham Train Station to be celebrated on June 14, 2014, recognizing the significance of this special anniversary and applauding the distinguished history of the station and its contribution to the character and development of the Borough; and

WHEREAS, the Mayor and Borough Council wish to invite residents and members of the public to join in the Train Station Centennial Celebration to be held on June 14, 2014. The celebration will include children's activities, memorabilia, artifact and picture displays, an attempt to break the Guinness World Record for most train whistles blown at the same time and more; and

WHEREAS, The Chatham Train Station Centennial Celebration Committee submitted a request to display a banner at Reasoner Park.

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Chatham that a Train Station Centennial Celebration banner is authorized to be displayed from May 15, 2014 to June 15, 2014; and

BE IT FURTHER RESOLVED, that the banner shall be removed before June 16, 2014.

CONSENT AGENDA VOTE:

Mayor Harris asks Council Member _____ to proceed with the Resolutions listed on the Consent Agenda, Resolutions #14-186 through #14-195

Council Member _____: I would like to make a motion to allow the resolutions on this evening's agenda to be approved by consent of the Council; and I so move.

Seconded by: _____

FIRST READING ORDINANCE PROCEDURE

- (1) Mayor Harris asks **Council Member Lonergan** to introduce Ordinance #14-06
- (2) **Council Member Lonergan** introduces Ordinance #14-06 by title as follows:

ORDINANCE #14-06

"BOND ORDINANCE TO AMEND SECTIONS 4.G AND 11 OF THE BOND ORDINANCE (ORD. NO. 12-06) ENTITLED: 'BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,039,851 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS,' ADOPTED APRIL 23, 2012."

- (3) **Council Member Lonergan** explains the purpose of the Ordinance and moves for introduction on the First Reading.

Council Member Lonergan reads:

WHEREAS, the above Ordinance was introduced, read by title at this Council meeting held on May 12, 2014.

BE IT RESOLVED, that at the Council meeting to be held on May 27 2014 at 7:30 p.m. prevailing time, at the Borough Hall in said Borough, this Council will further consider this Ordinance for a second reading and final passage; and

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BE IT FURTHER RESOLVED, that the Acting Clerk of this Borough is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall and make copies available to members of the general public.

Mayor asks the Acting Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Lonergan						
Holman						
Fife						
Helfrich						
Kass						

RESOLUTION #14-196

RESOLUTION TO RECESS INTO CLOSED SESSION

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it adjourn into Closed Session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

CONTRACTS: 1. St. Paul's Agreement – Mr. Lott
2. ECLC Lease – Mr. Lonergan
3. Joint Meeting – Mr. Helfrich

LITIGATION: Tricare Update – Mr. Lott

PERSONNEL: Borough Clerk Selection – Ms. Fife

The matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege.