

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

**September 24, 2018 MINUTES**

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, September 24, 2018 at 7:30 p.m. in the Council Chambers in Borough Hall, 54 Fairmount Avenue, Chatham, New Jersey.

**SALUTE TO FLAG**

Mayor Harris and the 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, Borough Clerk, read the following 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 Municipal 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 filed with the Borough Clerk, all on January 11, 2018.

**ROLL CALL**

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

Mayor Bruce A. Harris  
Council Member Victoria Fife  
Council President Leonard Resto  
Council Member Peter J. Hoffman [via telephonic conferencing]  
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  
  
Council Member James J. Collander was absent.

Mayor Harris proceeded with Resolution #18-291.

Mayor Harris read Resolution #18-291.

**RESOLUTION (COMMENDATORY)**

**RESOLUTION #18-291**

**RESOLUTION IN APPRECIATION TO SARAH W. STANLEY FOR HER GENEROUS AND  
THOUGHTFUL CONTRIBUTION IN RESTORING THE STANLEY PARK SIGN AND  
LANDSCAPING AROUND THE BASE OF THE SIGN**

**WHEREAS**, last year the Mayor and Borough Council received a proposal from Sarah W. Stanley offering to fund and manage the restoration of the weathered sign at Stanley Park and to replant the area around the base of the sign with low maintenance perennials in honor of George Shepard Page; and

**WHEREAS**, Sarah W. Stanley is a descendant of Francis Edgar Page, who was a first cousin to George Shepard Page, a successful businessman who had acquired several hundred acres in Chatham in 1867 and named his extensive holdings “Stanley;” and

**WHEREAS**, Stanley Park is a quiet spot along the Passaic River where residents can fish, observe nature, or simply relax; and

**WHEREAS**, the Kiwanis Club of Chatham, which had sponsored the construction and installation of the Stanley Park sign a number of years ago, agreed to provide help with the restoration of the park’s sign and the planting of new landscaping around the base of the sign; and

**WHEREAS**, it is contributions like Sarah Stanley’s that help make Chatham Borough beautiful, and

**WHEREAS**, the Mayor and Council wish to thank Sarah W. Stanley for her generous and thoughtful contribution.

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Chatham extend their best wishes and sincere appreciation to Sarah W. Stanley for her generous and thoughtful contribution in funding and managing the restoration of the weathered sign at Stanley Park and replanting of new landscaping around the base of the sign in honor of George Shepard Page.

Council President Resto made a motion to approve Resolution #18-291. Council Member Weber seconded the motion. A vote was taken and Resolution #18-291 was approved unanimously.

Mayor Harris presented the Resolution to Sarah Stanley and thanked her for her thoughtful contribution in restoring the Stanley Park sign and replanting the landscaping around the base of the sign. Sarah Stanley thanked the Mayor and Council for the Resolution and commented that Stanley Park is a wonderful quiet spot in Chatham and further commented that during the restoration project she saw that many residents visit the park on a regular basis.

Mayor Harris proceeded with Resolution #18-292.

## **RESOLUTION #18-292**

### **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:

September 11, 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:

September 11, 2018

Council Member Fife made a motion to approve Resolution #18-292. Council President Resto seconded the motion. A vote was taken and Resolution #18-292 was approved unanimously.

## **RECUSALS**

Mayor Harris asked if there are any recusals or abstentions to be submitted for the record with respect to any item listed on the agenda.

There were no recusals presented on the record.

## **DISCUSSION ITEMS**

**Fishawack Review** – Ms. Janice Piccolo, Director for the Department of Community Services, provided a budget review of revenues and expenses associated with the 2018 Fishawack Festival. Ms. Piccolo mentioned that the event generated \$42,443.35 in revenues, which included sponsorship donations, vendor registrations, fees collected for activities, and Board of Health food vendor licensing fees. She mentioned that revenues were down from the previous year due to the loss of a primary sponsor. Expenses associated with running the Fishawack Festival amounted to \$53,898.49, which included entertainment and children's activities, the art show, the pub and dining pavilion, marketing and printing costs, and Borough workforce costs. Ms. Piccolo added that a cash donation was made to the Senior Center of the Chatham, as well as to the Holiday White Lights program. The net cost to the Borough was \$11,455.14 to run the event.

Ms. Piccolo also reported that the Car Show, which is organized by the PBA, had only three cars entered this year. She mentioned that the coordinator of the Car Show had informed her that they would need to advertise and get the word out to car clubs well in advance so that car owners can plan and schedule the events they wish to participate in.

Lastly, Ms. Piccolo reported that Mayor Harris presented the annual Volunteer Recognition Awards at Borough Hall, which was well-attended and has become a highlighted event of Fishawack.

Council Member Hoffman questioned if additional cost-savings could be realized by utilizing digital forms of marketing and advertising for Fishawack, as opposed to printed materials. Ms. Piccolo indicated that she would explore the use of technology to lessen the costs of printed materials.

Mayor Harris inquired why the reported workforce costs for the Department of Community Services was substantially less than the previous year. Ms. Piccolo responded that during last year's review of Fishawack expenses, she was asked to reduce the amount of work time devoted by the Department of Community Services and so she said that she did not charge most of her time needed to plan the event this year.

At the end of the presentation, Mayor Harris and the Borough Council commended Ms. Piccolo for her efforts in organizing the Fishawack Festival. Mayor Harris further asked that an authorizing resolution be placed on the next meeting agenda so that the Borough can begin to plan for next year's event, which would be especially helpful to the PBA to get the word out for greater Car Show participation.

**2018 Leaf Collection Schedule** – Tony Torello, Director of Public Works, reported that the Borough's leaf collection program will begin on October 22<sup>nd</sup>. He mentioned that the Department of Public Works will be collecting leaves weekly in all zones using the vacuum method from October 22<sup>nd</sup> and that the final curbside collection of leaves will take place on Monday, December 3, 2018. He also reported leaf bags will be collected on Tuesday, December 11<sup>th</sup> and Tuesday, December 18<sup>th</sup>. Residents are responsible for purchasing biodegradable paper bags.

Mr. Torello reminded residents not to pile leaves on the street for public safety concerns and to keep leaves away from storm drains because clogged drainage systems may create flooding conditions. He also mentioned that landscapers can bring leaves collected from their Borough clients to the mulch site free of charge but must register with the Department of Public Works.

Lastly, Mr. Torello reported that the mulch site will be open 6 days per week starting on October 22<sup>nd</sup>. Seasonal leaf collection program guidelines and mulch site hours of operation are posted on the Borough website.

## **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.

Joseph Marts, 14 Coleman Avenue, West, and former Chatham Borough Mayor, expressed his support of long-time resident Mr. Bill “Tut” Weichert and encouraged others to do the same.

Rozella Clyde, 33 Carmine Street, commented that the School Board is currently addressing safety concerns at the schools. She voiced her opposition to any use of guns in the schools and recommended that a surveillance camera program that is connected to the Police Department be explored as an alternative solution.

Suzanne Perkins, 71 Lafayette Avenue, expressed her opposition to the sale of marijuana in the Borough and inquired what proactive steps the Governing Body has taken, or intends to take, with respect to the legalized sales of marijuana in the Borough.

Mayor Harris commented that the state has not yet legalized marijuana and further mentioned that at the September 11<sup>th</sup> meeting, the Governing Body had discussed this issue and encouraged residents to share their views. Mayor Harris also mentioned that, to date, several emails have been received and that the Borough will be launching an online survey. Mayor Harris further encouraged residents to contact their state legislators.

Council Member Kobylarz encouraged residents to respond to the online survey when it becomes available, which would help provide guidance to the Governing Body in its policy-making decision on the issue. He mentioned that the survey contains several questions but also allows residents to provide a comment.

Anne Pryor, 33 Cherry Lane, commented on a property damage claim she filed with the Borough and the Morris County Joint Insurance Fund.

Seeing no one else wishing to comment, Mayor Harris closed the meeting to the public and proceeded with the Council Committee Reports.

## **REPORTS**

### **COUNCIL COMMITTEES**

**Budget and Finance** - Council Member Hoffman reported that department heads have returned their respective 2019 operating budget sheets and that the 2019 capital budget requests are due on October 12<sup>th</sup>. He further reported that the Committee is waiting to receive information on health insurance costs and the Borough’s pension obligation. Mr. Hoffman also mentioned that Moody’s has once again awarded the Borough a “Aaa” rating.

**Long Range Traffic & Pedestrian Safety Planning** - Council Member Collander was absent.

**Public Safety & Emergency Services** - Council Member Collander was absent.

**Personnel** - Council President Resto had nothing new to report but took the opportunity to thank those who participated in, or donated to, the ‘Out of the Darkness Walk’ that took place on September 22<sup>nd</sup>.

**Public Works Planning/Community Services** - Council Member Fife reported a meeting has been scheduled for October 18<sup>th</sup>.

**Shared Services & 3<sup>rd</sup> Party Agreements** - Council Member Weber had nothing new to report.

## **MAYOR'S REPORT**

Mayor Harris had no report.

## **ADMINISTRATOR'S REPORT**

Mr. Williams reported that a press release will be issued when the PlanetCivic survey will be launched, which is anticipated to be available on the website on October 1<sup>st</sup>. He also reported that the Police Department completed its on-site accreditation assessment earlier in the day with the New Jersey State Association of Chiefs of Police. No deficiencies were found. Mr. Williams informed the Governing Body that his office has not yet heard back from JCP&L regarding the request for cost estimates to bury utility lines underground. He also reported that the Borough was awarded silver recognition for the New Jersey Smart Workplace Initiative and silver recognition for the Safe Routes to School Program from Trans Options. Mr. Williams further reported that the Eagle Scout Lending Library Project has been completed. A lending library kiosk has been installed at the train station oasis and another at Shepard Kollock Park.

Mayor Harris mentioned that Council Member Fife, Mr. Williams and himself met with the new Regional Manager for New Jersey Transit and discussed many issues important to Chatham Borough, such as the repair of the bridges and the proposed new mural.

Mayor Harris proceeded with the Consent Agenda.

## **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 #18-293 through Resolution #18-297 have been placed on the Consent Agenda.

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

None.

## **CONTRACTS**

### **RESOLUTION #18-293**

### **RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CHRISTMAS DÉCOR FOR THE INSTALLATION AND REMOVAL OF HOLIDAY LIGHTS FOR THE 2018 HOLIDAY SEASON**

**WHEREAS**, the Borough of Chatham enjoys the festive tradition of decorating its Main Street and public properties with holiday lights during the holiday season; and

**WHEREAS**, the Mayor and Council of the Borough of Chatham wish to continue this tradition for the 2018 holiday season; and

**WHEREAS**, because the anticipated contract amount is less than the Borough's bid threshold of \$40,000.00, but 15% or more of that amount, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires the Borough to solicit at least two competitive quotations for said work; and

**WHEREAS**, the Borough solicited and received the following quotations:

1. Christmas Décor by Ebby's, Woodland Park, New Jersey in the amount of \$13,542.18;
2. Christmas Décor, Scotch Plains, New Jersey in the amount of \$17,600.00;

And,

**WHEREAS**, the Director of the Department of Community Services recommends that a contract be awarded to Christmas Décor of Woodland Park, New Jersey for the installation of holiday lights along Main Street, Borough Hall and Reasoner Park, on or about November 15, 2018 and to be taken down and removed on or before January 15, 2019; and

**WHEREAS**, the Chief Financial Officer has provided a certification of availability of funds in the amount not to exceed \$13,542.18 to be appropriated from the following accounts as follows:

<u>Account Description</u>	<u>Account Number</u>	<u>Amount</u>
Operating (Current) Account	8-01-30-420-201	\$6,000.00
My Chatham Trust Account	T-17-56-000-211	\$4,042.18
Fishawack Trust Account	T-17-56-000-000	\$3,500.00

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it hereby authorizes the Mayor to execute a contract with Christmas Décor for the installation and removal of holiday lights in the aggregate contract amount not to exceed \$13,542.18; 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 #18-294**

#### **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 #18-295**

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

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that the mortgage company made a duplicate property tax payment 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:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
136/3	Mara, Andrea 64 River Road Chatham, NJ 07928	\$1,620.08	2018/2nd Qtr.

Please make check payable and mail to:  
Hudson United Title Services  
95 S. Middletown Road  
Nanuet, New York 10954

**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.

## **LAW AND PUBLIC SAFETY**

### **RESOLUTION #18-296**

#### **RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF FIREHOUSE PLAZA FOR THE FIRE PREVENTION OPEN HOUSE ON SATURDAY, OCTOBER 13, 2018**

**WHEREAS**, the Chatham Borough Volunteer Fire Department will be holding a Fire Prevention Open House at the Firehouse on Saturday, October 13 from 8:00 a.m. to 1:00 p.m.; and

**WHEREAS**, the Chatham Borough Volunteer Fire Department seeks permission to close Firehouse Plaza during this period; and

**WHEREAS**, the Mayor and Borough Council wish to authorize the closure of Firehouse Plaza for the Fire Prevention Open House event.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that approval is hereby given to the Chatham Borough Volunteer Fire Department to close Firehouse Plaza on Saturday, October 13, 2018 from 8:00 a.m. to 1:00 p.m. for the Fire Prevention Open House; and

**BE IT FURTHER RESOLVED**, that the Chatham Borough Police Department is authorized to close Firehouse Plaza during this period as necessary for public safety; 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.

## **OTHER**

### **RESOLUTION #18-297**

#### **RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE MAYOR TO EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR WASHINGTON AVENUE, FROM WATCHUNG AVENUE TO MAIN STREET (Rt. #124), ROADWAY IMPROVEMENT AND PEDESTRIAN SAFETY IMPROVEMENT PROJECT [GRANT APPLICATION MA-2019-CHATHAM BOROUGH-WASHINGTON AVENUE IMPROVEMENT 00371]**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they formally approve the submission of a grant application submission to the New Jersey Department of Transportation for Washington Avenue, from Watchung Avenue to Main Street (Rt. #124) Roadway Improvement and Pedestrian Safety Improvement Project and that the Mayor, Borough Clerk and Director of Community Services are authorized to submit an electronic grant application identified as MA-2019-Chatham Borough-Washington Avenue Improvement Project -00371 to the New Jersey Department of Transportation on behalf of the Borough of Chatham; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Chatham and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement; 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.

**CONSENT AGENDA VOTE:**

Council Member Kobylarz made a motion to approve Resolutions #18-293 through #18-297 on the Consent Agenda. The motion was seconded by Council President Resto. A vote was taken and Resolutions #18-293 through #18-297 were approved unanimously.

**ADD-ON RESOLUTION**

None.

Mayor Harris asked Council Member Kobylarz to proceed with Resolution #18-298.  
Council Member Kobylarz read Resolution #18-298.

**RESOLUTION #18-298**

**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.

Council Member Kobylarz made a motion to approve Resolution #18-298. Council Member Fife seconded the motion. A vote was taken and the motion to approve Resolution #18-298 was approved unanimously.

**ADJOURNMENT**

Having no other business to be conducted in public session, Mayor Harris adjourned into Closed Session at 9:00 p.m.

Respectfully Submitted:

*Robin R. Kline*

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