

**AGENDA**  
**August 13, 2018**

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

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

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**CALL MEETING  
TO ORDER**

The meeting will be called to order at 7:30 p.m.

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**SALUTE TO FLAG**

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**MOMENT OF SILENCE**

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**STATEMENT OF  
ADEQUATE NOTICE**

Pursuant to the requirements of the Open Public Meetings Act, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the official bulletin board on the main floor of Borough Hall, emailed to the Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and TAPinto Chatham and was filed with the Borough Clerk, all on January 11, 2018.

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**ROLL CALL**

Mayor Bruce A. Harris  
Council Member James J. Collander  
Council Member Victoria Fife  
Council President Leonard Resto  
Council Member Peter J. Hoffman  
Council Member Robert A. Weber, Sr.  
Council Member Thaddeus J. Kobylarz  
Stephen W. Williams, Borough Administrator  
James L. Lott, Jr., Borough Attorney  
Robin R. Kline, Borough Clerk

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**PROCLAMATION**

**RESOLUTION #18-261**

**RESOLUTION SUPPORTING THE 12<sup>TH</sup> ANNUAL TURN THE TOWNS TEAL® CAMPAIGN,  
A NATIONAL CAMPAIGN PROMOTING AWARENESS OF OVARIAN CANCER AND ITS  
SYMPTOMS**

**WHEREAS**, ovarian cancer is the fifth leading cause of cancer-related death among women in the United States; and

**WHEREAS**, the month of September is dedicated to raising awareness of ovarian cancer; and

**WHEREAS**, ovarian cancer is called the “silent disease” because its symptoms are often vague or subtle; and

**WHEREAS**, if detected in its early stages, the survival rate from ovarian cancer is 90-95 percent, yet the relative five-year survival rate for ovarian cancer is 46 percent because it is so difficult to detect early. Survival rates vary greatly depending on the stage of diagnosis; and

**WHEREAS**, the Turn The Towns Teal®, a national campaign to promote awareness of ovarian cancer and its symptoms, was the inspiration of Gail MacNeil of Chatham, New Jersey during her 10-year battle with ovarian cancer. This campaign continues to go forward in her name and in her honor; and

**WHEREAS**, Turn The Towns Teal® and the Ovarian Cancer Research Fund Alliance (OCRFA) are partnering to promote awareness of ovarian cancer through the Turn The Towns Teal® campaign; and

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby support the Turn The Towns Teal® campaign, a national campaign to promote awareness of ovarian cancer and its symptoms, and authorize the placement of teal colored ribbons around Borough trees during the month of September; and

**BE IT FURTHER RESOLVED**, that the placement of any banners or signage must be reviewed and approved in advance of their posting on Borough property by the Borough's Zoning Officer and that all ribbons shall be removed from Borough trees on or before September 30, 2018.

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## **APPOINTMENT**

### **RESOLUTION #18-262**

#### **RESOLUTION APPOINTING COMMANDING OFFICER BRIAN K. GIBBONS TO THE RANK OF CHIEF OF POLICE IN THE BOROUGH OF CHATHAM**

**WHEREAS**, due to the retirement of former Chief of Police Philip Crosson, Jr., there exists a vacancy in the position of Chief of Police in the Borough of Chatham; and

**WHEREAS**, Commanding Officer Brian K. Gibbons, has expressed his interest in the Chief of Police position for the Borough of Chatham; and

**WHEREAS**, Commanding Officer Gibbons, is an experienced, dedicated and decorated law enforcement executive who first began his law enforcement service as a Police Patrol Officer in 1999 and, in September 2002, continued his law enforcement career with the Chatham Borough Police Department where he rose through the ranks to Patrol Sergeant, Administrative Sergeant, Lieutenant/Executive Officer, Captain/Executive Officer, and to Commanding Officer in March 2018; and

**WHEREAS**, in accordance with Chatham Borough Police Promotion Policy, the Promotion Examination Board, consisting of the Borough Administrator and the Public Safety Committee, shall evaluate the candidates for promotion to the rank of Chief of Police; and

**WHEREAS**, the Promotion Examination Board has determined that Commanding Officer Gibbons is well-qualified to serve as the Chief of Police and recommends his appointment to the rank of Chief of Police in the Chatham Borough Police Department; and

**WHEREAS**, Chapter 48, §48-4 of the Code of the Borough of Chatham provides that the Mayor shall appoint a Chief of Police with the consent and approval of Borough Council; and

**WHEREAS**, Mayor Bruce A. Harris, in consideration of the recommendation made by the Promotion Examination Board does hereby appoint Commanding Officer Brian K. Gibbons to the rank of Chief of Police in the Chatham Borough Police Department, effective August 14, 2018.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that they hereby concur with the Mayor's appointment of Commanding Officer Brian K. Gibbons to the rank of Chief of Police and provide their consent; and

**BE IT FURTHER RESOLVED**, that Commanding Officer Gibbons is hereby promoted to the rank of Chief of Police at an annual salary of \$156,085.21, to be pro-rated for the remainder of 2018, and that the Mayor is authorized to sign the Employment Agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council congratulate and extend their best wishes to Police Chief Brian K. Gibbons.

#### **RESOLUTION #18-263**

#### **RESOLUTION APPOINTING SEAN SMILEY AS A PROBATIONARY FIREFIGHTER FOR THE CHATHAM BOROUGH VOLUNTEER FIRE DEPARTMENT**

**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**, Sean Smiley was appointed as a member to the Junior Firemen's Auxiliary Company of the Chatham Borough Volunteer Fire Department by Resolution #16-227 on June 27, 2016; and

**WHEREAS**, Sean has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department; and

**WHEREAS**, the Fire Chief has recommended that Sean Smiley should be appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Hook and Ladder Company.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Sean Smiley is hereby appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Hook and Ladder Company; and

**BE IT FURTHER RESOLVED**, that Sean Smiley's application for membership to the Chatham Borough Volunteer Fire Department is hereby approved.

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#### **RESOLUTION #18-264**

#### **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 9, 2018

And,

**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 9, 2018

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#### **RECUSALS**

Recusals or abstentions submitted for the record.

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## **DISCUSSION ITEMS**

1. JCP&L Infrastructure Investment Program – Mr. Rob Walton
  2. Capital Project Update – Mr. Vince DeNave
  3. River Road Redevelopment – Mr. DeNave and Mr. Williams
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## **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.

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## **REPORTS**

### **COUNCIL COMMITTEES**

<b>Budget and Finance</b>	Council Member Peter J. Hoffman
<b>Long Range Traffic &amp; Pedestrian Safety Planning</b>	Council Member James J. Collander
<b>Public Safety &amp; Emergency Services</b>	Council Member James J. Collander
<b>Personnel</b>	Council President Leonard Resto
<b>Public Works Planning/Community Services</b>	Council Member Victoria Fife
<b>Shared Services &amp; 3<sup>rd</sup> Party Agreements</b>	Council Member Robert A. Weber, Sr.

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## **MAYOR'S REPORT**

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## **ADMINISTRATOR'S REPORT**

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## **RESOLUTION REQUIRING SEPARATE ACTION**

### **RESOLUTION #18-265**

**RESOLUTION OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE PLANNING BOARD OF THE BOROUGH OF CHATHAM TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE IF CERTAIN REAL PROPERTY WITHIN THE BOROUGH OF CHATHAM ARE AREAS IN NEED OF REDEVELOPMENT**

**WHEREAS**, the Borough Council desires to direct the Planning Board to undertake a preliminary investigation to determine if all or a portion of certain real property within the Borough of Chatham, specifically, Block 135, Lots 9, 10 & 11 on River Road, are areas in need of redevelopment pursuant to and in accordance with the local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Chatham, County of Morris, and State of New Jersey, as follows:

1. The Planning Board is hereby authorized to undertake a preliminary investigation to determine if all or a portion of certain real property within the Borough of Chatham as set forth herein are areas in need of redevelopment pursuant to and in accordance with the Local Redevelopment Housing Law.
2. The redevelopment area determination shall authorize the Borough to use all powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain.
3. The Planning Board shall be permitted to retain the services of a professional planning firm with New Jersey licensed professionals to assist in conducting its investigation and issuing a report.
4. The Planning Board shall hold a public hearing on notice to the public pursuant to the Local Redevelopment Housing Law prior to conducting its public hearing and issuing its recommendation to the Borough Council.
5. All Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

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## **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 #18-266 through Resolution #18-279 have been placed on the Consent Agenda.

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

### **RESOLUTION #18-**

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## **CONTRACTS**

### **RESOLUTION #18-266**

#### **RESOLUTION AUTHORIZING THE PURCHASE OF ONE CATERPILLAR BACKHOE LOADER FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law, public bids are not required when the purchase of goods or services is made through a cooperative purchasing program; and

**WHEREAS**, P.L. 2011, c.139 allows local contracting units to utilize national cooperative contracts as a method of procurement; and

**WHEREAS**, the Borough realizes cost savings by purchasing services, equipment and materials through cooperative pricing systems; and

**WHEREAS**, the Department of Public Works has a need to purchase one backhoe loader; and

**WHEREAS**, the Director of Public Works recommends that the purchase of one 2018 Caterpillar Backhoe Loader, Model 420F2IT, Stock Number 17M0775, be made through the Sourcewell national cooperative pricing system, Contract #032515-CAT, in the amount not to exceed \$105,609.60; and

**WHEREAS**, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$105,609.60 and that funds are currently available for the purpose of awarding the contract and shall be encumbered from the Water Capital account #W-06-55-918-006.

**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 2018 Caterpillar Backhoe Loader, Model 420F2IT, Stock Number 17M0775, through the Sourcewell national cooperative pricing system, Contract #032515-CAT, in the amount not to exceed \$105,609.60; and

**BE IT FURTHER RESOLVED**, 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 #18-267**

#### **RESOLUTION AUTHORIZING THE PURCHASE OF ONE CATERPILLAR ASPHALT PAVING MACHINE FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law, public bids are not required when the purchase of goods or services is made through a cooperative purchasing program; and

**WHEREAS**, P.L. 2011, c.139 allows local contracting units to utilize national cooperative contracts as a method of procurement; and

**WHEREAS**, the Borough realizes cost savings by purchasing services, equipment and materials through cooperative pricing systems; and

**WHEREAS**, the Department of Public Works has a need to purchase one asphalt paving machine; and

**WHEREAS**, the Director of Public Works recommends that the purchase of one 2012 Caterpillar Asphalt Paving Machine, Model AP255E, Stock Number 13M0215, be made through the Sourcewell national cooperative pricing system, contract #032515-CAT, in the amount not to exceed \$98,900.00; and

**WHEREAS**, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$98,900.00 and that funds are currently available for the purpose of awarding the contract and shall be encumbered from the General Capital account #C-04-55-918-501 and General Capital account C-04-55-917-701.

**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 2012 Caterpillar Asphalt Paving Machine, Model AP255E, Stock Number 13M0215, through the Sourcewell national cooperative pricing system, contract #032515-CAT, in the amount not to exceed \$98,900.00; and

**BE IT FURTHER RESOLVED**, 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.

## **FINANCE**

### **RESOLUTION #18-268**

#### **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 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 Chief Financial Officer.

### **RESOLUTION #18-269**

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

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that both the mortgage company and the property owner made property tax payments for the herein referenced property resulting in an overpayment of property taxes; and

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

<b><u>BLOCK/LOT</u></b>	<b><u>OWNERS/PROPERTY LOCATION</u></b>	<b><u>AMOUNT</u></b>	<b><u>TAX QTR</u></b>
10/3.02	Alden, Timothy & Maria 15 Chandler Road Chatham, NJ 07928	\$ 6,481.37	2018/1st Qtr.

Please make check payable to:  
Corelogic Tax Collection Services, LLC  
P.O. Box 9236  
Coppell, TX 75019-9801

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

### **RESOLUTION #18-270**

#### **RESOLUTION AUTHORIZING REFUND FOR WATER, SEWER AND SOLID WASTE OVERPAYMENTS**

**WHEREAS**, the Utility Clerk for the Borough of Chatham has advised that an overpayment was made in the payment of water, sewer and solid waste billings; and

**WHEREAS**, the property owner has requested a refund for the overpayment as follows:

<b><u>ACCOUNT #</u></b>	<b><u>OWNERS/PROPERTY LOCATION</u></b>	<b><u>REFUND AMOUNT</u></b>
912-0	Silhan, Edward M. & Jill A. 114 N. Hillside Avenue Chatham, NJ 07928	\$219.93 Water and Sewer \$143.82 Solid Waste

Please make check payable & mail to:  
Hargrove, Judy Ann  
79 Weston Avenue  
Chatham, NJ 07928

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough's Utility Clerk to process a refund for the overpayments as herein referenced.

**RESOLUTION #18-271**

**RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that the property owner prepaid the third quarter property tax payment for the herein referenced property and that the property owner has sold the property and is requesting a refund for the prepaid amount; and

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

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
86/14	Laferriere, Robert & Karen 14 Lincoln Avenue Chatham, NJ 07928	\$ 11,970.62	2018/3rd Qtr.
	<u>Please make check payable and mail to:</u> Laferriere, Robert & Karen 151 Fairmount Avenue Chatham, NJ 07928		

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

**RESOLUTION #18-272**

**RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that the property tax for the herein referenced property was overbilled due to the reduction in the net valuation and assessment of the property (demolition of structure) and the property owner is requesting a refund for the overbilled amount; and

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

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
116/11	JFT Associates LLC 27 Red Road Chatham, NJ 07928	\$ 35.49	2018/3rd and 4th Quarters
	<u>Please make check payable and mail to:</u> JFT Associates LLC c/o Charles Ranshous 106 Lincoln Avenue Florham Park, NJ 07932		

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



## **RESOLUTION #18-273**

### **RESOLUTION EXTENDING THE PAYMENT OF THIRD QUARTER PROPERTY TAX BILLS FROM AUGUST 1, 2018 TO SEPTEMBER 7, 2018**

**WHEREAS**, N.J.S.A. 54:4-64 requires municipal property tax bills to be mailed at least 47 days prior to August 1<sup>st</sup> of each year; and

**WHEREAS**, because the state legislation made last-minute changes in state aid to local school districts for the 2018-2019 calendar year, the School District of the Chathams had to change its proposed budget to reflect those changes, which caused the delay in the certification of the Borough's tax rate by the Morris County Tax Board and the delay in the mailing of the 2018 tax bills by the Chatham Borough Tax Collector; and

**WHEREAS**, N.J.S.A. 54:4-64 further mandates that property taxpayers shall be given adequate notice of the date when taxes are due before interest is charged on delinquent tax payments; and

**WHEREAS**, by law the taxpayer has 25 days from the date of mailing of the tax bill to pay property taxes due without interest or penalty; and

**WHEREAS**, the taxpayer would have less than the required 25-day period from the date of mailing of the tax bill to the third quarter August 1, 2018 due date to pay property taxes due without interest or penalty; and

**WHEREAS**, the Tax Collector has recommended that payments for the third quarter property taxes should be extended from August 1, 2018 to September 7, 2018.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby concur with the Tax Collector's recommendation and authorize to extend the payment of the third quarter property taxes from August 1, 2018 to September 7, 2018; and

**BE IT FURTHER RESOLVED**, that the payment of property taxes shall be considered delinquent after September 7, 2018 and after which date interest will be charged from August 1, 2018 to the date of payment.

## **RESOLUTION #18-274**

### **RESOLUTION APPROVING TAX APPEAL SETTLEMENT WITH CHATHAM MADISON ASSOCIATES FOR PROPERTY LOCATED AT 254 MAIN STREET (BLOCK 57, LOT 1)**

**WHEREAS**, appeals of the real property tax assessment for tax years 2010 through 2018 for the property located at 254 Main Street (Block 57, Lot 1) have been filed by the taxpayer, Chatham Madison Associates, and are pending in the Tax Court of New Jersey; and

**WHEREAS**, a settlement has been negotiated with the taxpayer resolving the tax appeals for the subject property for all of the pending tax years; and

**WHEREAS**, as a result of the proposed settlement, the tax appeals for 2013 through 2018 are withdrawn and the assessments for 2010 through 2012 are reduced as follows:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
2010	\$1,140,900.00	\$900,000.00
2011	\$1,140,900.00	\$900,000.00
2012	\$1,140,900.00	\$900,000.00

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough's Tax Assessor and the Borough's Property Appraisal Consultant; and

**WHEREAS**, upon the recommendation of the Borough's Tax Assessor and the Borough's Property Appraisal Consultant, the Borough Council believes that this tax appeal settlement is in the best interest of the Borough and secures fairness and uniformity in the assessment process.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that the above tax appeal settlement with Chatham Madison Associates for the property located at 254 Main Street (Block 57, Lot 1) is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Borough's Municipal Tax Counsel is hereby authorized and directed to enter into the Stipulation of Settlement, which is attached and made a part of this Resolution, and to file the Stipulation and such other documents as required to implement this settlement with the Tax Court of New Jersey; and

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

#### **RESOLUTION #18-275**

#### **RESOLUTION APPROVING TAX APPEAL SETTLEMENT WITH TOWN HALL ASSOCIATES FOR PROPERTY LOCATED AT 14 FAIRMOUNT AVENUE (BLOCK 85, LOT 17)**

**WHEREAS**, appeals of the real property tax assessment for tax years 2012 through 2018 for the property located at 14 Fairmount Avenue (Block 85, Lot 17) have been filed by the taxpayer, Town Hall Associates, and are pending in the Tax Court of New Jersey; and

**WHEREAS**, a settlement has been negotiated with the taxpayer resolving the tax appeals for the subject property for all of the pending tax years; and

**WHEREAS**, as a result of the proposed settlement, the tax appeals for 2012, 2013 and 2018 are withdrawn and the assessments for 2014 through 2017 are reduced as follows:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
2014	\$1,800,000.00	\$1,700,000.00
2015	\$1,800,000.00	Freeze Act
2016	\$1,600,000.00	\$1,500,000.00
2017	\$1,600,000.00	\$1,500,000.00

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough's Tax Assessor and the Borough's Property Appraisal Consultant; and

**WHEREAS**, upon the recommendation of the Borough's Tax Assessor and the Borough's Property Appraisal Consultant, the Borough Council believes that this tax appeal settlement is in the best interest of the Borough and secures fairness and uniformity in the assessment process.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that above tax appeal settlement with Town Hall Associates for the property located at 14 Fairmount Avenue (Block 85, Lot 17) is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Borough's Municipal Tax Counsel is hereby authorized and directed to enter into the Stipulation of Settlement, which is attached and made a part of this Resolution, and to file the Stipulation and such other documents as required to implement this settlement with the Tax Court of New Jersey; and

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

## **RESOLUTION #18-276**

### **RESOLUTION APPROVING TAX APPEAL SETTLEMENT WITH RODWIL CORP. FOR PROPERTY LOCATED AT 240 MAIN STREET (BLOCK 57, LOT 18)**

**WHEREAS**, appeals of the real property tax assessment for tax years 2010 through 2017 for the property located at 240 Main Street (Block 57, Lot 18) have been filed by the taxpayer, Rodwil Corp., and are pending in the Tax Court of New Jersey; and

**WHEREAS**, a settlement has been negotiated with the taxpayer resolving the tax appeals for the subject property for all of the pending tax years; and

**WHEREAS**, as a result of the proposed settlement, the tax appeals for 2010 and 2013 through 2017 are withdrawn and the assessments for 2011 and 2012 are reduced as follows:

<u>Tax Year</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
2011	\$1,434,500.00	\$1,300,000.00
2012	\$1,434,500.00	\$1,250,000.00

**WHEREAS**, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Borough Tax Assessor and Borough Appraisal Consultant; and

**WHEREAS**, upon the recommendation of the Borough's Tax Assessor and the Borough's Property Appraisal Consultant, the Borough Council believes that this tax appeal settlement is in the best interest of the Borough and secures fairness and uniformity in the assessment process.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that the above tax appeal settlement with Rodwil Corp. for the property located at 240 Main Street (Block 57, Lot 18) is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Borough's Municipal Tax Attorney is hereby authorized and directed to enter into the Stipulation of Settlement, which is attached and made a part of this Resolution, and to file the Stipulation and such other documents as required to implement this settlement with the Tax Court of New Jersey; and

**BE IT FURTHER RESOLVED**, that all Borough employees and officials are hereby authorized

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## **LAW AND PUBLIC SAFETY**

### **RESOLUTION #18-277**

#### **RESOLUTION AUTHORIZING THE PURCHASE OF ONE NEW AND UNUSED 2019 FORD POLICE INTERCEPTOR SUV FOR THE CHATHAM FIRE DEPARTMENT IN THE AMOUNT NOT TO EXCEED \$40,899.63**

**WHEREAS**, in accordance with N.J.S.A 40A:11-12 of the Local Public Contracts Law, public bids are not required when the purchase of goods or services is made through a cooperative purchasing program; and

**WHEREAS**, the Borough realizes cost savings by purchasing services, equipment and materials through the Cranford Police Cooperative Pricing System; and

**WHEREAS**, the Chatham Fire Department has a need to purchase one (1) new and unused 2019 Ford Interceptor SUV; and

**WHEREAS**, the Fire Chief recommends that the vehicle be purchased through the Cranford Police Cooperative Purchasing System, ID #47-CPCPS, Item #2, from Beyer Fleet in East Hanover, NJ in the amount not to exceed \$40,899.63; and

**WHEREAS**, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$40,899.63 and that funds are currently available for the purpose of awarding the contract and shall be encumbered from the General Capital Fund, account #C-04-55-918-407.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Chatham that the Chatham Fire Department is hereby authorized to purchase one (1) new and unused 2019 Ford Police Interceptor SUV from Beyer Ford through the Cranford Police Cooperative Purchasing System, in the amount not to exceed \$40,899.63; and

**BE IT FURTHER RESOLVED**, 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.

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## **BOARDS, COMMISSIONS & COMMITTEES**

### **RESOLUTION #18-278**

#### **RESOLUTION APPOINTING ELLEN EPIE TO THE MYCHATHAMNJ ADVISORY COMMITTEE**

**WHEREAS**, Resolution #18-19, adopted by the Borough Council on January 2, 2018, re-established the MyChathamNJ Advisory Committee to explore, develop and provide Borough-sponsored programs, events and activities that promote our community's rich history and heritage; enhance a sense of community and community pride; and increase opportunities for volunteerism and community service for residents of all ages; and

**WHEREAS**, Ellen Epie has expressed interest in being appointed to the MyChathamNJ Advisory Committee and has submitted a Volunteer Application to the Mayor and Borough Council for consideration.

**BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Chatham that Ellen Epie is hereby appointed to the MyChathamNJ Advisory Committee; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution in accordance with N.J.S.A. 40A:9-9.2a and the Code of the Borough Chatham, Chapter 3, §3.3.

## **RECREATION**

### **RESOLUTION #18-279**

#### **RESOLUTION APPOINTING SUMMER POOL STAFF FOR THE 2018 SEASON**

**WHEREAS**, the Chatham Borough Recreation Program has a need to hire summer pool staff for the 2018 season; and

**WHEREAS**, the Recreation Coordinator recommends hiring the following individual pending completion of all paperwork requirements prior to any employment:

Name	Hourly Pay Rate	Position
Cohn, Jared	\$8.60	Staff
Crater, Stephanie	\$8.60	Staff
Kressler, Kyle	\$8.60	Staff
Lowe, Jessica	\$8.60	Staff

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Recreation Coordinator and hereby approve the hiring of the individual referenced herein as summer pool staff for the 2018 season at the respective position and rate of pay, contingent upon the Recreation Coordinator verifying that all paperwork requirements have been completed prior to employment; 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.

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#### **CONSENT AGENDA VOTE:**

Mayor Harris asks Council Member \_\_\_\_\_ to proceed with the Resolutions listed on the Consent agenda. Resolutions #18-266 through #18-279.

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

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

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#### **ADD-ON RESOLUTIONS**

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#### **ORDINANCE FOR FIRST READING**

Mayor Harris asks Council Member Fife to introduce Ordinance #18-10.

Council Member Fife introduces Ordinance #18-10 by title as follows:

#### **ORDINANCE #18-10**

#### **ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 79 ENTITLED, ANIMALS AND RABIES CONTROL, OF THE BOROUGH CODE OF THE BOROUGH OF CHATHAM**

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

Council Member Fife reads:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on August 13, 2018.

**BE IT RESOLVED**, that at the Council meeting to be held on September 11, 2018 at 7:30 p.m. prevailing time, at Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED**, that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in Borough Hall and make copies available to members of the general public.

Council Member Fife: I offer Ordinance #18-10 and move its adoption on first reading.

Council Member \_\_\_\_\_ seconds the motion.

Mayor Harris asks the Borough Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Collander						
Fife						
Resto						
Hoffman						
Weber						
Kobylarz						

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## **RESOLUTION #18-280**

### **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:

Litigation: 1. 4 Watchung LLC v. Borough of Chatham, et als. – Mr. Lott

**BE IT FURTHER RESOLVED**, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Borough Council will not return to public session after this closed session.

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## **ADJOURNMENT**