

**AGENDA**  
**November 10, 2014**

**Regular Meeting**  
**Mayor and Borough Council**

**Borough of Chatham**  
**54 Fairmount Avenue**  
**Chatham, NJ 07928**

---

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

---

**SALUTE TO FLAG**

---

**MOMENT OF SILENCE**

---

**STATEMENT OF**  
**ADEQUATE NOTICE**

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, emailed 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**

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

---

**RESOLUTION #14-323**

**RESOLUTION CELEBRATING SATURDAY NOVEMBER 29, 2014**  
**AS SMALL BUSINESS SATURDAY**

**WHEREAS**, the government of the Borough of Chatham celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are currently 23 million small businesses in the United States, they represent more than 99 percent of American employer firms, create more than two-thirds of the net new jobs and generate 46 percent of private gross domestic product; and

**WHEREAS**, small businesses are the cornerstone of our free enterprise system and since the birth of our country have represented opportunity, independence, and the fulfillment of dreams for generations of Americans; and

**WHEREAS**, small business owners who work long hours, juggle family and business responsibilities and serve as community volunteers, are integral to our country's prosperity and to the vibrancy of our community; and

**WHEREAS**, 93 percent of United States consumers believe it is important to support the local small businesses they value in their community and agree that locally owned independent businesses contribute positively through providing jobs and paying taxes; and

**WHEREAS**, the Borough of Chatham enthusiastically supports our local businesses and recognizes the important contribution they make in creating jobs, boosting our local economy and preserving our neighborhoods; and

**WHEREAS**, advocacy groups and public and private organizations across the country have endorsed the Saturday after Thanksgiving as “Small Business Saturday”.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Saturday, November 29, 2014 shall be celebrated in the Borough as “Small Business Saturday”; and hereby urge all citizens of Chatham Borough to support our small businesses and merchants on Small Business Saturday, and throughout the year.

---

## **RESOLUTION #14-324**

### **RESOLUTION TO ADOPT COUNCIL MEETING MINUTES**

**BE IT RESOLVED** by the Council of the Borough of Chatham that the minutes from the following meeting are approved as prepared and shall be filed as a permanent record in the Borough Clerk’s office:

October 27, 2014

**BE IT FURTHER RESOLVED** by the Council of the Borough of Chatham that the minutes from the following Closed Session meeting(s) are approved as prepared and shall be filed as a permanent record in the Borough Clerk’s office:

October 27, 2014

---

## **DISCUSSION ITEMS**

1. BSA Scout Projects – Mr. Tony Britt
2. Chatham Downtown Alliance – Mr. Tony Britt
3. Proposed Pilgrim Pipeline – Ms. Katey DePinto
4. Memorial Bench Plaques – Council President Victoria Fife

---

## **MEETING OPEN TO THE PUBLIC**

### **NOTICE OF PUBLIC COMMENT TIME LIMIT**

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.

---

## **REPORTS**

### **Council Committees** [Second meeting of the month]

<b>Budget and Finance</b>	Council Member James Lonergan
<b>Long Range Traffic &amp; Pedestrian Safety Planning</b>	Council Member James J. Collander
<b>Public Safety &amp; Emergency Services</b>	Council Member James J. Collander
<b>Personnel</b>	Council President Victoria Fife
<b>Public Works Planning</b>	Council Member John Holman
<b>Shared Services &amp; 3<sup>rd</sup> Party Agreements</b>	Council Member Gerald Helfrich

---

## **MAYOR'S REPORT**

---

## **ADMINISTRATOR'S REPORT**

---

## **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.

Resolution #14-325 through Resolution #14-330 have been placed on the Consent Agenda.

---

## **RESOLUTION[S] REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE**

### **RESOLUTION #14-**

---

## **FINANCE**

### **RESOLUTION #14-325**

#### **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 #14-326**

#### **RESOLUTION AUTHORIZING THE REFUND FOR PROPERTY TAX OVERPAYMENT**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that a duplicate payment was made by the seller's mortgage lender and purchaser's mortgage lender at the date of closing resulting in an overpayment of property taxes; and

**WHEREAS**, the Tax Collector has further advised a refund for the duplicate property tax overpayment is to be made as follows:

BLK/LOT	OWNERS & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
89 / 14	Van Arsdale, Elizabeth 148 Lafayette Avenue	\$3,129.83	2014 - 4Qtr.

Homeowner mailed tax bill to the Borough of Chatham in error.

It was deposited and therefore needs to be refunded to the Township of Chatham.

Make check payable and mail to:  
Township of Chatham,  
Attn. Mary Ellen Babyack  
58 Meyersville Road  
Chatham, NJ 07928

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to process a refund for the duplicate overpayment of property taxes as herein referenced.

---

## **APPOINTMENTS**

### **RESOLUTION #14-327**

#### **RESOLUTION APPOINTING FUND COMMISSIONER TO THE MORRIS COUNTY JOINT INSURANCE FUND**

**WHEREAS**, Public Law 1983, c.372 (N.J.S.A. 40A:10-36 et seq.) permits municipalities to join together to form a joint insurance fund; and

**WHEREAS**, the Morris County Municipal Joint Insurance Fund is duly constituted as a Municipal Self-Insurance Fund; and

**WHEREAS**, the Borough of Chatham is a member of the Morris County Municipal Joint Insurance Fund, and

**WHEREAS**, N.J.S.A. 40A:10-36 et seq., as well as, the Bylaws of the Morris County Municipal Joint Insurance Fund provide that “in the manner generally prescribed by law, each member shall appoint one (1) commissioner to the Fund; and

**WHEREAS**, each member shall select either a member of its governing body or one of its employees; and

**WHEREAS** the term of the appointment is either:

1. A commissioner, other than the special commissioner, who is a member of the appointing municipality's governing body shall hold office for two (2) years or for the remainder of his/her term of office as a member of the governing body, whichever shall be less; or.
2. Commissioners who are employees of the appointing municipality shall hold office at the pleasure of the utility authority and can be removed by the municipality at any time without cause.

**BE IT RESOLVED** that the Mayor and Council of the Borough of Chatham does hereby appoint the Borough's Chief Finance Officer, Timothy Day, to serve as Fund Commissioner to the Morris County Municipal Joint Insurance Fund; and

**BE IT FURTHER RESOLVED**, that all Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

---

## **CONTRACT**

### **RESOLUTION #14-328**

#### **RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO JML LANDSCAPING, INC. FOR THE SHEPARD KOLLOCK PARK SPRINKLER SYSTEM, IN THE AMOUNT NOT TO EXCEED 22,162.00**

**WHEREAS**, the Borough Engineer has indicated that the sprinkler system at Shepard Kollock Park is in need of improvements, and

**WHEREAS**, the Borough Engineer solicited and received the following three (3) quotes for the required sprinkler upgrades:

<u>VENDOR</u>	<u>QUOTE AMOUNT</u>
1. JML Landscaping, Inc.	\$22,162.00
2. Growing Concern, Inc.	\$30,463.00
3. R & R Irrigation Co. Inc.	\$24,125.00

And,

**WHEREAS**, the Borough Engineer and the Borough Qualified Purchasing Agent have reviewed all quotes and have deemed the quote submitted by JML Landscaping, Inc., of Neshanic Station N.J., in the amount of \$22,162.00 to be the lowest responsible quote; and

**WHEREAS**, the Borough Engineer recommends that the award of the contract be made to JML Landscaping, Inc., in the amount of \$22,162.00; and

**WHEREAS**, the Director of Finance has confirmed that sufficient funds are available in Capital Improvement Fund Account # C-04-55-911-501 for the award of this contract.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it concurs with the recommendation of the Borough Engineer and hereby authorizes an award of contract be made to JML Landscaping, Inc., of Neshanic Station N.J., in the amount of \$22,162.00, in accordance with the specifications upon which quotes were received and accepted; and

**BE IT FURTHER RESOLVED**, that the Council authorizes the Mayor to execute the contract on behalf of the Borough.

---

## **SHARED SERVICE**

### **RESOLUTION #14-329**

#### **RESOLUTION AMENDING THE INTERLOCAL SERVICE AGREEMENT FOR UNIFORM CONSTRUCTION CODE SERVICES WITH THE BOROUGH OF MADISON**

**WHEREAS**, Resolution #13-381 adopted by the Borough Council on November 25, 2013 authorized the Borough to enter into an Interlocal Service Agreement with the Borough of Madison for all state mandated Uniform Construction Code Services pursuant to the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.); and

**WHEREAS**, the Borough entered into an Interlocal Service Agreement with the Borough of Madison on November 26, 2013, which provided, among other things, a three (3) year term beginning January 1, 2014 and terminating on December 31, 2016; and

**WHEREAS**, the parties wish to amend the Interlocal Service Agreement to establish a four (4) year term in accordance with N.J.A.C. 5:23-4.6(b)3; and

**WHEREAS**, the parties wish to stipulate to certain matters as set forth in N.J.A.C. 5:23-4.6 through 4.8 providing (i) the term of office of any construction official shall be for four (4) years; (ii) only one central office shall be required, however, the parties may establish offices which are reasonably accessible in terms of distance, location and function, and (iii) the Borough of Madison, as provider, shall administer and enforce the Uniform Construction Code.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby amend the Interlocal Service Agreement as set forth herein; and

**BE IT FURTHER RESOLVED**, by the Borough Council that the Mayor is authorized to execute the Amendment to the Interlocal Service Agreement for Construction Services with the Borough of Madison.

---

## **OTHER**

### **RESOLUTION #14-330**

#### **RESOLUTION PERMITTING PILGRIM PIPELINE HOLDINGS, LLC ACCESS TO CERTAIN BOROUGH PROPERTY FOR THE PURPOSE OF PREPARING A PIPELINE SURVEY**

**WHEREAS**, Pilgrim Pipeline Holdings, LLC is proposing to develop an East Coast pipeline to carry crude oil from Albany, New York to refineries in Linden, New Jersey, and to carry refined petroleum products northbound from New York Harbor to Upstate New York; and

**WHEREAS**, the Borough Administrator has informed the Mayor and Council at their October 27, 2014 closed session that representatives from Pilgrim Pipeline Holdings, LLC project management team have contacted the Borough seeking permission to access certain Borough property for the purpose of preparing a pipeline survey for the proposed Pilgrim Pipeline from Albany, New York to Linden, New Jersey; and

**WHEREAS**, the Mayor and Borough Council asked the Borough Administrator to notify Pilgrim Pipeline Holdings, LLC that access to Borough property for surveying purposes only is authorized.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby consent to Pilgrim Pipeline Holdings, LLC's request seeking permission to access certain Borough property for the purpose of preparing a pipeline survey, contingent upon the Borough receiving a copy of the pipeline survey once completed; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator is hereby directed to advise Pilgrim Pipeline of the Borough's consent and to request a copy of the pipeline survey once completed.

---

## CONSENT AGENDA VOTE:

Council President Victoria Fife asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent agenda. Resolutions #14-325 through #14-330.

Council Member \_\_\_\_\_: I would like to make a motion to approve the resolutions placed on this evening's Consent Agenda by consent of the Council.

Seconded by Council Member:\_\_\_\_\_.

---

## ADD-ON RESOLUTIONS

---

## ORDINANCE FOR FIRST READING

Council President Victoria Fife asks Council Member James Collander to introduce Ordinance #14-11.

Council Member Collander introduces Ordinance #14-11 by title as follows:

**ORDINANCE #14-11**  
**AN ORDINANCE OF THE MAYOR AND COUNCIL**  
**OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY**  
**AMENDING CHAPTER 15 OF THE BOROUGH CODE**  
**RELATED TO THE BOROUGH FIRE DEPARTMENT**

Council Member Collander explains the purpose of the Ordinance and moves for introduction on First Reading.

Council Member Collander reads:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on November 10, 2014.

**BE IT RESOLVED**, that at the Council meeting to be held on November 24, 2014 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED** that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in the Municipal Building and make copies available to members of the general public. And I do so move.

Council President Fife asks the Borough Clerk for a Roll Call Vote:

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

Council President Victoria Fife asks Council Member James Lonergan to introduce Ordinance #14-12.

Council Member Lonergan introduces Ordinance #14-12 by title as follows:

**ORDINANCE #14-12**

**AN ORDINANCE TO AMEND THE SALARIES AND WAGES FOR CERTAIN MUNICIPAL POSITIONS OF THE BOROUGH OF CHATHAM FOR THE YEAR 2015**

Council Member Lonergan explains the purpose of the Ordinance and moves for introduction on First Reading.

Council Member Lonergan reads:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on November 10, 2014.

**BE IT RESOLVED**, that at the Council meeting to be held on November 24, 2014 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED** that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in the Municipal Building and make copies available to members of the general public. And I do so move.

Council President Fife asks the Borough Clerk for a Roll Call Vote:

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

---

**RESOLUTION #14-**

**RESOLUTION TO ADJOURN INTO CLOSED SESSION**

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it shall 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:

[None]

**BE IT FURTHER RESOLVED**, 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. The Borough Council will not return to public session after this closed session.

---

**ADJOURNMENT**