REGULAR COUNCIL MEETING Monday, May 12, 2014

The Regular Council Meeting of the Borough of Chatham was held on Monday May 12, 2014 beginning at 7:45 p.m. in the Council Chambers, in the Municipal Building.

The meeting was called to order at 7:45 p.m.; Council President Victoria Fife presiding.

The Council President and Borough Council saluted the flag.

Council President Fife asked for a moment of silence for all those who have given their lives for their country and community and for Mayor Harris's mother who passed away.

Catherine Baldwin, Acting Municipal Clerk read the statement regarding Adequate Notice of Meeting:

Pursuant to the requirements of the Open Public Meetings Act, adequate notice of this meeting has been provided by e-mailing notice to the Chatham Courier and Daily Record on March 26, 2014 and posting same on the main floor of the Municipal Building.

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

*absent

Council Member Helfrich read the following resolution.

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.

Council Member Helfrich moved to approve Resolution #14-184, seconded by Council Member Holman. A vote was taken and Resolution #14-184 was approved unanimously.

Vince Fiorito accepted a copy of the Resolution for the Municipal Alliance.

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

Council Member Holman moved to approve Resolution #14-18, seconded by Council Member Helfrich. A vote was taken and Resolution #14-18 was approved unanimously.

DISCUSSION ITEMS

Municipal Alliance – Catherine Marino coordinator of the Municipal Alliance thanked the Council for their support and for the Resolution tonight. The Alliance is funded by the County Freeholders, Chatham Township, Chatham Borough and the State. Ms. Marino explained some of the programs that the Alliance offers.

Finalize Post Office Plaza Improvements – Mr. DeNave explained the plans for Post Office Plaza. He stated the cost of asphalt has increased by 10-15% since last year and most of the construction is paving. Curbing will be replaced and the asphalt between the sidewalk by Cottage Deli and the curb will be replaced. Mr. DeNave stated they will install one decorative light and when there is money they will install three more lights. The Council Members had several questions. Mr. DeNave explained. Council Member Fife suggested some landscape lighting be installed until the decorative light can be added. Council Member Collander would like to find the money to install all the lights at the same time not wait and install them when the money is available.

Trail/Park Paving Projects – Mr. DeNave reported the path paved with pervious pavement last year has held up and worked very well to not create drainage problem. Mr. DeNave plans on paving the path between South Passaic Avenue and Fuller Avenue and the path along the NJ Transit right of way and Borough property between Washington Avenue and Lafayette Avenue.

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.

Council President Fife opened the meeting to the public.

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Jo-Ann Soroczynski of 3 Lincoln Avenue had concerns about the paving of the path that runs between Washington Avenue and Lafayette Avenue. She stated she already has drainage/water problems and she is afraid that paving the path would increase the problem.

Council President Fife closed the meeting to the public.

Board & Commission Members & Liaison Reports

Affordable Housing Advisory Committee

Mayor Bruce A. Harris was absent.

Traffic & Pedestrian Safety Advisory Committee

James J. Collander reported the Committee will not meet this Wednesday but instead they will meet on Wednesday May 21st. The Committee will be discussing the Washington Avenue School parking lot. The Committee has met with residents in the area of the Washington Avenue School and with school officials to discuss the parking expansion.

Clean Chatham Advisory Committee

Victoria Fife reported the Clean Chatham event was very successful. There were about 200 participants. The DPW did a great job helping to spread mulch. The Girl Scouts planted all the planters downtown.

Mayors' Wellness Committee

Victoria Fife stated the Committee will meet next week.

Public Arts Council (Advisory Committee)

Victoria Fife reported the Public Arts Council has just completed the mural. It will be hung the week before the unveiling 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 on May 21st to prepare their presentation to the Planning Board. They should have a presentation for the Council in the fall.

Senior Center of the Chathams

Victoria Fife reported the seniors are working on the Garden Tour which will be held on June 7th with a kickoff party the night before.

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Train Station Centennial Advisory Committee

Victoria Fife stated they are on track for their celebration on June 14th,

Cares & Shares Advisory Committee

James Lonergan was absent.

Communications Technology Advisory Committee

James Lonergan was absent.

Overnight Parking Advisory Committee

James Lonergan was absent.

Municipal Pool Advisory Committee

James Lonergan was absent. Mr. Holman stated the pool dedication ceremony will be held at 10 a.m. on June 7th.

Joint Recreation Advisory Committee

James Lonergan was absent.

Joint Community Gardens Advisory Committee

John Holman reported the Community Garden Grand Opening will be celebrated this Sunday at 2 p.m. The Mayors from the Borough and Township will be present to cut the ribbon.

Farmers' Market Advisory Committee

John Holman reported the next meeting will be on May 28th. There are 3 new vendors who would like to participate in the market this year. The Committee is focusing on obtaining tent space for Chatham community groups.

Board of Health

John Holman had nothing new to report.

Madison Chatham Joint Meeting

John Holman stated the next meeting is Monday May 19th.

Board of Education

Gerald J. Helfrich had nothing new to report.

9/11 Memorial Advisory Committee

Gerald J. Helfrich had nothing new to report.

Open Space & Historic Preservation Trust Advisory Committee Alida Kass was absent.

Environmental Commission

Alida Kass was absent.

Shade Tree Commission

Alida Kass was absent.

Historic Preservation Commission

Alida Kass was absent.

Mr. Helfrich stated there will be a Memorial Day service at the library on May 26th at 8 a.m. He encouraged any veterans to contact the Borough so they could be honored.

MAYOR'S REPORT

Mayor Bruce A. Harris was absent.

Ms. Fife stated the Library had their volunteer luncheon on May 7th. They presented the volunteer of the year award to Helen and John Gardner who maintain the Library grounds.

ADMINISTRATOR'S REPORT

Robert J. Falzarano reported the work at Rotary Park has started. The wall and fence have been removed and replaced with a modular wall. A four foot decorative fence will be installed on top of the wall. DPW will put in pavers to match the streetscape. Eventually decorative lights will be installed. DPW has done all the work. Mr. Falzarano received a letter from the Morris County Freeholders giving the Borough authorization to repair potholes on County roads. Mr. Falzarano stated Chatham Borough will not repair any County roads. Mr. Falzarano directed the Police Department to call the County if there are any hazardous pot holes. Summer hours start on May 30th. Borough Hall closes at 1:30 on Fridays. There has been very positive feedback about the downtown police officer assignment. The 2014 Municipal Aid Grants have been awarded. Chatham Borough will receive \$50,000.00 for improvements to Front Street.

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 #14-188 and Resolution #14-190 through Resolution #14-195 have been placed on the Consent Agenda.

RESOLUTIONS REMOVED FROM THE CONSENT AGENDA

Council Member Helfrich moved to table Resolution #14-189, seconded by Council member Collander. A vote was taken and approved unanimously.

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.

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:

BLK/LOT OWNERS & PROPERTY ADDRESS AMOUNT YEAR/OTR

115/13 Carroll, Richard & Joann Giovana \$5,944.59 2013 4th Qtr. & 2014 2nd Qtr. 14 Red Road 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

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

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:

Council President Fife asked Council Member Holman to proceed with the Resolutions listed on the Consent Agenda, Resolutions #14-186 through Resolution #14-188 and Resolution #14-190 through Resolution #14- 195.

Council Member Holman 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.

FIRST READING ORDINANCE PROCEDURE

Council President Fife asked Council Member Collander to introduce Ordinance #14-06

Council Member Collander introduced 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 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."

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

Council Member Collander read:

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

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.

Council President Fife asked the Acting Clerk for a Roll Call Vote:

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

RESOLUTION #14-197

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, AUTHORIZING SOLICITATION FOR CHARITABLE CONTRIBUTIONS TO CONSTRUCT A COMMUNITY GARDEN SHED

WHEREAS, the Joint Community Gardens Advisory Committee (the "Committee") wishes to construct a shed to be used for community garden purposes at Woodland Park; and

WHEREAS, the Mayor and Borough Council of the Borough of Chatham wish to authorize the solicitation of charitable contributions by the Committee for this construction; and

WHEREAS, this Resolution is subject to the adoption of a corresponding resolution approving such solicitation by the Chatham Township Governing Body as well as Green Acres approval, if necessary.

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

1. The Mayor and Borough Council hereby authorize the solicitation of charitable contributions by the Committee for the construction of a shed to be used for community garden purposes at Woodland Park, subject to the adoption of a corresponding resolution approving such solicitation by the Chatham Township Governing Body as well as Green Acres approval, if necessary.

- 2. Chief Financial Officer Mariniello is hereby authorized to establish a trust fund account for any such contributions received.
- 3. All Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

Council Member Holman moved to approve Resolution #14-197, seconded by Council Member Helfrich. A vote was taken and Resolution #14-197 was approved unanimously.

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

ECLC Lease – Mr. Lonergan
 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.

Council Member Helfrich moved Resolution #14-196, seconded by Council Member Collander. A vote was taken and Resolution #14-196 was approved unanimously.

Adjourn 9:05 p.m.

Respectfully Submitted:

Catherine Baldwin, Acting Clerk