

**REGULAR MEETING OF THE
MAYOR AND BOROUGH COUNCIL**

August 11, 2014 MINUTES

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, August 11, 2014 at 7:30 p.m. in the Council Chambers in the Municipal Building, 54 Fairmount Avenue, Chatham, New Jersey.

SALUTE TO FLAG

The Mayor and Borough Council led the assembled in the Pledge of Allegiance.

MOMENT OF SILENCE

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

STATEMENT OF ADEQUATE NOTICE

Robin R. Kline, Municipal Clerk, read the following Adequate Notice of Meeting statement:

Adequate notice of this meeting had been provided on January 2, 2014 in accordance with N.J.S.A. 10:4-10, by including same in the Annual Meeting Notice, a copy of which was posted on the Municipal Bulletin Board located on the main floor in the Municipal Building, was 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 such Annual Meeting Notice was filed with the Borough Clerk.

ROLL CALL

On a call of the roll the following officials were present:

Mayor Bruce A. Harris
Council Member James J. Collander
Council President 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, Municipal Clerk

Absent were:

Council Member James Lonergan
Council Member John Holman

Mayor Harris asked Council Member James J. Collander to read Resolution #2014-270:

RESOLUTION #14-270

**RESOLUTION APPOINTING MATTHEW P. PRIDHAM AS A NEW
PROBATIONARY FIREFIGHTER IN THE CHATHAM BOROUGH VOLUNTEER FIRE
DEPARTMENT'S HOSE COMPANY**

WHEREAS, the Mayor and Council of the Borough of Chatham recognize the valuable contributions volunteer firefighters make to our community every day of every year; and

WHEREAS, Matthew Pridham has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department's Hose; and

WHEREAS, the Fire Chief and Hose Company Captain have recommended that Matthew Pridham be appointed as a new Probationary Firefighter with the Chatham Borough Volunteer Fire Department's Hose Company.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Matthew P. Pridham is hereby appointed as a new Probationary Firefighter for the Chatham Borough Volunteer Fire Department's Hose Company; and

BE IT FURTHER RESOLVED, that Matthew Pridham's Application for Membership to the Chatham Borough Volunteer Fire Department is hereby approved.

Council Member Collander moved to approve Resolution #14-270. Motion seconded by Council Member Helfrich. A voice vote was taken and Resolution #14-270 was approved unanimously.

ADMINISTRATION OF OATH OFFICE

The Borough Clerk administered the Oath of Office to Matthew Pridham, Probationary Firefighter for the Chatham Borough Volunteer Fire Department Hose Company.

Mayor Bruce A. Harris asked Council President Fife to read Resolution #14-257.

RESOLUTION #14-257

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:

July 28, 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:

July 28, 2014

Council President Victoria Fife moved to approve Resolution #14-257. Motion seconded by Council Member Helfrich. A voice vote was taken and Resolution #14-257 was approved unanimously.

DISCUSSION ITEMS

River Road Bee Garden –Stephen Kamionek, III, Troop 8 Life Scout, presented his proposed Eagle Scout project to build a flower habitat for honey bees at the Chatham apiary. The project will include six 8'x8'x10" raised garden beds containing different types of flowers that attract honeybees throughout the year and will be located across the field from where the hives are located. An on-site kiosk will provide information about honey bees for public education and can be used by the Chatham Community Beekeeping Club for their needs as well. The kiosk will be mounted on the chain link fence near the entrance gate. Stephen stated he believes this project is needed to help sustain the honeybee population, since honey bees are on a major population decline.

Parking Fines –Police Chief Crosson reported that upon review of the Police Department's traffic and parking violations schedule, it was discovered that many of the violations did not specify a fine but only required a court appearance, placing an undue burden on the court. The Joint Court Administrator together with the Borough Attorney completed a survey of violation fines in other towns and prepared

a fine schedule, which must be approved by the Assignment Judge before the governing body can consider adopting a resolution to implement the fines. After a resolution is adopted by Borough Council, the Joint Municipal Court will be able to assess fines to traffic and parking violations.

Council President Fife inquired about the recent changes to the law concerning talking and texting on phones while driving that took effect as of July 1st. Chief Crosson confirmed that the law now requires a mandatory court appearance in addition to a \$100 fine for first-time offenders and increased fines for subsequent violations.

Proposed Tree Ordinance – Council Member Alida Kass reported the Shade Tree Commission has been reviewing the Borough's tree ordinance and briefly explained the statutory law, which establishes the formation and role of a Shade Tree Commission and provides municipal immunity from liabilities relative to Borough trees. The statute does not authorize the regulation of trees on private property, but local regulations could be put in place by ordinance. Council Member Kass inquired to what extent the Borough Council wishes to regulate trees on private property. She stated the Borough could take a policy position to (i) do nothing at all, (ii) implement a permit process to allow for tree inventory record-keeping purposes, or (iii) implement a permit process for tree protection regulation purposes.

Mr. Lott advised that the Borough's current ordinance is not written well and does not provide clear direction for enforcement of cutting of trees on private property.

Council Member Kass suggested the Borough's land development regulation ordinance relative to tree protection of non-Borough trees should be repealed and the Borough's land development regulations relative to Borough trees should be re-examined. .

Council Member Collander voiced that the Borough should not be overly intrusive in regulating trees on private property and further expressed his desire that the Council solicit feedback from the public on this matter.

Council Member Helfrich stated local tree regulations should address erosion and drainage conditions, as well as, steep slope restrictions, but agreed with Council Member Collander that the Borough should not be overly intrusive in the regulation tree removal on private property.

Mayor Harris advised that Borough land use laws currently regulate development on steep slopes, and the removal of trees can cause drainage issues and erosion.

Mr. DeNave advised the Council that local zoning ordinances require the planting and replanting of trees and shrubs regarding construction projects that require the removal of trees for new construction. He further reported that he favors a permitting process because it allows him to evaluate the site conditions case-by-case and may help to promote a zero net-loss of trees throughout the Borough.

There was no clear consensus from the Council on whether the Borough should regulate trees on private property outside of regulations to address steep slope, drainage and erosion conditions, and/or for public safety concerns.

Mayor Harris asked Mr. Falzarano to briefly talk about the Borough's submission of a 2014 Green Community grant application, which is to be authorized by Resolution #14-263 on the Consent Agenda. Mr. Falzarano reported the Resolution would approve the submission of a 2014 Green Community grant application to help retain the services of a forester to prepare a 5-year Community Forestry Management Plan. The Borough's current 5-year Community Forestry Management Plan will expire, creating the need to prepare a new 5-year management plan.

Capital Projects Update – Vince DeNave, Borough Engineer provided an update on the following projects:

- The County's Fairmount Avenue road paving project is in progress.
- The microsurfacing of streets has been completed.
- The DPW continues to work on several drainage projects.
- Road resurfacing project is in progress. Engineering will coordinate the installation of new curbing on Division Avenue with the Borough of Madison.
- The Borough Hall Roof Replacement bid opening took place on August 7th. A resolution awarding the contract to the lowest responsible bidder has been placed on tonight's Consent Agenda.
- Post Office Plaza curb and sidewalk improvements are being completed. Lighting upgrades will be addressed as the second phase of the project and new landscaping and hardscaping improvements will be completed as the third phase. The entire project is expected to be completed by the end of summer.
- The Borough's Curb and Sidewalk program addresses the replacement of hazardous and unsafe sidewalk slabs, not full lengths of curbs or sidewalks. Residents may wish to contract directly with the vendor for additional sidewalk improvements.
- The Fairmount Avenue pedestrian crossing flashing lights have been delivered. Assembly and installation will be completed within the next two weeks.
- Division Avenue parking lot will be paved. Approvals need to be received from PSE&G.

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.

Mayor Harris opened the meeting to the public.

Peter Hoffman, 17 Elmwood Avenue, commented that he would like the parking regulations enforced on Elmwood Avenue when the school year begins and suggested a Parking Enforcement Officer be stationed there during the morning drop-off and afternoon pick-up. Mr. Hoffman further commented that the school traffic and parking plan included in the approved Planning Board Resolution should be enforced. Mr. Hoffman then reported that the sidewalk in front of the recently renovated Rotary Park is in disrepair and questioned if the paver blocks could be extended in front of the park. Mr. DeNave responded that pavers will be installed, probably next spring, once the state completes its construction project. Lastly, Mr. Hoffman expressed his concerns about the Borough regulating trees on private property and stated a property owner should be able to decide what is done with the trees on their property. A tree ordinance should only provide for the management of trees on Borough property and Borough right-of-ways.

Michael Kaczon, 30 Coleman Avenue, East, informed the Mayor and Council of a broken drainage pipe under his neighbor's garage, which causes flooding on his property, as well as, sidewalk and street, during heavy rains. To help eliminate water problems on his property, Mr. Kaczon expressed interest in installing a French drain on his property; however there is no storm drain to tie into. Mr.

DeNave responded that a new storm drain has been designed for the street and should be installed within the month.

Seeing no one else wishing to speak Mayor Harris closed the meeting to the public.

REPORTS

BOARD & COMMISSION MEMBERS & LIAISON REPORTS

Affordable Housing Advisory Committee

Mayor Bruce A. Harris reported new COAH regulations have been proposed and would become effective November 2015. The Borough is currently evaluating the impact of the proposed regulations.

Traffic & Pedestrian Safety Advisory Committee

Council Member James J. Collander stated the Fairmount Avenue pedestrian traffic signal will be installed in the coming month. Signage reflecting the new time limit parking regulations has been posted.

Chamber of Commerce

Council President Victoria Fife had nothing new to report.

Clean Chatham Advisory Committee

Council President Victoria Fife had nothing new to report.

Mayor's Wellness Committee

Council President Victoria Fife reported the Committee is working on the Health Fair which will be held on Saturday September 13th.

Planning Board

Council President Victoria Fife stated the M District ordinance has been scheduled for 1st reading at the October 14th meeting at 7:00 p.m.

Project Community Pride

Council President Victoria Fife reported the Madison YMCA has been running the Project Community Pride program as of August 1, 2014.

Public Arts Council Advisory Committee

Council President Victoria Fife had nothing new to report.

Senior Center of the Chathams

Council President Victoria Fife had nothing new to report.

Cares & Shares Advisory Committee

Council Member James Lonergan was absent.

Communications & Technology Advisory Committee

Council Member James Lonergan was absent.

Joint Recreation Advisory Committee

Council Member James Lonergan was absent.

Overnight Parking Advisory Committee

Council Member James Lonergan was absent.

Municipal Pool Advisory Committee

Council Member James Lonergan was absent.

Board of Health

Council Member John Holman was absent.

Farmers' Market Advisory Committee

Council Member John Holman was absent.

Joint Community Gardens Advisory Committee

Council Member John Holman was absent.

Madison Chatham Joint Meeting

Council Member John Holman was absent.

Board of Education

Council Member Gerald J. Helfrich had nothing new to report.

9/11 Memorial Advisory Committee

Council Member Gerald J. Helfrich reported a fall clean up at the 9/11 Memorial is scheduled for August 17th at 8:30 a.m. The public was invited to participate.

Environmental Commission

Council Member Alida Kass had nothing new to report.

Historic Preservation Commission

Council Member Alida Kass had nothing new to report.

Open Space & Historic Preservation Trust Advisory Committee

Council Member Alida Kass had nothing new to report.

Shade Tree Commission

Council Member Alida Kass stated Shade Tree Commission was discussed earlier in the meeting.

MAYOR'S REPORT

Mayor Bruce A. Harris corrected a resident's misunderstanding and clarified that the Borough never intended to collect auto parts at the recycling center, but rather wishes to encourage auto repair shops to report their recycling tonnage so that Chatham Borough receives credit for the recycled materials. Mayor Harris advised that the Borough receives a state grant funding based on the tonnage amount recorded for recycled materials.

Mayor Harris reported the IRS has a new, easier application process for organizations seeking 501(c)3 tax exemption status and encouraged local organizations to review the new application process.

ADMINISTRATOR'S REPORT

Mr. Falzarano reported the 2015 budget process is underway and the Finance Committee has scheduled a meeting on Friday August 15th. The Borough's garbage collection and disposal service transferred to Suburban Disposal on August 7th and transitioned without any major issues. The price of small garbage bags modestly increased to \$0.74 per bag, which was erroneously stated as \$0.71 per bag in the letter sent out to residents. Mr. Falzarano also reported the Community Development Resolution on the Consent Agenda would authorize the Borough to participate in the county program, which provides assistance to income-eligible residents needing home improvements.

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.

The Consent Agenda consists of Resolution #14-258 through Resolution #14-269. Resolution #14-270 was removed from the Consent Agenda for separate action earlier in the meeting.

Council President Victoria Fife sought clarification on Resolution #14-267 authorizing the Chatham Area Artisan Guild's hosting of a Fine Arts and Crafts Fair on Sunday, September 14, 2014 at the south side Chatham train station parking lot.

APPOINTMENTS

RESOLUTION #14-258

RESOLUTION APPOINTING A MEMBER TO THE CHATHAM CARES & SHARES ADVISORY COMMITTEE

WHEREAS, by Resolution #14-15 adopted on January 9, 2014, the Mayor and Council of the Borough of Chatham re-established the Chatham Cares and Shares Advisory Committee; and

WHEREAS, the Chatham Cares and Shares Advisory Committee assists and supports Chatham Borough residents to help facilitate and coordinate local and county community resources to those during a temporary time of need; and

WHEREAS, Mary Lonergan has expressed interest in being appointed as an advisory committee member and has submitted a volunteer application to the Borough Clerk in accordance with Chapter 3, §3-6 of the Code of the Borough of Chatham for consideration by the Mayor and Council; and

WHEREAS, the Mayor and Council, as the appointing authority, upon conducting a review of the volunteer application and/or interview of the applicant, wish to appoint her to Chatham Cares and Shares Advisory Committee.

BE IT RESOLVED, by the Borough Council of the Borough of Chatham that it hereby approves and confirms the appointment of Mary Lonergan as a member to the Chatham Cares and Shares Advisory Committee.

FINANCE

RESOLUTION #14-259

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 #14-260

RESOLUTION OF THE BOROUGH OF CHATHAM DIRECTING THE UNDERTAKING OF A CONTINUING DISCLOSURE REVIEW AND AUTHORIZING PARTICIPATION IN THE MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE OF THE DIVISION OF ENFORCEMENT OF THE U.S. SECURITIES AND EXCHANGE COMMISSION

WHEREAS, the Borough of Chatham (the “Governmental Entity”) has entered into continuing disclosure agreement(s) in connection with certain of its prior bond and/or note issuance(s) (the “Prior Issuances”), agreeing to file certain financial information and operating data and/or certain enumerated event notices with the former nationally recognized municipal securities information repositories or the Municipal Securities Rulemaking Board (the “MSRB”) pursuant to the provisions of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the “Rule”); and

WHEREAS, the Governmental Entity has made certain representations regarding its continuing disclosures in bond and/or note offering documents in connection with its Prior Issuances; and

WHEREAS, in response to widespread concerns that many municipal issuers have not been complying with their obligations to file continuing disclosure documents under the Rule, and furthermore have made false representations concerning compliance in bond and note offering documents, the Division of Enforcement (the “Division”) of the U.S. Securities and Exchange Commission (the “Commission”) has set forth its Municipalities Continuing Disclosure Cooperation Initiative (the “MCDC Initiative”), attached hereto as Exhibit A, whereby the Commission will recommend favorable settlement terms to municipal issuers involved in the offer or sale of municipal securities, as well as underwriters of such offerings, if they self-report to the Division, by 12:00 a.m. on September 10, 2014, possible violations involving materially inaccurate statements in bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule; and

WHEREAS, pursuant to Local Finance Notice 2014-9, attached hereto as Exhibit B, the Director of the Local Finance Board, Division of Local Government Services of the Department of Community Affairs of the State of New Jersey, has recommended the undertaking of a Review (as hereinafter defined) by all municipal issuers and participation in the MCDC Initiative, where appropriate, as determined by the facts of each Review (the “LFB Recommendation”).

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, County of Morris, in connection with the LFB Recommendation, as follows:

Section 1. The Governmental Entity, through its Director of Finance or a third-party disclosure-dissemination agent, is hereby directed to conduct a continuing disclosure review of its prior continuing disclosure undertakings (the “Review”), and the Governmental Entity hereby ratifies any such previously conducted Review. Such Review shall include, but is not limited to, a historical review of the Governmental Entity’s continuing disclosure obligations and filings in connection with its Prior Issuances that are presently outstanding and which are no longer outstanding but, as of the date five years prior to the date of submission of the Questionnaire (as hereinafter defined), were outstanding; and the undertaking, at any time, of any applicable remedial filings with the MSRB deemed necessary for compliance with its continuing disclosure obligations.

Section 2. The Governmental Entity, through its Director of Finance, is hereby authorized to participate in the MCDC Initiative, if in the discretion of the Chief Financial Officer after consultation with Governmental Entity officials, it is determined that the Governmental Entity may have made materially inaccurate statements in its bond and/or note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Prior

Issuances issued during the period beginning five years prior to the date of submission of the Questionnaire.

Section 3. The Director of Finance of the Governmental Entity is hereby authorized to execute and deliver any and all documents and instruments, including the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative (the "Questionnaire"), and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions, including the Review, contemplated by this resolution.

Section 4. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective in accordance with applicable law.

CONTRACTS

RESOLUTION #14-261

RESOLUTION AUTHORIZING RENEWAL OF MEMBERSHIP IN THE MORRIS COUNTY JOINT INSURANCE FUND

WHEREAS, the the Morris County Joint Insurance Fund is a duly chartered Municipal Insurance Fund as authorized by N.J.S.A. 40A:10-36 et seq., and;

WHEREAS, the Borough of Chatham is a member of the Morris County Joint Insurance Fund (hereinafter the Fund); and

WHEREAS, the Borough's membership in the Fund terminates as of December 31, 2014 unless earlier renewed by agreement between the Borough and the Fund; and

WHEREAS, the Borough Administrator has recommended to the Mayor and Council that it renew the Borough's membership in the Fund.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the Borough Administrator's recommendation and hereby authorize the renewal of membership in the Morris County Joint Insurance Fund, subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the fund; and

BE IT FURTHER RESOLVED, that the Borough Administrator is hereby authorized to execute the renewal agreement between the Borough and the Fund.

RESOLUTION #14-262

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO ROOF , NEPTUNE, NEW JERSEY, FOR THE BOROUGH HALL ROOF IMPROVEMENT PROJECT, IN THE AMOUNT NOT TO EXCEED \$43,000.00

WHEREAS, specifications were prepared for the Borough Hall Roof Improvement Project; and

WHEREAS, four (4) sealed bids were received on August 7, 2014 as follows:

<u>BIDDER</u>	<u>BID AMOUNT</u>
1. VMG Group, Roselle, NJ	\$40,586.00
2. Build Rite LLC, Wayne, NJ	\$43,656.00
3. Roof Management Inc., Neptune, NJ	\$37,000.00
4. Gen II Contracting Co., Clarksburg, NJ	\$64,000.00

And

WHEREAS, the Borough Engineer recommends that the award of the contract be made to Roof Management Inc., PO Box 933, Neptune, NJ 07754 in the amount of \$37,000.00; and

WHEREAS, Roof Management Inc. is considered a responsible bidder; and

WHEREAS, the Director of Finance has confirmed that sufficient funds are available in Capital Improvement Fund Account # C-04-55-914-401 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 Roof Management Inc., in the amount not to exceed \$37,000.00, in accordance with the specifications upon which bids were received and accepted; and

BE IT FURTHER RESOLVED, that the Director of Finance is hereby authorized and directed to approve and forward a Purchase Requisition to Roof Management Inc. in the amount not to exceed \$37,000.00 from the Capital Improvement Fund Account #C-04-55-914-401; and

BE IT FURTHER RESOLVED, that the Council authorizes the Mayor to execute the contract on behalf of the Borough contingent upon the review and approval of the contract's terms and conditions by the Borough Attorney.

RESOLUTION #14-263

RESOLUTION APPROVING THE SUBMISSION OF A 2014 GREEN COMMUNITY GRANT APPLICATION TO UPDATE THE CHATHAM BOROUGH COMMUNITY FORESTRY MANAGEMENT PLAN

WHEREAS, a Community Forestry Management Plan is an essential guide to successfully achieving a healthy and safe community forest and can help decrease tree maintenance and removal costs and decrease hazardous tree situations; and

WHEREAS, Community Forestry Management Plans outline management objectives for a five year period; and

WHEREAS, Chatham Borough's 5-year Community Forestry Management Plan will expire on December 31, 2014 and the Borough desires to prepare a subsequent 5-year Community Forestry Management Plan to plan and manage the Borough's tree resource; and

WHEREAS, the 2014 Green Community Grant Program sponsored by the New Jersey Department of Environmental Protection's Forestry Division, provides funding up to \$3,000.00 in matching funds to help off-set the costs of retaining a forestry consultant to help develop the Community Forestry Management Plan; and

WHEREAS, the Borough's matching contribution of \$3,000.00 may include in-kind services at the accepted general volunteer rate of \$21.79/hour.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby approve the submission of a 2014 Green Community grant application for the development of subsequent 5-year Community Forestry Management Plan; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign the 2014 Green Community Grant Program grant agreement.

RESOLUTION #14-264

RESOLUTION AUTHORIZING A LEASE AGREEMENT BETWEEN THE BOROUGH OF CHATHAM AND PUBLIC SERVICE ELECTRIC AND GAS COMPANY, LANDLORD, ALLOWING THE INSTALLATION AND USE OF A PARKING LOT ON PROPERTY SITUATED ON THE EASTERLY SIDE OF DIVISION AVENUE

WHEREAS, the Borough of Chatham wishes to enter into an lease agreement with Public Service Electric and Gas Company (“PSE&G”) for the construction, installation and use of a parking lot on the easterly side of Division Avenue on property owned by PSE&G; and

WHEREAS, PSE&G is willing to allow the Borough to construct, install and use the property for a parking lot; and

WHEREAS, the Borough shall be responsible for all construction and maintenance costs associated with the installation of the parking lot on PSE&G property as provided for in the terms and conditions set forth in the lease agreement.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham hereby approve the lease agreement with PSE&G for the construction, installation and use of a parking lot on the easterly side of Division Avenue on property owned by PSE&G; and

BE IT FURTHER RESOLVED, that the Council authorizes the Mayor to execute the lease agreement on behalf of the Borough contingent upon the review and approval of the contract’s terms and conditions by the Borough Attorney.

OTHER

RESOLUTION #14-265

RESOLUTION AUTHORIZING THE EXECUTION OF THE PROJECT COMMUNITY PRIDE SERVICE AGREEMENT WITH MADISON AREA YMCA

WHEREAS, the Mayor and Borough Council of the Borough of Chatham recognize the importance and benefits of the Project Community Pride program, which provides cognitive behavioral counseling services to children and teens attending Chatham schools and/or living in Chatham Borough and their families; and

WHEREAS, the Madison Area YMCA is capable of providing such cognitive behavioral counseling services through the Project Community Pride program and has expressed interest in providing these services to the Borough; and

WHEREAS, the Mayor and Council wish to enter into an agreement with the Madison Area YMCA to provide such services for the remainder of calendar year 2014; and

WHEREAS, the anticipated contract amount is less than the Borough’s bid threshold of \$36,000.00.

BE IT RESOLVED, by the Council of the Borough of Chatham authorizing the Mayor to execute the Project Community Pride service agreement with the Madison Area YMCA to provide cognitive behavioral counseling services to children and teens attending Chatham schools and/or living in Chatham Borough and their families for the remainder of calendar year 2014; and

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

RESOLUTION #14-266

RESOLUTION ADOPTING AN EQUIPMENT FEE SCHEDULE PURSUANT TO CHAPTER 157 “HAZARDOUS SUBSTANCES” OF THE CODES OF THE BOROUGH OF CHATHAM

WHEREAS, the Mayor and Borough Council of the Borough of Chatham previously adopted Chapter 157 of the Borough Code entitled “Hazardous Substances”; and

WHEREAS, §157-6 states that any person and/or entity responsible for any discharge of a hazardous substance shall reimburse the Borough the full price of expendable items and costs used to

address any such discharge and for all costs and expenses set forth in Chapter 157, including the cost of Borough equipment operation, maintenance and repair, within 45 days after receipt of a statement from the Borough outlining said costs and expenses; and

WHEREAS, the Borough Administrator has compiled an Equipment Fee Schedule establishing the cost-per-hour to use certain Borough equipment in connection with the discharge of a hazardous substance; and

WHEREAS, the Mayor and Borough Council wish to approve of the Equipment Fee Schedule.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham hereby adopt the following Equipment Fee Schedule:

Chatham Police Department

Chief's Vehicle	\$75.00 per hour
Lt. Vehicle	\$50.00 per hour
Patrol Vehicle	\$80.00 per hour
Traffic Safety Support Vehicle	\$100.00 per hour

Chatham Fire Department

Chief's Vehicle	\$100.00 per hour
Pick up Truck	\$100.00 per hour
Car 3	\$ 50.00 per hour
Engine 2 (Pumper)	\$350.00 per hour
Engine 3 (Pumper)	\$350.00 per hour
Quint 1 (Ladder)	\$400.00 per hour
Rescue 1	\$400.00 per hour

Chatham Emergency Squad

Ambulance - 87	\$300.00 per hour
Ambulance - 88	\$300.00 per hour
Ambulance - 89	\$300.00 per hour

Chatham Department of Public Works

Command Vehicle	\$100.00 per hour
Pick up Truck	\$100.00 per hour
Mason Dump	\$175.00 per hour
Dump Truck	\$250.00 per hour
Backhoe	\$150.00 per hour
Large Front End Loader	\$300.00 per hour
SewerJet	\$300.00 per hour
Sewer Camera Van	\$150.00 per hour

*All vehicles include driver and assigned personnel. Any equipment or supplies that cannot be reused will be charged at the current replacement cost and must be supported with receipts.

And

BE IT FURTHER RESOLVED, that this Equipment Fee Schedule shall be applicable when the Chatham Borough Fire Department responds and is required to initiate the cleanup of hazardous substances; and

BE IT FURTHER RESOLVED, that 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 #14-267

RESOLUTION AUTHORIZING THE CHATHAM AREA ARTISAN GUILD (CAAG) TO HOLD A FINE ARTS AND CRAFTS FAIR ON SEPTEMBER 14, 2013 AT THE CHATHAM TRAIN STATION SOUTH SIDE PARKING LOT

WHEREAS, the Chatham Area Artisan Guild (CAAG) will be hosting a Fine Arts and Crafts Fair on Sunday, September 14, 2014 at the south side Chatham train station parking lot to help raise awareness of its individual member artists and their businesses and to reach out to Chatham area residents with art education and exhibits; and

WHEREAS, to accommodate the CAAG Fine Arts and Crafts Fair, the CAAG has requested that all or a portion of the south side Chatham train station parking lot be closed from 6:00 a.m. until 7:00 p.m. on the date of the event; and

WHEREAS, the Mayor and of the Borough of Chatham supports the Chatham Area Artisan Guild and wishes to formally authorize the use of the Chatham train station parking lot for the CAAG Fine Arts and Crafts Fair to be held on Sunday, September 14, 2014.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they hereby authorize the use of the south side of the Chatham train station parking lot for the CAAG Fine Arts and Crafts Fair on Sunday, September 14, 2014; and

BE IT FURTHER RESOLVED, that in order to accommodate the CAAG Fine Arts and Crafts Fair, all or a portion of the south side Chatham train station parking lot is authorized to be closed from 6:00 a.m. until 7:00 p.m. on the date of the event, subject to compliance and approval of police and public safety directives; and

BE IT FURTHER RESOLVED, the Facilities Use Application and required documentation are to be submitted and the Borough of Chatham is to be listed as an additional insured with a minimum coverage limit of \$1,000,000 for this event; and

BE IT FURTHER RESOLVED, that policing services and other related services and expenses incurred by the Borough for this event shall be paid by the Chatham Area Artisan's Guild; 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.

RESOLUTION #14-268

RESOLUTION AUTHORIZING THE YOU GIVE GOODS ORGANIZATION TO COORDINATE THE CHATHAM BOROUGH'S PARTICIPATION IN THE MORRIS COUNTY MUNICIPAL ACTION TO CURB HUNGER (M.c.M.A.T.C.H.) FOOD DRIVE PROGRAM SEPTEMBER 1, 2014 THROUGH SEPTEMBER 30, 2014

WHEREAS, the Borough of Chatham enjoys a rich heritage of giving to those in need of help during challenging times; and

WHEREAS, the Month of September is Hunger Awareness Month; and

WHEREAS, for the third year in a row, Morris County is partnering with several nonprofit agencies in an initiative aimed at helping local food pantries meet the needs of Morris County families at risk of hunger by generating nearly 25,000 pounds of food for Morris County area food pantries; and

WHEREAS, the initiative, Morris County Municipal Action to Curb Hunger or M.c.M.A.T.C.H., is a contest that encourages Morris County municipal governments to conduct food drives in the month of September to support local pantries of their choosing; and

WHEREAS, M.c.M.A.T.C.H. is jointly sponsored by the Morris County Department of Human Services, the Morris County Youth Shelter, the Interfaith Food Pantry, the Volunteer Management Center, Curbing Hunger, Inc., and the YouGiveGoods organizations; and

WHEREAS, municipalities are encouraged to create their own programs of collecting non-perishable food through public drives, town hall collection sites or online financial donations, with \$1 counting as 1 pound of food; and

WHEREAS, last year, Chatham Borough partnered with the YouGiveGoods organization to coordinate the Borough's participation in the 2013 M.c.M.A.T.C.H. food drive program and desires to partner with the YouGiveGoods organization for the 2014 M.c.M.A.T.C.H. food drive program.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the YouGiveGoods organization to coordinate the Borough's participation in the 2014 M.c.M.A.T.C.H. food drive program September 1, 2014 through September 30, 2014; and

BE IT FURTHER RESOLVED, that all Chatham Borough residents are encouraged to support M.c.M.A.T.C.H. by dropping off nutritious non-perishable food donations at Borough town hall during regular business hours during the month of September, or by making a financial donation to the food drive via the Borough website.

RESOLUTION #14-269

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY OF MORRIS AND THE BOROUGH OF CHATHAM ESTABLISHING A COOPERATIVE MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT AND HOME ACTIVITIES PROGRAMS

WHEREAS, the County of Morris (the "County") is eligible to receive Federal funds available through the Department of Housing and Urban Development; and

WHEREAS, in order to receive certain Federal funds potentially available under Title II of the Cranston-Gonzales National Affordable Housing Act, Federal Register, Vol. 56, No. 143, dated July 2, 1991, commonly known as the HOME Investment Partnership Program under the Community Development Block Grant Program; and

WHEREAS, an agreement has been proposed under which the Borough of Chatham and the County that will form a consortium by establishing a cooperation agreement for Federal Fiscal Years 2015, 2016 and 2017, and direct its activities to the elimination of housing problems within New Jersey in accordance with the housing goals and strategies outlined in the Morris County Consolidated Plan.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, in the County of Morris, State of New Jersey that the agreement entitled, "AGREEMENT BETWEEN THE COUNTY OF MORRIS AND CERTAIN MUNICIPALITIES LOCATED THEREIN ESTABLISHING A COOPERATIVE MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT AND HOME ACTIVITIES" PROGRAM," pursuant to the National Affordable Housing Act, a copy of which is on file in the Morris County Department of Human Services, Division of Community & Behavioral Health Services, Office of Community Development, shall be executed by the Mayor of the Borough of Chatham, as well as, the Freeholder Director of the County of Morris and Clerk of the Board of Chosen Freeholders, in accordance with the provisions of the law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect in accordance with the law.

CONSENT AGENDA VOTE:

Mayor Harris asked Council Member Alida Kass to proceed with Resolution #14-258 through #14-269 listed on the Consent agenda.

Council Member Kass moved approve the resolutions presented on the Consent Agenda, seconded by Council Member Helfrich. A voice vote was taken and all Resolutions listed on the Consent Agenda was approved unanimously.

RESOLUTION #14-271

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:

Real Property: 1. Land Donation - Mr. Lott / Mr. DeNave

Litigation: 1. Zoning/Property Maintenance Enforcement Issues
– Mayor Harris / Mr. Falzarano

And,

BE IT FURTHER RESOLVED, that 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.

Council Member James Collander moved Resolution #14-271, seconded by Council Member Helfrich. A voice vote was taken and Resolution #14-271 was approved unanimously.

The Mayor and Council adjourned into Closed Session.

ADJOURNMENT

Adjourn 9:27 p.m.

Respectfully Submitted:

Robin R. Kline

Robin R. Kline, MAS, RMC, CMR
BOROUGH OF CHATHAM
Municipal Clerk