

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

**November 12, 2018 MINUTES**

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

Mayor Harris asked Council Member Collander to proceed with Resolution #18-317.

Council Member Collander read Resolution #18-317.

**APPOINTMENT**

**RESOLUTION #18-317**

**RESOLUTION APPOINTING ROBERT W. KELLY 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**, Robert W. Kelly has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department; and

**WHEREAS**, the Fire Chief has recommended that Robert W. Kelly should be appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Hook & Ladder Company.

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

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

Council Member Collander made a motion to approve Resolution #18-317. Council President Resto seconded the motion. A vote was taken and Resolution #18-317 was approved unanimously.

#### **ADMINISTRATION OF THE OATH OF OFFICE**

The Borough Clerk administered the oath of office to Mr. Robert W. Kelly, who was accompanied by Mr. Tim Weichert, Lieutenant of the Chatham Volunteer Fire Department Hook & Ladder Company.

Mayor Harris and the Borough Council thanked Mr. Kelly for his service to the community and wished him well.

Mayor Harris proceeded with Resolution #18-318.

#### **RESOLUTION #18-318**

#### **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:

October 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:

October 22, 2018

Council President Resto made a motion to approve Resolution #18-318. Council Member Hoffman seconded the motion. A vote was taken and Resolution #18-318 was approved unanimously.

#### **RECUSALS**

Mayor Harris asked if there were 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**

**Capital Projects Update** – Mr. Vince DeNave, Borough Engineer, provided an update on the following 2018 capital projects:

1. The power washing and painting of Water Tank #1 and the power washing of Water Tank #2 have been completed. Quotes for the exterior maintenance of Water Tank #3 will be obtained and scheduled next year.

2. Although the 2018 Curb and Sidewalk program has been completed, Mr. DeNave reported that the Department of Public Works has been performing some additional sidewalk repairs to correct identified tripping hazards.

Mayor Harris inquired about the status of the investigation concerning the infiltration and inflow of water into the sanitary sewer line along Hillside Avenue. Mr. DeNave reported that the sanitary sewer line had been cleaned and cleared of roots and mentioned that the sewer line, as well as the lateral lines going to the homes will be lined to eliminate the infiltration and inflow of water. Quotes are being obtained and the work should be completed within 30 days.

Mayor Harris also inquired about the status of the North Passaic Avenue Road Improvement Project. Mr. DeNave reported that Morris County is bidding out the project and had nothing new to report.

**Parking South Passaic Avenue and 3-Hour Parking Limit, South Passaic Avenue** – Council Member Collander, Chair of the Long Range Traffic & Pedestrian Safety Planning Committee, reported that the Committee has been reviewing concerns raised by residents, as well as the Police Department with respect to on-street parking along a portion of South Passaic Avenue and asked Chief Brian Gibbons and Vince DeNave to present the Committee's recommendations to address the on-street parking issues.

Chief Brian Gibbons and Vince DeNave reported that the section of South Passaic Avenue north of Second Street behind the Chatham Fish & Game Club property, currently has a 3-hour parking restriction during the day. Residents residing at the 29-unit apartment building on South Passaic Avenue routinely use the on-street parking spaces for overnight parking. The police dispatch desk receives several calls every evening from residents informing them that they wish to park overnight on the street. Mr. DeNave mentioned that the 29-unit apartment building has 15 on-site parking spaces and that some residents utilize parking permits for the Bowers Lane lot.

Chief Brian Gibbons and Vince DeNave reported the Committee recommends that 12 parking spaces be established as overnight on-street permit parking spaces along South Passaic Avenue, beginning 25 feet north of Second Street and continuing behind the Chatham Fish & Game Club to the train trestle. Mr. DeNave mentioned that the 12 overnight on-street permit parking spaces would effectively become a new "parking lot" for permit purposes and confirmed that this section of South Passaic Avenue would remain a thoroughfare. The Committee further recommended that 3-hour on-street day parking should be established on the east-side of South Passaic Avenue south of Second Street and the west-side of the street marked as "No Parking." The on-street parking space adjacent to the walking path on the east-side of South Passaic Avenue near Second Street would be eliminated.

Mr. DeNave suggested that the residents of the 29-unit apartment building should be given first priority in obtaining a permit for one of the 12 new overnight on-street permit parking spaces. Mayor Harris questioned whether the issuance of these new parking permits could be restricted to certain Borough residents. Mr. Lott was asked to review the statute.

It was anticipated that an authorizing Ordinance would be presented early next year.

**Weight Limits on Borough Roads** – Chief Brian Gibbons reported that the Police Department's Traffic Safety Unit completed its mapping of Borough roads having a 4-ton vehicle weight restriction. The Borough-wide street map was then reviewed by the Long Range Traffic & Pedestrian Safety Planning Committee in an effort to address the concerns of large trucks traversing residential neighborhoods. He reported that the Committee recommends several streets should be designated with a 4-ton vehicle weight limit restriction. These streets include Rose Terrace, Essex Road, Meadowbrook Road, Dunbar Street, West Coleman Avenue, East Coleman Avenue, Washington Avenue, and Hillside Avenue south of Watchung Avenue.

The Committee further recommended that the 4-ton vehicle weight restriction on Lafayette Avenue should be removed from Main Street to Washington Avenue because the Lafayette Avenue underpass provides adequate clearance for trucks, whereas the other six train trestles in the Borough have lower clearances and restrict truck traffic. He further reported that the 4-ton vehicle weight restriction should also be removed on the portion of Hillside Avenue at Main Street to the trestle at Ogden Street.

Chief Gibbons clarified that trucks would be permitted on a local street, regardless of weight restrictions, if the truck has a delivery or other purpose for being there. He further mentioned that the public utility vehicles are also exempt from vehicle weight restrictions on local streets.

In closing, Chief Gibbons confirmed that the New Jersey Department of Transportation must first approve the Borough’s 4-ton vehicle weight restriction street plan before the governing body could adopt an authorizing Ordinance designating such restrictions.

Mayor Harris asked the Borough Council to review the Committee’s recommendations and provide any comments they may have.

**Topology Traffic Study** – Mayor Harris opened the discussion by first mentioning that in reviewing the Borough’s minute books, he became aware that traffic has been a problem in the Borough since the 1960’s. He mentioned that he and the Borough Council continue to spend much time reaching out to state and county officials in a continuing effort to address traffic congestion issues in the Borough. He then introduced Michael Thompson and Phil Abramson of Topology, who presented a summary of a traffic circulation study in the Borough using traffic data obtained by GIS location-based technology.

Mr. Abramson reported that Borough officials had posed three research questions:

1. What percentage of vehicles are just passing through Chatham Borough?
2. What percentage is pass-through on corridors like Main Street, Watchung Avenue and North Passaic Avenue?
3. Is there a relationship between development outside of Chatham Borough and pass-through traffic?

Mr. Abramson advised that traffic data was obtained using Streetlight, a data aggregator that assembles and packages transportation data from hundreds of different location-based apps using GIS technology. The traffic data for Chatham Borough was accessed through a geographic shape file for the Borough and then analyzed to determine traffic volume and traffic patterns. He mentioned that the traffic data used in Chatham Borough’s analysis was collected from October 2017 through March 2018.

Mr. Abramson reported that an analysis of the data revealed that 72% of the average weekday vehicle trips (Monday – Thursday) is “pass-through traffic” in the Borough. He further reported that the traffic data was further analyzed to determine the “origin” of the pass-through trips, as well as their “destination”. He presented the following data:

Where pass-through trips come from:

Route 24 Interchange	40.5%
Summit	19.0%
Chatham Township	18.0%
Florham Park	9.5%

Where pass-through trips are going toward:

Madison	43%
Summit	23%
Chatham Township	19%
Florham Park	15%

Mr. Abramson included an analysis of traffic data points for Giralda Farms in Madison and the Park Avenue corridor in Florham Park that suggested the likely traffic impact these office parks may have on traffic circulation in neighboring Chatham Borough.

Council Member Kobylarz mentioned that Chatham Borough seems to be an on-off ramp for Madison and Florham Park commuters and inquired whether an analysis of the traffic data could determine how much traffic travels through Chatham from Madison during commuting hours. He also mentioned that there is a distinction between vehicle volume and congestion and commented that the traffic data presented shows that Chatham Borough is not the cause of the traffic.

Mr. Abramson reported that he would continue to study the traffic data and for additional traffic scenarios and mentioned that using data generated from GIS technology applications can also help Borough officials identify potential circulation improvements.

Mayor Harris indicated that Topology would be finalizing its Circulation Assessment Report for the governing body's review and information.

## **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.

Robert Penn, 165 North Passaic Avenue, inquired if the traffic data presented by Topology could be used to determine the percentage of traffic that is attributable to the 700 apartment units built over the past 15 years in Florham Park. He also commented that the Post Office Plaza Redevelopment Project traffic study should include traffic data for North Passaic Avenue and Florham Park's continued development off North Passaic Avenue. Mr. Penn urged Borough officials to continue their efforts in protecting the Borough's interests with respect to development in Florham Park.

Stewart Carr, 3 Crestwood Drive, Chatham Township, inquired about the residential density of the Post Office Plaza Redevelopment Project, as well as the residential density for the proposed River Road Redevelopment Project. He also inquired whether the Borough's affordable housing obligation would be satisfied by the redevelopment projects and cautioned that the increase in residential density will likely increase traffic volume as well.

Mayor Harris responded that the proposed designation of a portion of River Road be designated as an area in need of redevelopment is still under study and asked Council Member Hoffman to provide an update on the Post Office Plaza Redevelopment planning process.

Council Member Hoffman reported that the steering committee completed interviews with three developers who responded to the Borough's Request for Proposals for the Post Office Plaza Redevelopment Project. He further reported that a Public Workshop has been scheduled for Wednesday, November 28<sup>th</sup> at 7:00 p.m. at the Library of the Chathams, at which time each of the three concepts would be presented to the public and discussed. Council Member Hoffman also mentioned that a new online survey will be available on the Borough website for Chatham Borough residents' participation in the planning process and input. Lastly, he mentioned that after the public's input and feedback has been completed, the redevelopment concept plans would be finalized.

Mayor Harris further confirmed that decisions concerning the Post Office Plaza Redevelopment Project would be made based upon the completion of all associated studies, including traffic impact studies.

Robert Penn, 165 North Passaic Avenue, inquired if developers had approached the Borough regarding the redevelopment of Post Office Plaza.

Mayor Harris responded that property owners had asked Borough officials to consider redevelopment.

## **REPORTS**

### **BOARD & COMMISSION MEMBERS & LIAISON REPORTS**

**Affordable Housing Advisory Committee** - Council Member Collander had nothing new to report.

**Shade Tree Commission** - Council Member Collander had nothing new to report.

**Traffic & Pedestrian Safety Advisory Committee** - Council Member Collander had nothing new to report.

**Madison-Chatham Joint Meeting** – Council Member Hoffman had nothing new to report.

**Farmers' Market Advisory Committee** - Council Member Fife reported that Saturday, November 17<sup>th</sup> will be the last day for the 2018 Farmers' Market season.

**Mayor's Wellness Advisory Committee** - Council Member Fife had nothing new to report.

**MyChathamNJ Advisory Committee** - Council Member Fife reported that a meeting was recently held with downtown merchants to help answer questions about the Post Office Plaza Redevelopment planning. She further reported that Ladies Night Out will be held on Thursday, November 15<sup>th</sup>.

**Project Community Pride** - Council Member Fife had nothing new to report.

**Public Arts Council Advisory Committee** - Council Member Fife reported that a meeting is scheduled for December 12<sup>th</sup> to discuss the Washington Avenue Underpass Mural Project.

**Senior Center of the Chathams** - Council Member Fife had nothing new to report.

**Environmental Commission** - Council President Resto reported that the Borough has been awarded Sustainable Jersey<sup>®</sup> silver certification and received the Champion Award for submitting a total of 620 points in sustainable actions and activities. He also mentioned that the Borough will be receiving the Collaboration Award for its participation in the Tri-town 55+ Program with Madison Borough and Chatham Township.

**Historic Riverside Trail Advisory Committee** - Council President Resto had nothing new to report.

**Municipal Alliance of the Chathams** - Council President Resto had nothing new to report.

**Open Space & Historic Preservation Trust Advisory Committee** - Council President Resto had nothing new to report.

**Pilgrim Pipeline Advisory Committee** - Council President Resto had nothing new to report.

**Planning Board** – Council Member Hoffman reported that the Planning Board adopted a resolution recommending that the Mayor and Council designate the River Road parcels a non-condemnation area in need of redevelopment.

**Joint Municipal Court** - Council Member Kobylarz had nothing new to report.

**9/11 Memorial Advisory Committee** - Council Member Weber had nothing new to report.

**Board of Education** - Council Member Weber reported that the schools will have a delayed opening on November 26, 27 and 28. He also reported that Chatham High School will present a free showing of "Radium Girls" to senior citizens that will also include a free dinner.

**Board of Health** - Council Member Weber reported that the Board of Health held its annual Rabies Clinic on November 3<sup>rd</sup>.

**Joint Recreation Advisory Committee** - Council Member Weber had nothing new to report.

**Communications & Technology Advisory Committee** - Council Member Kobylarz had nothing new to report.

**Historic Preservation Commission** - Council Member Kobylarz had nothing new to report.

**Joint Community Gardens Advisory Committee** - Council Member Kobylarz reported that the registration for the 2019 garden season is now open. Garden plots will be assigned as of January 1<sup>st</sup> on a first come, first served basis.

**Municipal Pool Advisory Committee**- Council Member Kobylarz had nothing new to report.

## **MAYOR'S REPORT**

Mayor Harris reported that he participated in a simulated firearms training exercise at the Morris County Public Safety Academy. He congratulated Carolyn Dempsey and Jocelyn Mathiasen on their successful election to the Borough Council and mentioned that Resolution #18-328 listed on the Consent Agenda authorizes them as newly-elected officials to attend closed session meetings so that they may become acquainted and knowledgeable on matters discussed in Closed Session.

## **ADMINISTRATOR'S REPORT**

Mr. Williams reported that the Planet Civic survey on the legalization of marijuana ended on November 5<sup>th</sup> and that 216 residents participated in the survey. He mentioned that a new Planet Civic survey would be available on the Borough website for residents to provide their input on the Post Office Plaza Redevelopment concepts and further mentioned that a Public Workshop has been scheduled for November 28<sup>th</sup> at 7:00 p.m. at the Library of the Chathams. Mr. Williams then reported that a public hearing was held at the November 7<sup>th</sup> Planning Board meeting for the proposed redevelopment of certain parcels on River Road. Topology presented its investigative report, which determined that the properties qualified as a non-condemnation area in need of redevelopment. As a result of the public hearing, the Planning Board approved the resolution, which he mentioned will be presented and discussed by the Mayor and Council at their November 26<sup>th</sup> meeting. Lastly, Mr. Williams reported that the Estate of John Kruski bequeathed a sum of \$20,000 to the Chatham Volunteer Fire Department and a sum of \$20,000 to the Chatham Police Department and provided his gratitude to the late Mr. Kruski for the gift.

## **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 #18-319 through Resolution #18-328 have been placed on the Consent Agenda.

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

None.

## **CONTRACTS**

### **RESOLUTION #18-319**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO RIO SUPPLY, INC.  
THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR THE  
PURCHASE OF WATER METERS, RADIO READ ANTENNAS AND DATA COLLECTION  
HARDWARE AND SOFTWARE**

**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 Morris County Cooperative Pricing Council; and

**WHEREAS**, the Utilities Division of the Public Works Department has a need to purchase water meters, radio read antennas, and data collection hardware and software; and

**WHEREAS**, the Public Works Director recommends that the purchase of these goods and services be made through the Morris County Cooperative Pricing Council, Contract #47, from Rio Supply, Inc., 100 Allied Parkway, Sicklerville, New Jersey, in the amount not to exceed \$50,875.00; and

**WHEREAS**, the Chief Financial Officer has certified that the maximum dollar amount of the contract shall not exceed \$50,875.00 and that funds are currently available for the purpose of awarding the contract and shall be encumbered from Capital Account #W-06-55-918-003 and Capital Account #W-06-55-918-004.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it concurs with the recommendation of the Public Works Director and hereby authorizes the award of a contract for the purchase of water meters, radio read antennas, and data collection hardware and software through the Morris County Cooperative Pricing Council as herein referenced, in the amount not to exceed \$50,875.00; and

**BE IT FURTHER RESOLVED**, all 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 #18-320**

#### **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 #18-321**

#### **RESOLUTION INSERTING AN ITEM OF REVENUE IN THE ADOPTED 2018 MUNICIPAL BUDGET - \$10,000.00 CHATHAM FIRE DEPARTMENT ASSOCIATION DONATION**

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

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

**WHEREAS**, the Chief Financial Officer has confirmed that the Borough has received a donation in the sum of \$10,000.00 after the adoption of the 2018 Municipal Budget from the Chatham Fire Department Association to be designated for maintenance and improvements to Kelley's Pond.



**BE IT RESOLVED** by the Mayor and Council of the Borough of Chatham that they hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the adopted Chatham Borough 2018 Municipal Budget, which is now available as a revenue from the receipt of a donation in the sum of \$10,000.00 from the Chatham Fire Department Association pursuant to the provisions of the herein referenced statute; and

**BE IT FURTHER RESOLVED** that the sum of \$10,000.00 be made and appropriated in the Chatham Borough 2018 Municipal Budget under the caption: Parks Maintenance OE – 2018; and

**BE IT FURTHER RESOLVED** that the insertion of the item of revenue is the result of monies being provided to the Borough pursuant to N.J.S.A. 40A:4-87; and

**BE IT FURTHER RESOLVED** that two certified copies of this resolution shall be forwarded to the Office of the Director of Local Government Services as required by law.

## **RESOLUTION #18-322**

### **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:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>TAX QTR</u>
59/8	Bolten, Kelley 116 Center Avenue Chatham, NJ 07928  Please make check payable and mail to: Wells Fargo Home Mortgage 1 Home Campus MAC X2302-04D Attn: Refunds/Financial Support Des Moines, IA 50328-0001	\$ 2,777.28	2018/3 <sup>rd</sup> Qtr.

**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 #18-323**

#### **RESOLUTION APPOINTING HUNTER J. NOVELLO 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**, Hunter J. Novello has expressed interest in becoming a Probationary Firefighter with the Chatham Borough Volunteer Fire Department; and

**WHEREAS**, the Fire Chief has recommended that Hunter J. Novello should be appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Engine No. 1 Company.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that Hunter J. Novello is hereby appointed as a Probationary Firefighter to the Chatham Borough Volunteer Fire Department, Engine No. 1 Company; and

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

#### **RESOLUTION #18-324**

#### **RESOLUTION TO HIRE NANCY McMANUS AS A SUBSTITUTE CROSSING GUARD IN THE CHATHAM BOROUGH POLICE DEPARTMENT**

**WHEREAS**, the Chatham Borough Police Department has a need to hire substitute crossing guards and has solicited applications from interested candidates; and

**WHEREAS**, after considering all interested and qualified candidates and upon conducting a background investigation, the Police Chief recommends hiring Nancy McManus as a crossing guard.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Police Chief and hereby authorize the hiring of Nancy McManus as a substitute crossing guard in the Chatham Borough Police Department with an effective starting date of November 13, 2018 at the hourly rate of \$22.05.

#### **RESOLUTION #18-325**

#### **RESOLUTION TO HIRE MICHAEL YEAKEL AS A SUBSTITUTE CROSSING GUARD IN THE CHATHAM BOROUGH POLICE DEPARTMENT**

**WHEREAS**, the Chatham Borough Police Department has a need to hire substitute crossing guards and has solicited applications from interested candidates; and

**WHEREAS**, after considering all interested and qualified candidates and upon conducting a background investigation, the Police Chief recommends hiring Michael Yeakel as a crossing guard.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they concur with the recommendation of the Police Chief and hereby authorize the hiring of Michael Yeakel as a substitute crossing guard in the Chatham Borough Police Department with an effective starting date of November 13, 2018 at the hourly rate of \$22.05.

#### **PUBLIC ARTS**

#### **RESOLUTION #18-326**

#### **RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LICENSE AGREEMENT WITH GROUNDS FOR SCULPTURE TO EXHIBIT THE OUTDOOR SCULPTURE ENTITLED "CRESCENT" IN THE BOROUGH OF CHATHAM**

**WHEREAS**, the Borough of Chatham (the "Borough") entered into an agreement with the Sculpture Foundation, Inc. dated May 5, 2010 to exhibit the outdoor sculpture entitled *Crescent* (the "Agreement") in the Borough; and

**WHEREAS**, the Sculpture Foundation, Inc. transferred ownership of *Crescent* to Grounds for Sculpture, Inc. ("GFS") as permitted under Section 4(b) of the Agreement; and

**WHEREAS**, the Borough, upon the recommendation of the Public Arts Council (Advisory Committee), wishes to re-enter into a License Agreement with GFS for the loan of the outdoor sculpture *Crescent* for the period December 31, 2018 to December 30, 2019 for public exhibition in the Borough; and

**WHEREAS**, the Mayor and Borough Council have determined that the continued exhibition of this sculpture promotes public appreciation and knowledge of public sculpture and the fine arts and desires to authorize the execution of the License Agreement.

**BE IT RESOLVED**, by the Council of the Borough of Chatham that the Mayor is hereby authorized to execute a License Agreement with GFS for the loan of the outdoor sculpture *Crescent*, for the period December 31, 2018 to December 30, 2019 for public exhibition in the Borough; 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 #18-327**

#### **RESOLUTION AUTHORIZING THE CHATHAM ROTARY CLUB TO PLACE LIGHTED CHRISTMAS LUMINARIES AT REASONER PARK ON CHRISTMAS EVE**

**WHEREAS**, it is a holiday tradition that the Rotary Club of Chatham (“Rotary Club”) places lighted Christmas luminaries at Reasoner Park on Christmas Eve or, in the event of rain, on the evening of Christmas Day; and

**WHEREAS**, the Rotary Club has again requested permission to place lighted Christmas luminaries at Reasoner Park on Christmas Eve or, in the event of rain, on the evening of Christmas Day.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Rotary Club is hereby authorized to place lighted Christmas luminaries at Reasoner Park on Christmas Eve or, in the event of rain, on the evening of Christmas Day; and

**BE IT FURTHER RESOLVED**, that all Christmas luminaries shall be removed on Christmas Day or, in the event of rain, on December 26<sup>th</sup>, 2018.

### **RESOLUTION #18-328**

#### **RESOLUTION AUTHORIZING NEWLY-ELECTED COUNCIL MEMBERS TO ATTEND CLOSED SESSION MEETINGS OF THE MAYOR AND COUNCIL**

**WHEREAS**, municipal government is responsible for a variety of important services, which taxpayers expect to be delivered in a cost-effective manner; and

**WHEREAS**, there are many legal, financial and administrative considerations elected officials must be keenly aware of in order to effectively govern as legislators and policymakers; and

**WHEREAS**, it is vitally important for newly elected Council Members Carolyn Dempsey and Jocelyn Mathiasen to become acquainted and knowledgeable on a myriad of municipal government matters to better prepare themselves in undertaking the responsibility of governing and setting policy in those matters, which may include matters that are discussed in Closed Session meetings, subject to the exemptions under the Open Public Meetings Act.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby authorize the newly elected Council Members Carolyn Dempsey and Jocelyn Mathiasen to attend Closed Session meetings of the Mayor and Borough Council, subject to each of them signing a Confidentiality Agreement prepared by the Borough Attorney so that they may become acquainted and knowledgeable on matters that are discussed in Closed Session meetings.

### **CONSENT AGENDA VOTE:**

Council Member Hoffman made a motion to approve Resolutions #18-301 through #18-307 on the Consent Agenda. The motion was seconded by Council President Resto. A vote was taken and Resolutions #18-319 through #18-328 were approved unanimously.

### **ADD-ON RESOLUTION[S]**

None.

### **ORDINANCE FOR FIRST READING**

Mayor Harris asked Council President Resto to introduce Ordinance #18-11.

Council President Resto introduced Ordinance #18-11 by title as follows:

#### **ORDINANCE #18-11**

#### **AN ORDINANCE TO AMEND THE SALARIES AND WAGES FOR CERTAIN MUNICIPAL POSITIONS OF THE BOROUGH OF CHATHAM FOR THE YEAR 2019**

Council President Resto explained that the purpose of the Ordinance is to set the minimum and maximum salary ranges for all positions and moved for introduction on First Reading.

Council President Resto read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on November 12, 2018.

**BE IT RESOLVED**, that at the Council meeting to be held on November 27, 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 President Resto offered Ordinance #18-11 and moved its adoption on first reading.

Council Member Collander seconded the motion.

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

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

Mayor Harris announced that Ordinance #18-11 passed upon first reading.

Mayor Harris asked Council Member Kobylarz to proceed with Resolution #18-329.

Council Member Kobylarz read Resolution #18-329.

### **RESOLUTION #18-329**

### **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:

Contract Matter: 1. Madison Chatham Joint Meeting Capital Project – Mr. Williams

**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 Resolutions #18-329. The motion was seconded by Council President Resto. A vote was taken and Resolutions #18-329 was approved unanimously.

### **ADJOURNMENT**

Having no other business to be conducted in public session, Mayor Harris adjourned into Closed Session at 9:38 p.m.

Respectfully Submitted:

*Robin R. Kline*

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