

Regular Council Meeting Minutes  
May 27, 2014

**REGULAR COUNCIL MEETING  
Tuesday, May 27, 2014**

The Regular Council Meeting of the Borough of Chatham was held on Tuesday May 27, 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 Harris presiding.

The Mayor and Borough Council saluted the flag.

Mayor Harris asked for a moment of silence for all those who have given their lives for their country and community.

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

**RESOLUTION #14-198  
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, May 12, 2014  
Amended Council Meeting November 25, 2013  
(to include approval of Resolution #13-386)

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**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 May 12, 2014

Council President Fife moved to approve Resolution #14-198, seconded by Council Member Helfrich, Council Member Kass abstained. A vote was taken and Resolution #14-198 was approved unanimously.

## **DISCUSSION ITEMS**

Community Garden Sign – Katey DePinto stated the Community Garden Committee would like to erect a sign on Woodland Road indentifying the Community Garden in case of an emergency. The Council discussed the type, size and design of the sign.

Gateway Signs – Mr. Collander stated over the last year the Committee has cleaned up many of the signs in town. They would like to install welcoming signs on each end of Main Street and some of the principal streets.

Capital Projects Update – Mr. DeNave reported there are several small projects but no big projects this year. The 2014 Curb and Sidewalk projects have started; there will be two zones done this year. The pathway between Fuller Avenue and Passaic Avenue will be paved with pervious material. The Borough received a \$50,000.00 grant to improve Front Street which will include curbing and sidewalks. Some of the infield turf at Lum Field will be replaced. Mr. DeNave stated they are working on several drainage improvements; none of them are large projects. Mr. DeNave stated asphalt and micro surfacing prices have increased from last year making the cost of paving more expensive. A small section of the Division Avenue parking lot will be paved.

Post Office Plaza Plan – Mr. DeNave reviewed the plans for Post Office Plaza and showed some slides of the existing conditions. The curbing and sidewalk work will be done because of safety hazards using money from previous years Curb and Sidewalk funds. The Council discussed options regarding lighting and asked Mr. DeNave to report back.

## **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,

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speakers are asked to limit their comments to a reasonable length of time. The Council discussed what they wanted to have done at Post Office Plaza including the number of lights and paving.

Mayor Harris opened the meeting to the public.

No public comment.

Mayor Harris closed the meeting to the public.

**COUNCIL COMMITTEE REPORTS**

Budget and Finance

James Lonergan reported the Budget and Finance Committee meeting is scheduled for tomorrow morning. The budget is on track through April.

Public Works Planning

John Holman reported that at the next meeting he will have the details of the relocation of the recycling center to the mulch area behind Milton Avenue School.

Madison/Chatham Joint Meeting

John Holman stated the Joint Meeting is discussing the state mandate on phosphorus treatment and the cost.

Personnel

Victoria Fife stated personnel will be discussed in Executive Session.

Public Safety & Emergency Services

James J. Collander reported the Committee has asked Jim Lott to write an Ordinance regulating dumpster use. Chief Crosson asked Mr. Lott to revise the Borough solicitation ordinance. Mr. Lott advised that the ordinance in place is sufficient. Chief Crosson is putting together policy and procedures for a ride along program. The Fire Department is working with a consultant to put together Standard Operating Guidelines and Standard Operating Procedures for the department.

Long Range Traffic & Pedestrian Safety Planning

James J. Collander stated he and Mr. Falzarano met with Ms. Brodsky to discuss parking for the library employees. Time limit parking should be implemented by July 1<sup>st</sup>. The details of the program will be given at the next Council meeting. The pedestrian crosswalk at Fairmount Avenue should be installed soon.

Shared Services & 3<sup>rd</sup> Party Agreements

Gerald Helfrich had nothing new to report.

### **MAYOR'S REPORT**

Mayor Bruce A. Harris stated MUA is holding a hazardous waste drop off Saturday May 31<sup>st</sup> on 500 West Hanover Avenue at the Police and Fire Academy in Parsippany. Mayor Harris encouraged residents to sign up for AlertChathamBorough. The summer meeting schedule and a change in the hours for lights at Lum field will be discussed at the next meeting. A letter will be sent to residents informing them of the discussion on the lights. Two volunteers have resigned from the Environmental Commission; we are looking for members.

Ms. Fife reminded residents about Fishawack and the Train Station Centennial on June 14<sup>th</sup>. Relay for Life is being held this weekend May 31<sup>st</sup> at 4:00 pm to June 1<sup>st</sup> 6:00 am.

### **ADMINISTRATOR'S REPORT**

Robert J. Falzarano met with Bill Nauta, Steve Williams and Mike Mariniello to close out the Hurricane Sandy FEMA reimbursement of approximately \$115,000.00. The County will be conducting a Historic Site Inventory this summer. There has been a donation of five filing cabinets to the police department. Summer hours start this Friday; Borough Hall closes at 1 pm.

### **SECOND READING ORDINANCE PROCEDURE**

Mayor Harris asked Council Member Lonergan to proceed with Ordinance #14-06.

Council Member Lonergan read Ordinance #14-06 entitled:

#### **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."**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on May 12, 2014.

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Mayor Harris asked the Acting Clerk to give a summary of the legal notice.

The Acting Clerk stated: A legal notice was published indicating that Ordinance #14-06 was introduced and passed on first reading at the May 12, 2014 meeting and indicating that the second reading and public hearing would be held at the Council meeting on May 27, 2014 for consideration of final adoption. Copies were made available to the general public and posted in accordance with the law.

Mayor Harris opened the meeting to the public.

No public comment.

Mayor Harris closed the meeting to the public.

Council Member Lonergan offered the following Ordinance and moved its adoption:

Resolved, that this Ordinance as read by title on second reading, at this regular meeting, be adopted and finally passed.

Council Member Collander seconded the motion.

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

Mayor Harris declared this Ordinance adopted and finally passed and requested the Acting Clerk to publish the proper notice of this adoption in the newspaper and to record the Ordinance in the proper places.

### **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 #14-199 through Resolution #14-208 have been placed on the Consent Agenda.

**RESOLUTIONS REMOVED FROM THE CONSENT AGENDA**

None

**CONTRACTS**

**RESOLUTION #14-199**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING LEASE EXTENSION AMENDMENT WITH ECLC OF NEW JERSEY FOR THE LUM AVENUE SCHOOL**

**WHEREAS**, the Borough of Chatham (the “Borough”) owns real property located at 21 Lum Avenue Chatham, commonly known as the Lum Avenue School; and

**WHEREAS**, the Borough and ECLC of New Jersey, a New Jersey non-profit corporation (“ECLC”), are parties to a lease agreement dated May 27, 2008, whereby ECLC leases from the Borough premises known as the Lum Avenue School; and

**WHEREAS**, the term of said lease expires June 30, 2017 with a potential extension for an additional five-year period to terminate on June 30, 2022; and

**WHEREAS**, the Borough and ECLC desire to extend the lease term for an additional five-year term to terminate on June 30, 2022; and

**WHEREAS**, this lease term extension is memorialized in substantially the same form as the Lease Extension Amendment attached hereto and made a part hereof this Resolution.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that:

1. The Mayor and Borough Council hereby approve of an extension to the term of its current lease agreement with ECLC to terminate on June 30, 2022.
2. The Acting Borough Clerk and Mayor of the Borough of Chatham are hereby authorized to execute the Lease Extension Amendment in substantially the same form as the Lease Extension Amendment attached hereto and made a part hereof this Resolution.
3. All Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this resolution.

**RESOLUTION #14-200**

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

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**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 determined that the path at Fuller Avenue to South Passaic Avenue is 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 \$7,900.00 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 awarded to S&L Contractors of Berkeley Heights, N.J., in the amount of \$7,900.00; 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 \$7,900.00 for said improvements.

**FINANCE**

**RESOLUTION #14-201  
RESOLUTION TO APPROVE PAYMENT OF VOUCHERS**

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

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**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 #14-202**  
**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:

<b>BLOCK/LOT</b>	<b>OWNERS &amp; PROPERTY ADDRESS</b>	<b>AMOUNT</b>	<b>YEAR/QTR</b>
115/54	McCabe, Betty Lou 126 Hillside Avenue	\$1,754.41	Redemption Tax Cert. # 2011-6 (Total includes \$200.00 premium)

\*Make check payable to lien holder:

John Venutolo  
25 Hughes Place  
Summit, NJ 07901

**RESOLUTION #14-203**  
**RESOLUTION TO PURCHASE ONE NEW AND UNUSED 2014 FORD F-550 MASON DUMP TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Director of Public Works submitted a request to purchase a 2014 Ford F-550 Mason Dump Truck; and

**WHEREAS**, the Finance Committee reviewed and approved the request for inclusion with the 2014 Department of Public Works Capital Budget; and

**WHEREAS**, on April 28, 2014, the Borough Council approved the 2014 Capital Budget.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Department of Public Works is hereby authorized to purchase one new and unused 2014 Ford F-550 Mason Dump Truck under Morris County Co-Op Contract # 15C/#11A. The total cost of the vehicle with options is \$53,001.00. The vehicle will be purchased from Beyer Ford in Morristown, NJ; and

**BE IT FURTHER RESOLVED**, the Director of Finance has certified that funds are available for the purchase.



**RESOLUTION #14-204**

**RESOLUTION TO PURCHASE ONE NEW AND UNUSED 2014 FORD EXPLORER  
4WHEEL DRIVE FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Director of Public Works submitted a request to purchase a 2014 Ford Explorer 4Wheel Drive; and

**WHEREAS**, the Finance Committee reviewed and approved the request for inclusion with the 2014 Department of Public Works Capital Budget; and

**WHEREAS**, on April 28, 2014, the Borough Council approved the 2014 Capital Budget.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Department of Public Works is hereby authorized to purchase one new and unused 2014 Ford Explorer 4WD under Morris County Co-Op Contract # 15C/#2A. The total cost of the vehicle with options is \$27,915.00. The vehicle will be purchased from Beyer Ford in Morristown, NJ; and

**BE IT FURTHER RESOLVED**, the Director of Finance has certified that funds are available for the purchase.

**RESOLUTION #14-205**

**RESOLUTION TO PURCHASE ONE NEW AND UNUSED 2014 LCT600 LEAF  
VACUUM WITH JOHN DEERE 4045 84 HP ENGINE FOR THE DEPARTMENT OF  
PUBLIC WORKS**

**WHEREAS**, the Director of Public Works submitted a request to purchase a 2014 LCT600 Leaf Vacuum with John Deere 4045 84 hp Engine; and

**WHEREAS**, the Finance Committee reviewed and approved the request for inclusion with the 2014 Department of Public Works Capital Budget; and

**WHEREAS**, on April 28, 2014, the Borough Council approved the 2014 Capital Budget.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Department of Public Works is hereby authorized to purchase one new and unused 2014 LCT600 Leaf Vacuum with John Deere 4045 84 hp Engine under NJPA Contract # 050208 - CSI. The total cost of the equipment with options is \$25,095.00. The vehicle will be purchased from ODB in Richmond, VA; and

**BE IT FURTHER RESOLVED**, the Director of Finance has certified that funds are available for the purchase.

**RESOLUTION #14-206**

**RESOLUTION TO PURCHASE ONE NEW AND UNUSED 2014 FORD F-350 4WHEEL DRIVE PICKUP TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Director of Public Works submitted a request to purchase a 2014 Ford 4Wheel Drive Pickup Truck; and

**WHEREAS**, the Finance Committee reviewed and approved the request for inclusion with the 2014 Department of Public Works Capital Budget; and

**WHEREAS**, on April 28, 2014, the Borough Council approved the 2014 Capital Budget.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Department of Public Works is hereby authorized to purchase one new and unused 2014 Ford 4WD Pickup Truck under Morris County Co-Op Contract # 15C/#8A. The total cost of the vehicle with options is \$34,990.00. The vehicle will be purchased from Beyer Ford in Morristown, NJ; and

**BE IT FURTHER RESOLVED**, the Director of Finance has certified that funds are available for the purchase.

**RESOLUTION #14-207**

**RESOLUTION TO INSERT AN ITEM OF REVENUE IN THE 2014 BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item or appropriation for an equal amount.

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

1. That the Borough of Chatham hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2014 in the sum of \$112,000.00; which items are now available as a revenue from a grant received from FEMA pursuant to the provisions of statute, and

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2. That the sum of \$112,000.00, be made and the same is hereby appropriated under the Caption of:  
Deferred Charges Special Emergency  
Account # 4-01-46-877-100  
Amount \$112,000.00
3. That the above is the result of monies being provided to the municipality under the above mentioned act.
4. That two certified copies of this resolution be forwarded to the Office of the Director of Local Government Services.

**LAW & PUBLIC SAFETY**

**RESOLUTION #14-208  
RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF  
CHATHAM, COUNTY OF MORRIS, TO AUTHORIZE AND ESTABLISH A FIRE  
HYDRANT MARKER PROGRAM**

**WHEREAS**, the Public Safety Committee has determined that the implementation of a Fire Hydrant Marker Program would improve fire operations; and

**WHEREAS**, the program has been discussed with representatives of the Fire Department; and

**WHEREAS**, the cost to install markers on all the Borough fire hydrants totals \$4,512.21 and funds are available in the 2014 Municipal Budget to pay for the fire hydrant markers.

**BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Chatham that the Fire Hydrant Marker Program is approved and the purchase and installation of the fire hydrant markers shall be completed as soon as possible.

**CONSENT AGENDA VOTE:**

Mayor Harris asked Council Member Kass to proceed with the Resolutions listed on the Consent Agenda, Resolutions #14-199 through Resolution #14-208.

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.

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**RESOLUTION #14-209**  
**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:

**PERSONNEL:** 1. Borough Clerk Interview – Mrs. Fife

**CONTRACTS:** 1. Joint Meeting Agreement – Mr. Helfrich

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 Holman moved Resolution #14-209, seconded by Council Member Collander. A vote was taken and Resolution #14-209 was approved unanimously.

Adjourn 8:55 p.m.

Respectfully Submitted:

Catherine Baldwin, Acting Clerk