

Regular Council Meeting Minutes
April 15, 2014

REGULAR COUNCIL MEETING
April 15, 2014 7:30 p.m.

The Regular Council Meeting of the Borough of Chatham was held on Tuesday April 15, 2014 beginning at 7:30 p.m. in the Council Chambers, in the Municipal Building.

The meeting was called to order at 7:30 p.m.; Mayor Bruce A. Harris presiding.

The Mayor and Borough Council saluted the flag.

Mayor Harris asked for a moment of silence for those people who have given their life for this country; and for Becky Kidd a long time volunteer for the Chatham Emergency Squad who passed away recently.

Catherine Baldwin, Acting Municipal Clerk read the statement regarding 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, and Chatham Courier, the Chatham Patch, and Alternative Press and filed with the Borough Clerk, all on January 2, 2014.

On a call of the roll the following officials were 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

Council Member Kass read the following proclamation.

PROCLAMATION

ARBOR DAY PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska and,

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and

WHEREAS, Hurricane Irene in August 2011, October 2011 snow storm and Hurricane Sandy in October 2012 resulted in the loss of numerous trees in the Borough.

BE IT RESOLVED, I, Mayor Bruce A. Harris of the Borough of Chatham, do hereby proclaim April 25, 2014 as **ARBOR DAY** In the community of the Borough of Chatham, I urge all citizens to support efforts to protect our trees and woodlands to support our city's urban forestry program, and Further, I urge all citizens to plant trees to gladden hearts and promote the well-being of present and future generations.

Ken Fekete Chairman of the Shade Tree Commission accepted the Proclamation. Mr. Fekete explained some of the activities planned to celebrate Arbor Day.

RESOLUTION #14-166 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, March 24, 2014
Special Council Meeting March 31, 2014

Regular Council Meeting Minutes
April 15, 2014

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Chatham that the Executive Session minutes be adopted herein as approved and redacted by the Borough Attorney:

Executive Session March 24, 2014

Council Member Helfrich moved to approve Resolution #14-166, seconded by Council Member Collander. A vote was taken and Resolution #14-166 was approved unanimously.

DISCUSSION ITEMS

Freeholder Budget – Hank Lyon gave an overview of the County Budget. The budget will have a 0% tax increase for the second year in a row. Mr. Lyon explained some of the services offered by the County. The Council Members had questions about the services offered by the County and if it was necessary to have County services that the municipalities also offer.

Budget Clarification – James Lonergan explained some of the points of the budget that Council Member Kass had questioned.

Tree Ordinance – Ms. Kass stated she spoke with members of the Shade Tree Commission and looked at ordinances in other towns and also the ordinances the Borough has now. She will meet with the Shade Tree Commission to review and update the Borough tree ordinances.

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.

Joe Marts of 14 Coleman Avenue, West thanked the Council for continuing to repair the roads in the Borough. Mr. Marts questioned if we had adequate police officers on the street.

Mr. Falzarano stated since November they have added two more patrolmen during the day downtown.

Ken Fekete of 10 Lafayette Place, Chairman of the Shade Tree Commission stated the Shade Tree Commission has not been asked to contribute to the Tree Ordinance.

Mayor Harris and Council Member Kass stated the Shade Tree Commission would be involved with the Tree Ordinance.

Regular Council Meeting Minutes
April 15, 2014

Michael Dean of 181 North Passaic Avenue stated there is a plaque in Memorial Field for what he thinks is a Vietnam veteran. The tree is gone. He would like to see trees replanted first at sites like this. Mr. Dean wanted to make sure that all of Harvard Street is being paved not just the section between North Passaic Avenue and North Hillside Avenue.

Ron Nicola of 25 Rowan Road asked the Council not to approve the "Relay for Life" Event. He would like it moved to another location or limit the excessive noise to 10 p.m. The noise last year during the event was unbearable. There was a band playing loud music at 4:00 in the morning. Mr. Nicola gave some suggestions for locating the event.

Doug Hobby of 29 Rowan Road agreed with Mr. Nicola about the "Relay for Life" Event and the noise it generated.

Cory Willis chair of the "Relay for Life" stated the Event was attended by 300 residents of the community and raised over \$70,000.00. She stated the music and lights will be turned down by 11:00. There will be a quiet time between 1:00 a.m. and 3:00 a.m. when they will show movies.

Fran Drew of 32 Inwood Road thanked Council Member Kass for contacting her about the Tree Ordinance. She will work with Council Member Kass to revise the Tree Ordinances. Ms. Drew thanked the Council for looking into the traffic problems on Main Street. Ms. Drew had questions about installing solar panels on Borough owned buildings.

Council Member Holman explained the problems and expense of installing solar panels.

Marc Boisclair of 92 Elmwood Avenue explained the activities planned for the June 14th Train Station Centennial and the unveiling of the mural for the underpass on Fairmount Avenue.

Board & Commission Members & Liaison Reports

Affordable Housing Advisory Committee

Mayor Bruce A. Harris had nothing new to report.

Traffic & Pedestrian Safety Advisory Committee

James J. Collander reported the Committee will schedule a meeting with the residents in the area of the Washington Avenue School to discuss the parking expansion.

Clean Chatham Advisory Committee

Victoria Fife reported the Clean Chatham event will take place on May 3rd from 8 a.m. to 1 p.m. There is a mailing going out this week to solicit volunteers.

Regular Council Meeting Minutes
April 15, 2014

Mayors' Wellness Committee

Victoria Fife stated the Committee will sponsor a Zumba class to kick off the "Relay for Life" event. They will also sponsor a warm up before the Fishawack Run.

Public Arts Council (Advisory Committee)

Victoria Fife reported the Public Arts Council will unveil the mural on June 14th.

Project Community Pride

Victoria Fife had nothing new to report.

Chamber of Commerce

Victoria Fife had nothing new to report.

Planning Board

Victoria Fife stated the M district subcommittee is meeting tomorrow night.

Senior Center of the Chathams

Victoria Fife reported the seniors are having a shredding event at the Train Station on April 26th. Their Garden Tour is being held on June 7th with a kickoff party the night before.

Train Station Centennial Advisory Committee

Victoria Fife had nothing new to report. Mr. Boisclair reported earlier.

Cares & Shares Advisory Committee

James Lonergan had nothing new to report.

Communications Technology Advisory Committee

James Lonergan had nothing new to report.

Overnight Parking Advisory Committee

James Lonergan had nothing new to report.

Municipal Pool Advisory Committee

James Lonergan had nothing new to report.

Joint Recreation Advisory Committee

James Lonergan had nothing new to report.

Regular Council Meeting Minutes
April 15, 2014

Joint Community Gardens Advisory Committee

John Holman reported the water line has been installed at the garden, the driveway is repaired, and fence poles have been installed. Both the Borough DPW and Township DPW have been working hard.

Farmers' Market Advisory Committee

John Holman had nothing new to report.

Board of Health

John Holman had nothing new to report.

Madison Chatham Joint Meeting

John Holman had nothing new to report.

Board of Education

Gerald J. Helfrich stated the School Board elections are on April 23rd. He encouraged everyone to go out and vote.

9/11 Memorial Advisory Committee

Gerald J. Helfrich had nothing new to report.

Open Space & Historic Preservation Trust Advisory Committee

Alida Kass had nothing new to report.

Environmental Commission

Alida Kass had nothing new to report.

Shade Tree Commission

Alida Kass reported earlier in the meeting.

Historic Preservation Commission

Alida Kass had nothing new to report, the Committee is meeting tonight.

MAYOR'S REPORT

Mayor Bruce A. Harris reported the Bee Garden is humming along. The bees arrived on Friday and they were put into 8 hives. Mayor Harris thanked the DPW and Simonfay Landscaping for their hard work at the garden. Mayor Harris thanked the Jaycees for their donation which will be used for the bear fence. There have been some minor incidents of vandalism; one of the hives was cracked and another one dented. The Mayor, Vicki, Jim and Bob met with NJ Transit about the restaurant proposed for the train station. NJ Transit did not receive any compliant bids; there

Regular Council Meeting Minutes
April 15, 2014

are some problems with the location of some communications equipment which cannot be moved. The Borough and NJ Transit are working together on a solution.

ADMINISTRATOR'S REPORT

Robert J. Falzarano stated the recycling tonnage is up from 2011 to 2012 by 33%; this was due to Stan and Janice working with the business owners in town to report their recycling tonnage. The first quarter Goals and Objectives was distributed to the Council; 26% of them are complete. DPW has been working at Shepard Kollock Park they hope to have the baseball and soccer fields open by May 15th. Demolish will start at Rotary Park this week. Both Officer Jeffrey Battiloro and Officer Matthew Belcastro injured this week, are doing well.

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 #14-167 through Resolution #14- 174 has been placed on the Consent Agenda.

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA

None

CONTRACTS

RESOLUTION #14-167

RESOLUTION TO AWARD THE CONTRACT FOR THE 2014 SIDEWALK AND CURB PROGRAM TO M. SKY CONSTRUCTION CORPORATION OF LAKE HOPATCONG, NJ

WHEREAS, the Borough of Chatham has the annual need to bid out services for curb and sidewalk improvements; and

WHEREAS, the Borough of Chatham has received eight (8) bids for the required 2014 Sidewalk and Curb Program; and

WHEREAS, the bid submitted by M. Sky Construction Corporation, in the amount of \$155,465 was the low bid; and

WHEREAS, the Borough Engineer has reviewed the bids and finds the low bidder qualified and the bid documents to be acceptable; and

Regular Council Meeting Minutes
April 15, 2014

WHEREAS, the Chief Financial Officer has determined sufficient funds will be available upon final approval of the 2014 budget.

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 M. Sky Construction Corporation in the amount of \$155,465; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute a contract with M. Sky Construction Corporation in the amount of \$155,465 for the sidewalk improvements.

RESOLUTION #14-168
RESOLUTION TO AWARD A CONTRACT FOR ENGINEERING DESIGN SERVICES
FOR THE 2014 ROAD RESURFACING IMPROVEMENTS TO MASER CONSULTING
PA

WHEREAS, the Borough of Chatham has identified various roads in need of resurfacing; and

WHEREAS, the Engineering Department has determined soliciting competitive quotes for professional services would be less expensive than utilizing the Morris County Cooperative Purchasing program; and

WHEREAS, the Engineer has received three (3) responses to the Request for Proposals(RFP's) for the engineering design services as follows:

Maser Consulting P.A.	\$7,500.00
Dynamic Engineering Consultants, PC	\$13,250.00
Ferriero Engineering, Inc.	\$8,800.00

;and

WHEREAS, the Borough Engineer for the Borough of Chatham has reviewed the proposals and advised that Maser Consulting P.A. was the lowest quote for the services outlined; and

WHEREAS, the Finance Director has determined that sufficient funds are available for the professional engineering services required for this project in acct # C-04-913-201.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, County of Morris, State of New Jersey that a contract for the design services required to be undertaken for

Regular Council Meeting Minutes
April 15, 2014

the 2014 Road Resurfacing Improvement project in the total amount of \$7,5000.00 for the design services outlined in the proposal dated April 1, 2014 was prepared by Maser Consulting P.A.; and

BE IT FURTHER RESOLVED, that the Mayor and Acting Borough Clerk are hereby authorized and directed to execute a contract for the design services required to be undertaken for the project in the total amount of \$7,500.00 duly awarded to Maser Consulting P.A.

FINANCE

**RESOLUTION #14-169
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 #14-170
RESOLUTION TO REFUND REDEMPTION OF TAX SALE CERTIFICATE #2011-8**

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
133/2	Loantaka LLC to St. Benin 110 Summit Avenue	\$93,566.98 Tax Cert. # 2011-8 (Total includes \$8,000.00 premium)	Redemption

Refund should be made out & mailed to:
Jonathan Katz
61 Hilltop Road
Short Hills, NJ 07078

OTHER

**RESOLUTION #14-171
RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF
CHATHAM, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE RELAY
FOR LIFE EVENT**

Regular Council Meeting Minutes
April 15, 2014

WHEREAS, Relay for Life is the American Cancer Society's signature fund-raising event in support of research, education, advocacy, and patient services; and

WHEREAS, the Relay for Life Event is a community-owned/volunteer-driven event, not simply to raise funds, but to involve new communities, give society a local presence and provide communities the opportunity to own the American Cancer Society's mission to relentlessly work to save lives and create a world with less cancer; and

WHEREAS, the Relay for Life Event of Chatham is scheduled to be held at Haas Field in the Borough overnight from May 31st to June 1st of 2014; and

WHEREAS, as part of the Relay for Life Event, participants will camp out overnight and take turns walking or running around the Haas Field track to raise money and awareness to help the American Cancer Society in the world's fight against cancer. There will be food, fun, entertainment, music, and ceremonies to honor those who have been affected by cancer; and

WHEREAS, additionally, the Relay for Life Fair Committee and volunteers plan to have a small number of vendors at the Event providing a variety of homemade wares for sale and local businesses offering products for sale. Each of the vendors will donate a percentage of the profits to Relay for Life; and

WHEREAS, the Mayor and Borough Council wish to recognize this event as a public celebration that is not subject to the Borough's noise ordinance. However, should the Chatham Borough Police Department receive complaints regarding noise, the event sponsors shall comply with the directions of the Chatham Police Department to mitigate the complaint; and

WHEREAS, the Mayor and Borough Council further wish to designate Saturday May 3, 2014 "Paint the Town Purple" day in celebration of Relay For Life and encourage residents to display purple ribbons outside their homes or business.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham in the County of Morris and the State of New Jersey that it is a privilege to approve the Relay for Life Event at Haas Field in the Borough from 4:00 p.m. on May 31st to 6:00 a.m. on June 1, 2014; and

BE IT FURTHER RESOLVED, the clean-up will be coordinated by the Chatham Borough Department of Public Works with the assistance from the Relay for Life Committee members and volunteers; and

BE IT FURTHER RESOLVED, that a Relay for Life Event banner will hang at Reasoner Park from April 16th through June 3, 2014; and

Regular Council Meeting Minutes
April 15, 2014

BE IT FURTHER RESOLVED, that Saturday May 3, 2014 shall be designated "Paint the Town Purple" day in celebration of Relay For Life; and

BE IT FURTHER RESOLVED, all materials, including ribbons, banners and signs, shall be removed by June 3, 2014; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council extend their appreciation to the many volunteers that gave their time to plan, coordinate and manage the Relay for Life Event.

PERSONNEL

RESOLUTION #14-172

RESOLUTION TO AUTHORIZE CATHERINE BALDWIN TO RECEIVE A SALARY STIPEND FOR SERVING AS ACTING BOROUGH CLERK

WHEREAS, Ordinance #13-23 adopted by the Mayor and Council of the Borough of Chatham establishes the minimum and maximum rate of pay for various positions in the Borough of Chatham; and

WHEREAS, Ordinance #13-23 establishes discretionary stipends; and

WHEREAS, the Mayor and Borough Council recognize the additional responsibilities that Catherine Baldwin has assumed due to the resignation of the Borough Clerk; and

WHEREAS, on March 10, 2014, the Borough Council appointed Catherine Baldwin to serve as Acting Borough Clerk effective March 14, 2014; and

WHEREAS, the Personnel Committee has recommended that Catherine Baldwin receive a monthly stipend of \$1,250.00 during the time period that she will serve as Acting Borough Clerk.

BE IT RESOLVED, by the Mayor and Borough Council that the recommendation from the Personnel Committee for the Borough Council to authorize the monthly stipend of \$1,250.00 to compensate Catherine Baldwin to serve as Acting Borough Clerk is hereby approved.

RESOLUTION #14-173

RESOLUTION TO APPOINT CHERI MORRIS AS MUNICIPAL DEPUTY REGISTRAR EFFECTIVE MARCH 17, 2014 THROUGH MARCH 17, 2017

Regular Council Meeting Minutes
April 15, 2014

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Cheri Morris be appointed as Deputy Municipal Registrar effective March 17, 2014 through March 17, 2017.

RESOLUTION #14-174
RESOLUTION TO AMEND RESOLUTION #14-08 AND TO ESTABLISH THE PAY SCALE FOR SCHOOL CROSSING GUARDS FOR 2014

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the following School Crossing Guards for the school calendar year 2014 have been appointed as follows at the hourly rate of pay of \$20.76:

T. Boland	R. Crater	D. Achille
D. Cali-Charles	A. Lombardi	M. Conlan
G. Walsh	H. Ochs	M. Spinner
P. Casteliano	A. Kling	J. Parcels
N. Renzulli	L. Salinardi	J. Whiteside
K. Donnelly	J. Sweetin	C. Cooke
S. Piana	M. Grimm	
J. Eggerman	R. Loock	

CONSENT AGENDA VOTE:

Mayor Harris asked Council Member Kass to proceed with the Resolutions listed on the Consent Agenda, Resolutions #14-167 through #14-174.

Council Member Kass moved to allow the resolutions on this evening's agenda to be approved by consent of the Council.

Seconded by Council Member Collander, a vote was taken and the Resolutions on the Consent Agenda were approved unanimously.

RESOLUTION #14-175
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: Joint Meeting Agreement – Mr. Helfrich

Regular Council Meeting Minutes
April 15, 2014

LITIGATION: Tricare Update – Mr. Lott

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.

Council Member Lonergan moved to approve Resolution #14-175, seconded by Council President Fife. A vote was taken and Resolution #14-175 was approved unanimously.

Adjourn: 9:57 p.m.

Respectfully Submitted:

Catherine Baldwin, Acting Clerk