

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

February 12, 2018

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, February 12, 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, Municipal 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 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.

ROLL CALL

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

Mayor Bruce A. Harris
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

Council Member James J. Collander and Council Member Victoria Fife were absent.

Mayor Harris proceeded with Resolution #18-101

RESOLUTION #18-101

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:

January 22, 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:

January 22, 2018

Council President Resto made a motion to approve Resolution #18-101. Council Member Hoffman seconded the motion. A vote was taken and Resolution #18-101 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.

Mayor Harris recused himself on matters concerning Post Office Plaza.

DISCUSSION ITEMS

Mayor Harris recused himself on the discussion of the Post Office Plaza Preliminary Investigation.

Post Office Plaza Preliminary Investigation Overview – Council Member Hoffman provided a brief overview of the redevelopment process undertaken by the governing body and the Planning Board to date. He reported that Mr. Phil Abramson, a planner with the firm Topology, was retained to conduct the necessary investigations to determine whether the Post Office Plaza study area (the “Study Area”) qualifies as an Area in Need of Redevelopment. He encouraged residents to read the preliminary investigation report available on the Borough website. Before turning the presentation over to Mr. Abramson, Council Member Hoffman further mentioned that redevelopment is important in the revitalization of the downtown and in increasing the Borough’s ratable potential.

Mr. John Hague, Special Counsel to the Borough with respect to redevelopment, joined Mr. Phil Abramson in the presentation.

Mr. Abramson provided a brief overview of the redevelopment process and legal authority for redevelopment in New Jersey. He reported that the New Jersey Redevelopment and Housing Law allows municipalities to initiate a process by which designated properties that meet certain criteria can be redeveloped to advance the public interest.

Mr. Abramson further reported that in September 2017, the Borough Council directed the Planning Board to revisit and undertake a preliminary investigation to determine if certain real property within the Borough of Chatham, specifically:

<u>Bowers Lane</u>	<u>South Passaic Avenue</u>	<u>Main Street</u>
Block 121, Lot 11	Block 121, Lot 10	Block 122, Lots 1 and 2
Block 121, Lot 17	Block 121, Lots 12 through 14	
Block 122, Lots 13 through 18		

are areas in need of redevelopment pursuant to and in accordance with the local Redevelopment and Housing Law (the “Redevelopment Law”) and further clarified that the preliminary investigation was to determine whether the designation of these properties qualify as a non-condemnation Area in Need of Redevelopment.

Mr. Abramson confirmed that a preliminary investigation had been conducted for each property in the Study Area and further confirmed that all property owners had been contacted and expressed an interest in the proposed redevelopment. He noted that the property known as Block 121, Lot 14, a South Passaic Avenue storefront, is not recommended for inclusion in the Area in Need of Redevelopment.

Mr. Abramson continued that the Preliminary Investigation Report, which provides an analysis of the Study Area and recommended course of action, was presented to the Planning Board on January 17, 2018. At that meeting a public hearing was held. He further reported that after hearing comments from the public, the Planning Board adopted a resolution recommending to the Mayor and Borough Council that the Study Area be designated as an Area in Need of Redevelopment.

The Study Area is comprised of 14 properties on 5.5 acres, straddling Bowers Lane from Main Street to the Morris and Essex Railroad line. The Study Area includes a mix of single-use commercial and residential structures that lie in the B-4 (Community Business) District, AFD-4 (Affordable Housing) District, and B-3 (General Business) District. Mr. Abramson presented criteria under the Redevelopment Law that is applicable to each of the parcels in the Study Area.

Council Member Kobylarz inquired whether the Driscoll properties at the end of Bowers Lane are in the Historic District and further inquired whether those properties could be rehabilitated. Mr. Abramson indicated that he did not know if the Driscoll properties are located in the Historic District, but stated that if they were it would not impact his opinion. Mr. Abramson further detailed some of the interior and exterior conditions evident with these properties and again confirmed that the properties qualify under the criteria of the Redevelopment Law.

Mr. Abramson concluded his presentation by mentioning that the next step would be for the Borough Council to accept the conclusions of the Preliminary Investigation Report, together with the Planning Board's recommendation, in order to designate the 13 properties in the Study Area (Block 121, Lot 14 was not recommended to be included) as a non-condemnation Area in Need of Redevelopment. With the approval of Resolution #18-102 on the agenda, he mentioned that the governing body would enter into the redevelopment planning process. Mr. Abramson reported that a second community visioning workshop is scheduled for March 20th at 7:00 p.m. in Borough Hall.

The Borough Council confirmed that online surveys and community visioning sessions would be implemented in efforts to fully engage public participation throughout the redevelopment planning process and to facilitate the exchange of ideas and feedback. The Borough Council further discussed the importance that any online survey must have the capability to ensure that respondents could only complete one of the same survey.

Council Member Hoffman assured the public that many opportunities would be available throughout the planning process to allow individuals to raise their concerns and offer their ideas and feedback. It was mentioned that an estimated 300 individuals attended the community visioning session held last June.

Council Member Kobylarz suggested that the collection of data should be reset and started over again since the redevelopment process is starting anew. He further raised a concern that, because of the recent change in the ownership of the Cottage Deli property, he wondered whether redevelopment of Post Office Plaza might already have been set in motion before any redevelopment plan has been presented.

In closing the discussion, the Borough Council agreed that it is important that the redevelopment process balance economic revitalization of the downtown with the preservation of the aesthetic character and charm of Chatham. Residents were again encouraged to attend the second public visioning session scheduled for March 20th.

Mr. Hague and Mr. Abramson were asked to remain in attendance to address any comments that may be presented during public comment or at the time the Council acts on Resolution #18-102.

Tree Ordinance Fees – Mr. Stephen Williams provided an update to Council Member Collander's proposed Tree Ordinance presentation of January 22nd. He reported that the Tree Removal Permit application fee would be \$75.00, consisting of a \$25.00 application fee plus an inspection fee of \$50.00. The inspection fee covers the cost of the Tree Enforcement Officer to ensure compliance with the replacement tree planting provision in the ordinance. In addition, Mr. Williams reported that a permit issued to a property owner for the "convenience removal" of a tree would require either a one-for-one compensatory replanting of a tree or a \$350.00 contribution to the "Chatham Borough Tree Replacement Fund." He mentioned that the replacement tree fee would be based on the cost that the Shade Tree Commission pays for a new tree.

Mayor Harris inquired if the Council had any questions on the proposed Tree Removal Permit application fees. Seeing that there were no questions, Mayor Harris asked Mr. Lott to draft the Tree Ordinance.

2018 Capital Budget (General Capital and Water Capital) – Mr. Timothy Day, the Borough’s Chief Financial Officer, confirmed that the Capital Ordinance would be scheduled for introduction on February 26th and that the public hearing and adoption would be held on March 15th. The Capital Ordinance would then become effective on April 3rd.

General Capital Budget

Mr. Day reported that \$1,000,000 would be funded through a General Capital Ordinance and provided an overview of those projects or capital purchases that would be funded. Engineering projects included \$100,000 for road re-surfacing (mill and pave); \$100,000 for road micro-surfacing; \$150,000 for the Curb & Sidewalk Program; and \$125,000 for North Passaic Avenue sidewalk improvements (with \$105,000 funding coming from the NJDOT grant). Streets and roads to be milled and paved, or micro-surfaced, were not determined at the time of the presentation.

Council Member Hoffman confirmed that the \$1,000,000 in capital spending is consistent with the Borough’s 10-year Financial Management Plan and further confirmed that that amount is sustainable, addresses the Borough’s capital needs to prevent deferred maintenance situations, and supports the Borough’s tax base. He further confirmed that that amount would not impact the Borough’s AAA bond rating.

Water Capital Budget

Mr. Day reported that \$430,000 would be funded in a Water Capital Bond Ordinance and provided an overview of water utility projects and equipment purchases that would be funded. He reported that the Water Utility continues to support the fund balance with surplus funds; however, the 2018 capital projects will be funded through notes.

Present Debt & Future Debt Assumptions

Mr. Day reported that as of December 31, 2017 the Borough’s general debt service totaled \$13,708,291. Mr. Day further reported that the \$1,000,000 in debt service for 2018 capital projects and the \$175,000 funded for the Lum Turf Field project would be added to that total debt service amount.

In concluding his presentation, Mr. Day reported that potential future capital projects in 2018 may include \$1,376,700 in funding for improvements to the Library of the Chathams (Borough’s share) and \$2,200,000 in funding for improvements to the Madison Chatham Joint Meeting sewer plant (33.8% Borough share). Mayor Harris pointed out that the amount for the library did not reflect funds that may be received through the New Jersey Library Construction Bond Act. The total amount of debt for present and future capital projects would total \$18,459,991 (0.754% of the Borough’s Total Debt Limit allowed by law).

At the end of the presentation, Council Member Hoffman, Chair of the Budget and Finance Committee, thanked the members of the Budget and Finance Committee, Mr. Day, and Mr. DeNave for their efforts in drafting a realistic capital budget.

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.

Jill Weber, 99 Summit Avenue, commented that she attended the community visioning workshop last year and mentioned that the format was open and honest and that the workshop was well attended. She recommended that Mr. Abramson contact the Superintendent of the School District of the Chathams to obtain updated student enrollment numbers should they be needed for the March 20th workshop.

Mrs. Weber then inquired about the status of the proposed vacations of the unimproved portions (paper streets) of Greenwood Avenue and Vine Street. She expressed her opposition to the Borough vacating these paper streets, mentioning that the pathways are regularly used and allow residents to avoid walking along Main Street and other busy roadways. She further commented that the governing body had last discussed the vacation of these paper streets on June 12, 2017. At that time, she said the Borough Engineer was asked to determine whether the adjacent property owners would be willing to dedicate an easement for the pathways and utility lines. She inquired as to whether easements have been granted and further inquired about the process the Borough follows in vacating a paper street.

Mayor Harris responded that the process to vacate a paper street begins with a written request by an interested party seeking to acquire the paper street property. The request is then vetted by the Borough Engineer and if approved, the interested party provides escrow monies to the Borough to pay for all legal, surveying and related costs for the street vacation. Once all the groundwork has been completed, an ordinance and public hearing is scheduled for Council action. He thanked Mrs. Weber for her comments and mentioned that a discussion item concerning the proposed Vine Street vacation would be placed on the February 26th agenda. He further mentioned that the request to vacate the Greenwood Avenue paper street remains pending.

Council Member Weber voiced his concern that during the governing body's June 12th discussion of the proposed vacation of the paper streets, the Borough Council did not decide that the street vacations should move forward, but rather determined that more research was to be done. He further mentioned that homeowners should not be required to post escrow monies if the Council did not decide to proceed with a street vacation. Council Member Weber asked that, in addition to the discussion of the Talmadge Avenue turnaround, that that proposed vacation of Vine Street be also listed for discussion on the next Mayor and Council agenda.

Christine Gentile, 179 Washington Avenue, expressed her opposition to the vacation of the Greenwood Avenue paper street (also known as the Dellwood path). She said the Dellwood Path is used by hundreds of families and that it provides a safe route to and from school. She further commented that one of the homeowners has paved a driveway over a portion of the path, making it appear that the Dellwood path is no longer public land but rather a private driveway.

Mayor Harris confirmed that the governing body had agreed that the dedication of an easement would be required for the pathway.

Rozella Clyde, 33 Carmine Street, commented on the proposed redevelopment of Post Office Plaza and emphasized that parking is a critical component of any redevelopment proposed in the downtown. She inquired whether the USPS sorting facility would be relocated in town to maintain the package service to residents and further commented that there is a need to keep Liberty Drug in town because the business provides needed services to the elderly community. Dr. Clyde mentioned that she attended the community visioning session held last year, which had a large attendance, and questioned whether the community visioning session scheduled for March 20th in Borough Hall would require a larger venue. Lastly, Dr. Clyde stated that she supported the Borough running the Fishawack Festival this year, but inquired why Resolution #18-116 prohibits the Director of Community Services from soliciting monetary or in-kind donations to run the event and asked the governing body to reconsider this.

Martin Bogue, 238 Washington Avenue, identified himself as one of the property owners requesting the vacation of the Greenwood Avenue paper street and commented that he is fully supportive of dedicating an easement for the walking path and also commented that all of the adjacent property owners are in agreement of dedicating an easement for the walking path as well. Mr. Bogue also commented that he supports the proposed redevelopment project in town.

Michael Dean, 181 North Passaic Avenue, commented that traffic congestion is a critical issue in the Borough and questioned why Borough officials would consider redevelopment, which may increase traffic. He also inquired if property taxes would be raised for improvements to the library and further inquired why the tree was removed at the Lafayette Avenue and Watchung Avenue. Mr. Dean further inquired about the NJ Transit agreement with the Borough. Lastly, he questioned when the Fire Department would be able to purchase the SUV for the Fire Chief and a new fire truck.

Mayor Harris responded that there is no agreement in place between NJ Transit and the Borough. He also informed Mr. Dean that the Fire Chief's SUV could be purchased after the bond ordinance has been approved on April 3rd.

Council Member Hoffman further responded that the Borough intends to bond monies for a new fire truck in incremental steps and that it has not yet been determined what type of fire truck would be needed. He mentioned that, although one of the fire trucks is a later model, it remains in good service and has low mileage and low usage hours.

Lefty Grimes, residing in East Hanover, NJ, spoke in support of needed reforms concerning cannabis regulations in New Jersey and further spoke in support of opening cannabis dispensaries throughout the state. He encouraged the public to educate themselves on the benefits of cannabis.

Rose McGill, residing in Lawrenceville, NJ, spoke in support of allowing cannabis use for medicinal purposes.

Hugh Giordano, UFCW Local 152 Union representative, commented that the United Food & Commercial Workers Union supports the legalization of cannabis in the state and commented that the cannabis industry would create jobs.

Amy Roth, residing in Springfield, NJ, commented that while working at a cannabis dispensary, she learned much about the medicinal benefits of medical marijuana. She encouraged the public to support cannabis reforms in the state.

Christian Velazquez, residing in Dover, NJ, commented that cannabis use is a safe alternative to pharmaceutical drug use, illegal drug use, and alcohol use, and encouraged the public to educate themselves on cannabis.

Kim Auer, 89 Summit Avenue, expressed her opposition to the vacation of the Vine Street paper street and commented that the Vine Street path has been used by the neighborhood for many years and is regularly used to access Shepard Kollock Park.

Monica Schaefer, 45 North Hillside Avenue, commented that she supports the redevelopment of Post Office Plaza and complimented the governing body on engaging the residents in the redevelopment planning process.

John Strelkoff, 544 Green Village Road, commented that cannabis is a drug and that there are more issues concerning cannabis use that must still be addressed.

John Solu, 236 Main Street, commented that he welcomed redevelopment in the Borough and the revitalization of the downtown. He further encouraged local officials to review and address local regulations and zoning that make it difficult for small businesses to get started in the Borough.

Mayor Harris responded that Borough officials are open to new ideas that will help create a business-friendly process.

Seeing no one else wishing to comment, Mayor Harris closed the meeting to the public

ORDINANCE FOR SECOND READING

Mayor Harris asked Council President Resto to proceed with Ordinance #18-01.

Council President Resto read Ordinance #18-01 entitled:

ORDINANCE #18-01

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER A325 TO GRANT CONSENT FOR THE NON-EXCLUSIVE USE OF PUBLIC RIGHTS-OF-WAY

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on January 22, 2018.

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

The Borough Clerk stated that a legal notice was published indicating that Ordinance #18-01 was introduced and passed on first reading at the January 22, 2018 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on February 12, 2018 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with the law.

Mayor Harris declared the meeting open for a public hearing on the Ordinance.

Seeing no one else wishing to be heard, Mayor Harris closed the public hearing.

Council President Resto offered the Ordinance and move its adoption:

BE IT RESOLVED, that this Ordinance as read by title on second reading, and after public hearing at this meeting, be adopted and finally passed.

Council Member Weber seconded the motion.

Mayor Harris asked the Borough Clerk for a Roll Call Vote.

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

Mayor Harris declared Ordinance #18-01 adopted and finally passed and requested the Clerk to publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

REPORTS

COUNCIL COMMITTEES

Budget and Finance - Council Member Hoffman reported that the 2018 operating budget is being finalized. The budget will maintain all municipal services.

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

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

Personnel - Council President Resto congratulated Vito Milano on his promotion to the position of Mechanic in the Department of Public Works and wished him well.

Public Works Planning/Community Services - Council Member Fife was absent.

Shared Services & 3rd Party Agreements - Council Member Weber had nothing new to report.

MAYOR'S REPORT

Mayor Harris reported that he co-hosted the New Jersey Mayors' Climate Summit held on February 3rd at Rutgers University's Center for Government Studies and announced that he has made a pledge for the Borough to strive to attain Sustainable Jersey's Gold Star Standard for Energy Conservation to reduce emissions of greenhouse gases, and would be working with Council President Resto over the next year after the Borough completes the Sustainable Jersey's Silver certification application. Mayor Harris also announced that the Chatham Community Beekeeper's Club has scheduled a meeting on Wednesday, February 28th in Borough Hall and invited residents interested in beekeeping to attend.

ADMINISTRATOR'S REPORT

Mr. Williams reported on a recent sewer back up on Lafayette Avenue that was caused by synthetic wipes being flushed into the sewer system. He reminded residents not to flush these products, but to dispose of them with their garbage. He further reported that the Senior Center of the Chathams will host its annual Shred Day event on April 28th. Mr. Williams also reported that FEMA has published a public notice in the Daily Record newspaper regarding the new FEMA Flood Insurance Rate Maps. He mentioned that no homes in the Borough are threatened by flooding in any area, but if residents would like to appeal the proposed flood hazard determinations on the new FEMA maps, a 90-day appeal period would go into effect following the second publication notification in the Daily Record newspaper.

Mayor Harris further announced that residents interested in the county budget may wish to attend the Morris County Freeholders Special Budget Meeting on Tuesday, February 13th from 6:00 p.m. to 7:00 p.m. in the Knox Conference Room, Morris County Administration & Records Building, Court Street, Morristown.

RESOLUTION REQUIRING SEPARATE DISCUSSION AND VOTE

Mayor Harris recused himself on matters concerning the proposed redevelopment of Post Office Plaza.

Council President Resto proceeded with Resolution #18-102.

RESOLUTION #18-102

RESOLUTION OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, NEW JERSEY, DESIGNATING AN AREA OF THE BOROUGH AS MORE PARTICULARLY DESCRIBED HEREIN AS "AN AREA IN NEED OF REDEVELOPMENT" PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW

WHEREAS, on September 25, 2017, the ~~Mayor and~~ Borough Council adopted Resolution #17-288, requesting and authorizing the Planning Board to revisit and undertake a preliminary investigation to determine if certain real property within the Borough of Chatham, specifically:

Bowers Lane

Block 121, Lot 11

Block 121, Lot 17

Block 122, Lots 13 through 18

South Passaic Avenue

Block 121, Lot 10

Block 121, Lots 12 through 14

Main Street

Block 122, Lots 1 and 2

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

WHEREAS, Resolution #17-288 further provided that 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; and

WHEREAS, the Planning Board retained the services of Topology NJ, LLC, a professional planning firm (“Topology”) to assist in conducting the necessary investigations and analysis to determine whether the Study Area does or does not qualify as an area in need of redevelopment under the criteria set forth in the Redevelopment Law; and

WHEREAS, Topology conducted such investigations and prepared a report of its investigations entitled “*Preliminary Investigation of Post Office Plaza, Chatham, New Jersey*” dated January 4, 2018 (the “Redevelopment Investigation Report”); and

WHEREAS, the Redevelopment Investigation Report concludes that the Study Area, with the exception of Block 121, Lot 14, exhibit conditions which conform with various redevelopment criterion under Section 5 of the Redevelopment Law, *N.J.S.A. 40A:12A-5*, as more specifically set forth in the Redevelopment Investigation Report; and

WHEREAS, on January 17, 2018, the Planning Board conducted a duly-noticed public hearing, pursuant to *N.J.S.A. 40A:12A-6*, at which time it heard a presentation of the Redevelopment Investigation Report by Philip A. Abramson, the author of the Redevelopment Investigation Report, as well as comments from members of the public in attendance; and

WHEREAS, Mr. Abramson responded to questions from the Planning Board members and members of the public; and

WHEREAS, based upon the Redevelopment Investigation Report, Mr. Abramson’s testimony concerning the Redevelopment Investigation Report, and the comments from the public on January 17, 2018, the Planning Board adopted a Memorializing Resolution accepting the findings of the Redevelopment Investigation Report, concluding that Block 121, Lots 10, 11, 12, 13 and 17, and Block 122, Lots 1, 2, 13, 14, 15, 16, 17 and 18 (the “Revised Study Area”) meet the criteria for designation as a non-condemnation area in need of redevelopment under the Redevelopment Law, and recommending that the Mayor and Council designate the Revised Study Area as a non-condemnation Area in Need of Redevelopment, pursuant to the Redevelopment Law; and

WHEREAS, the Borough Council accepts the conclusions of the Preliminary Investigation Report dated January 4, 2018 and the Planning Board’s recommendation memorialized in its Resolution dated January 17, 2018 and wish to designate the Revised Study Area as a non-condemnation area in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Chatham that the Revised Study Area described herein be and hereby is designated as a Non-Condensation Redevelopment Area, pursuant to *N.J.S.A. 40A:12A-5* and *N.J.S.A. 40A:12A-6*.

Mr. Hague advised that in the first “Whereas” clause the words “Mayor and” should be stricken.

Council President Resto asked the Borough Clerk for a roll call vote on Resolution #18-101, as amended.

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

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 #18-103 through Resolution #18-116 have been placed on the Consent Agenda.

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

Council Member Weber requested that Resolution #18-116 be removed from the Consent Agenda for discussion and vote.

RESOLUTION #18-116

RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES TO PLAN AND ORGANIZE THE 2018 FISHAWACK CELEBRATION

WHEREAS, the Mayor and Borough Council wish to authorize the Fishawack celebration to be held in the Borough on June 9, 2018 as a public event; and

WHEREAS, the Department of Community Services has planned, organized and operated the Fishawack celebration for the past two years; and

WHEREAS, the Mayor and Borough Council wish to authorize the Department of Community Services to plan, organize and operate the 2018 Fishawack celebration.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Department of Community Services is hereby authorized to plan, organize and operate the 2018 Fishawack celebration; and

BE IT FURTHER RESOLVED, that the Director of the Department of Community Services shall prepare a budget for the 2018 Fishawack celebration detailing staffing requirements, costs and anticipated revenues. if any, arising from the event, and which shall be submitted to the Borough Administrator and the Mayor and Council before February 26, 2018 for review and recommendation for submission in the Borough's 2018 proposed operating budget; and

BE IT FURTHER RESOLVED, that the Department of Community Services shall by August 13, 2018 report to the Council on the actual costs of Fishawack and on the impact of the event on the business establishments in the central business district; and

BE IT FURTHER RESOLVED, that no elected or appointed official for the Borough of Chatham, nor any Borough employee or volunteers appointed to any Borough Board, Commission or Committee shall be involved in the solicitation of any monetary or in-kind donations for the event; and

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

Council President Resto made a motion to approve Resolution #18-116. Council Member Weber seconded the motion.

Discussion on Resolution #18-116

Council Member Weber advised that Council Member Fife, who was not in attendance, had raised a question of who may or may not be able to solicit donations for this year's Fishawack Festival.

Council Member Weber further commented that the resolution, as written, would prohibit any volunteer appointed to a Borough Board, Commission or Committee, including the MyChathamNJ Advisory

Committee, the committee responsible for running the Fishawack Festival, from soliciting donations. Council Member Weber mentioned that while he agreed that there should be no direct solicitations of local businesses, there should be allowed some mechanism allowing the MyChathamNJ Advisory Committee to send out a mailing seeking participation or sponsorship of the event.

During discussion, the Council agreed that a balance must be struck that allows for donations needed to run the event through sponsorships. The Council further agreed that the Fishawack flyer, prepared by the MyChathamNJ Advisory Committee and mailed to prospective participants, could include an option on the flyer for sponsorships for the event.

The Council agreed to revise the wording in the third “BE IT FURTHER RESOLVED” clause in Resolution #18-116 as follows (underlined words added):

“BE IT FURTHER RESOLVED, that no elected or appointed official for the Borough of Chatham, nor any Borough employee or volunteers appointed to any Borough Board, Commission or Committee shall be involved in the direct solicitation of any monetary or in-kind donations for the event, except for a general mailing seeking participation; and”

AMENDED RESOLUTION #18-116

RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES TO PLAN AND ORGANIZE THE 2018 FISHAWACK CELEBRATION

WHEREAS, the Mayor and Borough Council wish to authorize the Fishawack celebration to be held in the Borough on June 9, 2018 as a public event; and

WHEREAS, the Department of Community Services has planned, organized and operated the Fishawack celebration for the past two years; and

WHEREAS, the Mayor and Borough Council wish to authorize the Department of Community Services to plan, organize and operate the 2018 Fishawack celebration.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Department of Community Services is hereby authorized to plan, organize and operate the 2018 Fishawack celebration; and

BE IT FURTHER RESOLVED, that the Director of the Department of Community Services shall prepare a budget for the 2018 Fishawack celebration detailing staffing requirements, costs and anticipated revenues. if any, arising from the event, and which shall be submitted to the Borough Administrator and the Mayor and Council before February 26, 2018 for review and recommendation for submission in the Borough’s 2018 proposed operating budget; and

BE IT FURTHER RESOLVED, that the Department of Community Services shall by August 13, 2018 report to the Council on the actual costs of Fishawack and on the impact of the event on the business establishments in the central business district; and

BE IT FURTHER RESOLVED, that no elected or appointed official for the Borough of Chatham, nor any Borough employee or volunteers appointed to any Borough Board, Commission or Committee shall be involved in the direct solicitation of any monetary or in-kind donations for the event, except for a general mailing seeking participation; and

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

Council President Resto amended his motion to approve Resolution #18-116, as amended. Council Member Weber seconded the amended motion. A vote was taken and Resolution #18-116, as amended, was approved.

Mayor Harris proceeded with the Consent Agenda.

CONTRACT

RESOLUTION #18-103

RESOLUTION AMENDING RESOLUTION #18-02 WITH RESPECT TO THE PROFESSIONAL SERVICES CONTRACT AWARDED TO JENNIFER ROSELLE, ESQ. OF THE FIRM GENOVA BURNS ATTORNEYS-AT-LAW FOR SPECIAL LABOR COUNSEL SERVICES

WHEREAS, a professional services contract was awarded to Jennifer Roselle, Esq. of the firm Genova Burns Attorneys-at-Law for Special Labor Counsel by Resolution #18-02 adopted on January 2, 2018; and

WHEREAS, the maximum dollar amount of the contract stated in Resolution #18-02 was in the amount not to exceed \$6,000.00 and there is a need to amend the maximum dollar amount of the contract to the amount not to exceed \$20,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are currently available for the purpose of awarding this contract from Current Fund Account #8-01-20-105-202 for the maximum dollar amount not to exceed \$20,000.00.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Resolution #18-02 is hereby amended to reflect that the maximum dollar amount of the professional services contract awarded to Jennifer Roselle, Esq. of the firm Genova Burns Attorneys-at-Law for Special Labor Counsel shall be in the amount not to exceed \$20,000.00; 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 #18-104

RESOLUTION OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE BOROUGH OF CHATHAM TO CONTINUE AS A MEMBER OF THE MUNICIPAL PIPELINE GROUP (MPG) AND EXTEND THE RETAINER AGREEMENT WITH JOHN M. SCAGNELLI, ESQ. AS LEGAL COUNSEL TO THE MPG

WHEREAS, certain pipelines are not public utilities that distribute service to end users and are unregulated by the Board of Public Utilities of the State of New Jersey; and

WHEREAS, these pipelines are designed to transport a variety of materials, including hazardous substances which, if a discharge occurred, would result in environmental degradation to the land, water, and air environment; and

WHEREAS, these pipelines do not directly provide the public with necessities, such as electricity, gas, telephone, water or wastewater service; and

WHEREAS, these pipelines may pose a threat to the infrastructure providing these public utility services; and

WHEREAS, as these pipelines are not regulated by the New Jersey Board of Public Utilities, there is limited accountability to the public; and

WHEREAS, Pilgrim Pipeline has proposed to build two pipelines that will run between Albany, New York and Linden, New Jersey, known as the Pilgrim Oil Pipeline Project ("Project"); and

WHEREAS, the Project will run through and over the sole-source aquifer of the Borough of Chatham; and

WHEREAS, the Borough of Chatham seeks to protect its interests with regard to this Project due to the threat posed by these unregulated pipelines; and

WHEREAS, a number of municipalities in New Jersey, seeking to protect their respective interests as it relates to the proposed Project, created the Municipal Pipeline Group (MPG); and

WHEREAS, the Borough of Chatham wishes to continue as a member of the MPG and to extend the March 11, 2016 Legal Retainer Agreement with the law firm of Scarinci Hollenbeck with John M. Scagnelli, Esq. assigned as legal counsel to the Group for another year, on the same terms and conditions.

BE IT RESOLVED by the Council of the Borough of Chatham, County of Morris, State of New Jersey that the Borough of Chatham wishes to continue its participation as a member of the MPG for another year and agrees to extend the March 11, 2016 Legal Retainer Agreement with John M. Scagnelli, Esq. as legal counsel to the MPG until March 11, 2019, on the same terms and conditions; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to take any and all actions necessary to effectuate the terms of this Resolution; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to the Borough's Chief Financial Officer, the MPG and John M. Scagnelli, Esq. of Scarinci Hollenbeck, the Group's legal counsel.

FINANCE

RESOLUTION #18-105

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 #18-106

RESOLUTION REFUNDING REDEMPTION OF TAX SALE CERTIFICATE #2017-1

WHEREAS, the Tax Collector for the Borough of Chatham has advised that Tax Sale Certificate #2017-1 was redeemed on January 29, 2018 and a refund should be made to the lienholder as follows:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>
130/9	De Lade, John & Lynn 77 Hillside Avenue Chatham, NJ 07928 <u>Make check payable and mail to:</u> US Bank Cust BV002 Trust & Creditors 50 South 16 th Street – Suite 2050 Philadelphia, PA 19102-2513	\$103,252.18 (Includes the \$70,000.00 premium paid by the lienholder at the Tax Sale.)

RESOLUTION #18-107

RESOLUTION AUTHORIZING A REFUND FOR PROPERTY TAX OVERPAYMENT

WHEREAS, the Tax Collector for the Borough of Chatham has advised that the mortgage company and the property owner made a 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 duplicate 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>
46/3	Jones, Joseph & Jennifer 118 N. Hillside Avenue Chatham, NJ 07928	\$2,641.88	2018/1Qtr.

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 duplicate overpayment of property taxes as herein referenced.

RESOLUTION #18-108

RESOLUTION AUTHORIZING TRANSFERS BETWEEN CERTAIN BUDGET RESERVE APPROPRIATIONS IN THE 2017 CURRENT FUND BUDGET PURSUANT TO N.J.S.A. 40A:4-58

WHEREAS, N.J.S.A. 40A:4-58 provides that transfers may be made between appropriation accounts in the General Budget in the last two months of the fiscal year; and

WHEREAS, such transfers are made to cover expenses in accounts in excess of that anticipated and from accounts having expenses in lesser amounts than anticipated; and

WHEREAS, these transfers do not affect the total of the operations budget as originally approved in the 2017 Current Fund Budget.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, in the County of Morris, State of New Jersey, that the Chief Financial Officer is hereby authorized to make the following line-item transfers in the 2017 Current Fund Budget with an effective date of February 13th, 2018 in accordance with N.J.S.A. 40A:4-58:

BUDGET TRANSFERS

Account Name	Account Number	Transfer To	Transfer From
<u>TO</u>			
Legal OE	7-01-20-155-200	\$20,000.00	
Planning OE	7-01-20-180-200	\$1,000.00	
Utilities	7-01-31-400-000	\$8,500.00	
<u>FROM</u>			
Police OE	7-01-25-240-200		\$20,000.00
General Administration S&W	7-01-20-100-000		\$3,000.00
Community Services OE	7-01-20-115-200		\$4,000.00
Tax Collection S&W	7-01-20-145-000		\$2,500.00
Totals		\$29,500.00	\$29,500.00

And,

BE IT FURTHER RESOLVED, that a certified copy of this resolution adopted by not less than a two-thirds (2/3) vote of the full membership of the governing body shall be forwarded to Borough Administrator and to the Chief Finance Officer.

LAW AND PUBLIC SAFETY

RESOLUTION #18-109

RESOLUTION GRANTING PERMISSION FOR THE CHATHAM FIRE DEPARTMENT ASSOCIATION TO HOLD A PICNIC IN CHATHAM BOROUGH ON JULY 4, 2018

WHEREAS, the Chatham Fire Department Association desires to hold a picnic in Chatham Borough on July 4, 2018 at Garden Park and the tennis courts; and

WHEREAS, the Chatham Fire Department Association seeks to serve and dispense alcoholic beverages at the July 4th picnic; and

WHEREAS, the Mayor and Borough Council wish to authorize this event.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham does hereby grant permission for the picnic to be conducted by the Chatham Fire Department Association on July 4, 2018 at Garden Park and the tennis courts; and

BE IT FURTHER RESOLVED, that permission to dispense alcoholic beverages at the July 4, 2018 picnic is granted subject to the Chatham Borough Fire Department Association obtaining a Social Affairs Permit from the Director of the Division of Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-74 and N.J.A.C. 13:2-5.1; and

BE IT FURTHER RESOLVED, that the Chatham Fire Department Association shall be required to submit a Facilities Use Application and required documentation to the Department of Community Services and that a certificate of insurance listing the Borough of Chatham as an additional insured and providing proof of general liability insurance in excess of \$1,000,000.00 shall be submitted for this event; 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 #18-110

RESOLUTION AUTHORIZING THE CHATHAM FIRE DEPARTMENT ASSOCIATION TO CONDUCT A PARADE ON JULY 4, 2018

WHEREAS, the Chatham Fire Department Association desires to conduct a parade as part of the Fourth of July Celebration in the Borough of Chatham; and

WHEREAS, the Mayor and Borough Council wish to authorize this long-standing tradition and event; and

WHEREAS, the Mayor and Borough Council thanks and recognizes the Chatham Borough Fire Department Association for planning and organizing the Fourth of July Parade.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Chatham Fire Department Association is hereby granted authority to conduct a parade in the Borough on July 4, 2018 and the participants and other persons involved therein are granted permission to use the following streets, including the roadbeds thereof, as set forth in the parade plan namely: portions of Hillside Avenue, Red Road, Dempster Avenue, Ogden Street, Van Doren Avenue, Firehouse Plaza and Main Street (State Highway Route #124); and

BE IT FURTHER RESOLVED, the Officer in Command of the Chatham Borough Police Department is authorized to establish detour routes, close roads and re-route traffic as is necessary before and during the parade; and

BE IT FURTHER RESOLVED, that the Chatham Fire Department Association shall be required to submit a Facilities Use Application and required documentation to the Department of Community Services and that a certificate of insurance listing the Borough of Chatham as an additional insured and providing proof of general liability insurance in excess of \$1,000,000.00 shall be submitted for this event; 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 #18-111

RESOLUTION AUTHORIZING A FIREWORKS DISPLAY TO BE CONDUCTED BY GARDEN STATE FIREWORKS ON JULY 4, 2018 OR SUBSEQUENT DATE IN THE EVENT OF POSTPONEMENT

WHEREAS, the Chatham Fire Department Association desires to conduct a public display of fireworks as part of the Fourth of July Celebration in the Borough of Chatham; and

WHEREAS, Garden State Fireworks of Millington, New Jersey shall conduct the fireworks display and shall be required to file a bond as required by N.J.S.A. 21:3-5 with the Borough of Chatham and a certificate of insurance providing proof of general liability insurance in excess of \$1,000,000.00 as required by the New Jersey Uniform Fire Code, N.J.A.C. 5:70 et. seq.; and

WHEREAS, the New Jersey Uniform Fire Code, N.J.A.C. 5:70 et. seq., further requires that the governing body of the municipality must approve by resolution firework displays prior to the issuance of a permit by the Fire Official; and

WHEREAS, the Mayor and Borough Council wish to authorize this event.

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham does hereby grant permission to the Chatham Fire Department Association to conduct a public display of fireworks as part of the Fourth of July Celebration in the Borough of Chatham, or on a subsequent date in the event of postponement, contingent upon satisfaction of all requirements imposed by state laws and regulations as herein referenced; and

BE IT FURTHER RESOLVED, the Chatham Fire Department Association shall be required to submit a Facilities Use Application and required documentation to the Department of Community Services and that a certificate of insurance listing the Borough of Chatham as an additional insured and providing proof of general liability insurance in excess of \$1,000,000.00 as required by the New Jersey Uniform Fire Code, N.J.A.C. 5:70 et. seq. shall be submitted for this event; 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.

BOARDS, COMMISSIONS & COMMITTEES

RESOLUTION #18-112

APPOINTING WILLIAM DeROSA, JR. AS THE ALTERNATE NO. 2 MEMBER ON THE ZONING BOARD OF ADJUSTMENT

WHEREAS, there exists an Alternate No. 2 vacancy on the Zoning Board of Adjustment for the Borough of Chatham, with such position and term set to expire on December 31, 2018; and

WHEREAS, N.J.S.A. 40:55D-69 and §165-153 of the Borough Code sets forth that members of the Zoning Board of Adjustment shall be appointed by the governing body; and

WHEREAS, William DeRosa, Jr. has expressed his interest in serving on the Zoning Board of Adjustment and has submitted a Volunteer Application to the Borough Clerk in accordance with Chapter 3, §3-6 of the Borough Code; and

WHEREAS, William DeRosa, Jr. is willing to serve on the Zoning Board of Adjustment as the Alternate No. 2 Member, filling the unexpired vacant position.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that William DeRosa, Jr. is hereby appointed as the Alternate No. 2 member on the Zoning Board of Adjustment to fill the vacant unexpired Alternate No. 2 two-year term, with such term expiring December 31, 2018;

BE IT FURTHER RESOLVED that the Borough Clerk shall update the registry of appointed municipal officials to reflect said appointment in accordance with N.J.S.A. 40A:9 -9.2a and §3.3 of the Borough Code and is hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

RESOLUTION #18-113

RESOLUTION RE-APPOINTING MEMBERS TO THE PUBLIC ARTS COUNCIL (ADVISORY COMMITTEE) FOR CALENDAR YEAR 2018

WHEREAS, the Mayor and Borough Council support public art initiatives that promote public appreciation and knowledge of the fine arts and help to create a greater sense of community; and

WHEREAS, Resolution #18-22 adopted by the Mayor and Council on January 2, 2018 re-established the Public Arts Council (Advisory Committee) for calendar year 2018; and

WHEREAS, the Public Arts Council (Advisory Committee) provides advice on public art projects that will enhance the Borough's downtown and facilitate the preservation of art objects and artifacts that may be displayed in public places; and

WHEREAS, Lara Dittman, Dawn Paruta and Stephanie Yarcheski have expressed their interest in being re-appointed to the Public Arts Council (Advisory Committee) for calendar year 2018.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Lara Dittman, Dawn Paruta and Stephanie Yarcheski are hereby re-appointed to the Public Arts Council (Advisory Committee) for calendar year 2018; and

BE IT FURTHER RESOLVED that the Borough Clerk shall update the registry of appointed municipal officials to reflect said re-appointments in accordance with N.J.S.A. 40A:9 - 9.2a and §3.3 of the Borough Code, and is authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

PERSONNEL

RESOLUTION #18-114

RESOLUTION PROMOTING VITO MILANO TO THE POSITION OF MECHANIC IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Director of Public Works posted the job opening for the position of Mechanic in the Department of Public Works and applications were solicited from interested employees meeting the requirements outlined in the Mechanic job description; and

WHEREAS, Public Works Director Tony Torello reported that one employee applied for the position and that the selection committee conducted an interview to determine the candidate's qualifications; and

WHEREAS, after the interview was conducted, the selection committee agreed that Vito Milano met or exceeded the qualifications and work requirements outlined in the Mechanic job description and have recommended him for promotion to the position of Mechanic in the Department of Public Works, effective as of February 16, 2018; and

WHEREAS, the starting salary for this position shall be \$76,539.47, pro-rated for the remainder of the 2018 calendar year.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the selection committee and hereby promote Vito Milano to the position of Mechanic in the Department of Public Works, effective February 16, 2018 at the starting annual salary of \$76,539.47, pro-rated for the remainder of the 2018 calendar year; and

BE IT FURTHER RESOLVED, that the promotion shall be subject to the terms and conditions contained in the memo from the Director of Public Works to the Borough Administrator dated January 22, 2018.

RESOLUTION #18-115

RESOLUTION ACCEPTING THE RESIGNATION OF CHIEF PHILIP J. CROSSON, JR. AS CHIEF OF POLICE OF THE CHATHAM BOROUGH POLICE DEPARTMENT EFFECTIVE FEBRUARY 1, 2018

WHEREAS, Chief Philip J. Crosson, Jr. has tendered a written resignation as Chief of Police of the Chatham Borough Police Department effective February 1, 2018; and

WHEREAS, Chief Crosson began his career with the Chatham Borough Police Department as a Dispatcher and has served the Police Department in various roles over the past 26 years, including Police Officer, Detective, Detective Sergeant, Lieutenant and Chief of Police; and

WHEREAS, throughout his distinguished career with the Borough, Chief Crosson has demonstrated the highest commitment to public service and his dedication, hard work and leadership have made the Borough a safer place; and

WHEREAS, the Mayor and Council wish to thank Chief Crosson for his 26 years of dedicated service to the community.

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the resignation of Chief Phillip J. Crosson, Jr. as Chief of the Chatham Borough Police Department, effective February 1, 2018, is hereby acknowledged and accepted.

BE IT FURTHER RESOLVED, that the Mayor and Council express their sincerest appreciation and gratitude to Chief Crosson for his many years of dedicated service to the Borough and wish him well in his future endeavors.

OTHER

Resolution #18-116 was removed from the Consent Agenda for separate discussion and action.

RESOLUTION #18-116

RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES TO PLAN AND ORGANIZE THE 2018 FISHAWACK CELEBRATION

CONSENT AGENDA VOTE

Council President Resto made a motion to approve Resolution #18-103 through Resolution #18-115 listed on the Consent Agenda. The motion was seconded by Council Member Kobylarz. A vote was taken and Resolution #18-103 through Resolution #18-115 listed on the Consent Agenda were approved unanimously.

ADD-ON RESOLUTIONS

None.

Mayor Harris asked Council Member Kobylarz to proceed with Resolution #18-117.

Council Member Kobylarz read Resolution #18-117.

RESOLUTION #18-117

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 matter: 1. 4 Watchung Avenue LLC vs. Borough of Chatham, et. al. – Mr. Lott
Contract matter: 1. Madison Chatham Joint Meeting Engineering Contract – Mayor Harris

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 #18-117. Council President Resto seconded the motion. A vote was taken and the motion to approve Resolution #18-117 was approved unanimously.

ADJOURNMENT

Having no other business to be conducted in public session, Mayor Harris adjourned the meeting at 10:20 p.m.

The Mayor and Council convened into closed session.

Respectfully Submitted:

Robin R. Kline

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