

Regular Council Meeting Minutes
March 12, 2007

REGULAR COUNCIL MEETING
March 12, 2007 8:00 p.m.

The Regular Council Meeting of the Borough of Chatham was held on Monday March 12, 2007 beginning at 8:00 p.m. in the Council Chambers, in the Municipal Building.

The meeting was called to order at 8:00 p.m.; Mayor Richard L. Plambeck presiding

The Mayor and Borough Council saluted the flag.

Mayor's statement regarding Adequate Notice of Meeting

Pursuant to the requirements of R.S. 10:4-10, 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 the Municipal Building, emailed to the Morris County Daily Record, the Star Ledger, the Chatham Courier and Independent Press and filed with the Borough Clerk, all on December 29, 2006.

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

Council Member Cordelia O. Fuller
Council Member Richard E. Crater, Jr.
Council President Bruce A. Harris
Council Member James J. Collander
Council Member Joseph Mikulewicz
Council Member Neal T. Collins
Mayor Richard L. Plambeck
Robert J. Falzarano, Borough Administrator
David J. Lloyd, Borough Attorney
Susan Caljean, Municipal Clerk

Mayor Plambeck congratulated the Chatham High School Basketball Team for winning the State Championship.

Mayor Plambeck read the following Proclamation honoring Joe Rush.

**PROCLAMATION HONORING JOE RUSH FOR HIS YEARS OF
SERVICE TO THE CHATHAM COMMUNITY**

WHEREAS, Joe Rush has more than 20 years of service to the senior community of Chatham, as an affordable senior housing advocate, and also a trustee of the Senior Services, and

WHEREAS, Joe Rush has served as President of the Senior Services of Chatham; and

WHEREAS, Joe Rush wrote press releases for the Senior Services for seventeen years; and

WHEREAS, Joe Rush has always demonstrated compassion and concern for all members of the community especially the senior citizens and the 9/11 families; and

WHEREAS, Joe Rush organized services for families who lost loved ones on 9/11, and

WHEREAS, Joe Rush wrote a memoir of the newspaper business “2nd Oldest Profession”, and historical articles on St. Patrick’s Church and Chatham Fish and Game; and

WHEREAS, Joe Rush is 90 years young and still living life to the fullest!

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that we hereby thank Joe Rush for all his years of service.

Council Member Fuller read the following Proclamation..

**PROCLAMATION
TO DESIGNATE THE MONTH OF MARCH AS
“WOMEN’S HISTORY MONTH”**

WHEREAS, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our nation, state, and borough in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play a critical economical, cultural, and social role in every sphere of the life of our nation, state, and borough by constituting a significant portion of the labor force working inside and outside of the home, both as taxpayers and volunteers; and

WHEREAS, American women have played a settled role throughout the history of the nation as nurturers and caregivers to our nation’s, state’s and borough’s children and elderly; and

WHEREAS, American women were particularly important in the establishment of early educational, charitable, philanthropic, and cultural institutions in our nation, state, and borough; and

WHEREAS, American women of every race, class, and ethnic background served as leaders in the forefront of every historical event and social change experience; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, entrepreneurial enterprises, and many other endeavors including but not limited to the arts, medicine, education, politics, law, and athletics which create a fairer, more just, and creative society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American History.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Chatham, that the month of March is designated as “Women’s History Month.” The Mayor is authorized to issue this proclamation, calling upon the citizens of the Borough of Chatham to observe the month of March with appropriate programs, ceremonies and activities; and

BE IT FURTHER RESOLVED, in furtherance of the purposes of this Proclamation, information on the Women’s Project of New Jersey and notable Women of New Jersey be attached to this Proclamation and made a part hereof; and

BE IT FURTHER RESOLVED, that a copy of this Resolution and attachments be provided to the Library of the Chathams for display and/or dissemination as the Director of the Library in her sound discretion may direct; and

BE IT FURTHER RESOLVED, that a copy of this Resolution and attachments be provided to the School District of the Chathams for display and/or dissemination as the Superintendent of Schools in his sound discretion may direct.

Mayor Plambeck read the following Proclamation honoring the American Red Cross.

PROCLAMATION HONORING THE AMERICAN RED CROSS

WHEREAS, for more than a century, the American Red Cross has been at the forefront of helping Americans prevent, prepare for and respond to large and small disasters. Families and communities depend on the Red Cross in times of need, yet the Red Cross depends on the support of the American people to help sustain its foundation, and

WHEREAS, each year during the month of March, we formally recognize the American Red Cross and its essential humanitarian role in our community. We honor the role of the Colonial Crossroads Chapter’s contribution to making Chatham a better place. The chapter was formed by the recent merger of the Southeast Morris and Summit Area chapters. Combining the strengths of these two dynamic chapters, we recognize the spirit of the volunteers, donors, partners and employees who support the Red Cross mission of humanitarianism; and

WHEREAS, for 90 years, the Red Cross in Chatham has relied on the everyday heroes who donate time, blood or money; heroes who help coordinate blood drives; heroes who are on call 24-hours a day to respond to local emergencies and national disasters; and

WHEREAS, the Colonial Crossroads Chapter is one of the more than 700 chapters across the country whose volunteers tirelessly serve their community. It has been the place

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where compassionate people freely give their time and talent to help prevent and ease human suffering among friends, neighbors and even strangers; and

WHEREAS, the citizens of Chatham Borough have made contributions to fund the cost of providing immediate relief to victims of house fires. You gave your blood and trained in first aid and CPR to save the lives of friends, neighbors and strangers. You volunteered your time to help those in need; and

WHEREAS, in the past year alone, the Colonial Crossroads Chapter responded to 25 local emergencies, assisted 22 military families and trained more than 16,000 people in lifesaving skills such as CPR and first aid. Volunteers are the core of the Red Cross, donating their time and energy to selflessly serve those in need, demonstrating the compassion and generosity for which Americans are known; and

WHEREAS, the Colonial Crossroads Chapter and its volunteers and donors provide valuable tools and education to individuals, families, workplaces and schools, making us all stronger and more resilient.

NOW, THEREFORE, BE IT RESOLVED, for the next 125 years and beyond, the Red Cross will meet the needs of the public by fostering volunteers who are professional, prepared and committed to continuing the tradition of providing supreme service delivery to our community; and it is further

RESOLVED, that I, Richard Plambeck, Mayor, by virtue of the authority vested in me by the Borough of Chatham, New Jersey, do hereby proclaim March 2007 as American Red Cross Month. I urge all Americans to continue to give your time, blood and money to make a difference in the humanitarian fabric of this community. We help each other when we help the Red Cross.

In witness Whereof, I have hereunto set my hand this 12th day of March, in the year of our Lord two thousand seven, and of the Independence of the United States of America the two hundred and thirtieth.

Mayor Plambeck presented the Proclamation to the Cross Roads Chapter Director.

Council Member Crater read the following Proclamation designating the month of April as Autism Awareness Month.

**PROCLAMATION
TO DESIGNATE THE MONTH OF APRIL AS AUTISM AWARENESS
MONTH**

WHEREAS, autism is a pervasive developmental disorder affecting the social, learning and behavioral skills of those affected by it; and

WHEREAS, autism was thought to be a relatively rare disorder, affecting only one in 10,000 people; and

WHEREAS, as more and more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autistic spectrum, resulting in rates as high as one in 150 children; and

WHEREAS, while there is no cure for autism, it is well-documented that if individuals with autism receive treatment early in their lives, it often is possible for those individuals to lead significantly improved lives, and

WHEREAS, The New Jersey Center for Outreach and Services for the Autism Community (COSAC), and Autism Speaks is spearheading an awareness effort in order to educate parents, professionals and the general public about autism and its efforts.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that the governing body does hereby proclaim the month of April as AUTISM AWARENESS MONTH in the Borough of Chatham, and urges all of its citizens to participate in recognizing and in participating in educational and other activities on the subject of autistic spectrum disorders.

**RESOLUTION #07-114
RESOLUTION TO APPOINT COLLEEN A. FOLEY TO THE HISTORIC
PRESERVATION COMMISSION AS 2ND ALTERNATE**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Colleen A. Foley be hereby appointed to the Historic Preservation Commission as 2nd Alternate, term ending December 31, 2007.

Council Member Fuller moved to approve Resolution # 07-114 and Council Member Mikulewicz seconded. A vote was taken and it was approved unanimously.

**RESOLUTION #07-115
RESOLUTION TO ADOPT COUNCIL MEETING MINUTES**

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that the minutes from the following meetings are approved as typed and filed in the Borough Clerk's office:

Council Meeting, February 12, 2007
Council Meeting, February 26, 2007

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Chatham that the Executive Session minutes be adopted herein as approved and redacted by the Borough Attorney:

Executive Session Meeting, December 11, 2006
Executive Session Meeting, January 2, 2007
Executive Session Meeting, January 22, 2007

Council President Harris moved to approve Resolution # 07-115 and Council Member Fuller seconded. A vote was taken and it was approved unanimously.

Council Member Fuller abstained from the January 2, 2007 minutes.

Council Member Collins and Council Member Mikulewicz abstained from the December 11, 2006 Executive Session Minutes

ADMINISTRATOR'S REPORT

Bob Falzarano reported that Mr. DeNave and PMK met to discuss plans and timelines for the Burgess Street, South Passaic Avenue and Chandler Street projects. The engineering and survey work is complete for the Elmwood Avenue Phase I work. The Borough received the agreement from the state for the Van Doren Avenue project. Mr. DeNave is scheduled to explain the project and costs at the April 9th Council Meeting. The revised Mission Statement is posted on the web site. Items have been removed from the house at Woodland Park and will be auctioned in April. The 2006 Annual Report is posted on the web site. There is a problem with re-broadcasting the Council Meetings; this should be corrected soon. Mr. Lloyd will revise the ECLC lease and present it to the Council for approval.

Dorothy Klein explained Resolutions #07-116, #07-121, #07-122, #07-123 and #07-124.

DISCUSSION ITEMS

Project Pride

Chief Drake explained the different Project Pride programs. Jeff Macko the Director of Project Pride, explained the history of the program. The program works with approximately 25 -35 families a year. Referrals come from the Police Department and the schools. Chief Drake explained the funding comes from the town, they also hold several fund raisers every year. Council Member Crater stated the program has been very successful over the years. Council Member Fuller stated that they have tried over the past several years to get Chatham Township to join the program.

Accreditation Status Report

Chief Drake explained how the Accreditation process works. On September 15th to 19th the Police Department will have their onsite visit. There will be a mock onsite visit prior to the September visit.

Underage Smoking in Vehicles

Karen Blumenfeld from New Jersey GASP explained the group is a nonprofit, in existence for 30 years. There are several states that have banned smoking in cars where children are present. Approximately 6,200 children die yearly from exposure to 2nd hand smoke. Council Member Collins thanked Karen Blumenfeld for her presentation. The Council Members had several questions. In New Jersey approximately 20% of adults smoke, approximately 50% of these smokers smoke in their car. Council Member Collins would like to have an Ordinance drafted to prohibit smoking in cars with children 18 years or younger. Mayor Plambeck stated they would talk about an Ordinance after the meeting was opened to the public.

COUNCIL LIAISON REPORTS

Historic Preservation Commission

Council Member Cordelia O. Fuller reported the next meeting will be March 20th at 7:30 p.m.

Streetscape Committee

Council Member Cordelia O. Fuller reported the next meeting will be March 21st at 3 p.m. The lamps and poles for Main Street will be delivered and the job should be started by the end of April or May.

Senior Services

Council Member Cordelia O. Fuller reported two new board members have been appointed.

Board of Education

Council Member Joseph Mikulewicz reported the Board of Education's budget is up over \$3 million an increase; of 7.6%. The budget will be introduced at the March 26th meeting. The construction at the schools is ahead of schedule.

Chamber of Commerce

Council Member Richard E. Crater, Jr. reported the next meeting will be March 20th. Chatham Fest will be held on June 9th. There will be a fund raiser at the Fish and Game Club on April 13th.

Mayor Plambeck stated the Library will celebrate their 100th anniversary on June 9th.

Environmental Commission

Council President Bruce A. Harris reported the Commission is meeting this week.

Open Space Committee

Council President Bruce A. Harris reported the Committee is meeting this week.

Planning Board

Council President Bruce A. Harris reported they are looking at the LDO and will meet with the Zoning Official. The Board is also looking at side yard requirements. Side yards will be discussed at the April 11th meeting.

Traffic Committee

Council Member James J. Collander reported the next meeting is Wednesday at the Borough Hall. The agenda consists of Lum Field traffic patterns, Fairview Avenue, and the left hand turn into Dunkin Donuts.

Mayor Plambeck and Council Member Collander attended a regional traffic study meeting.

Recreation Committee

Council Member James J. Collander reported 1,200 children are involved with the baseball programs. The lacrosse program has over 600 children involved. The next meeting is tomorrow in Chatham Township.

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Board of Health

Council Member Neal T. Collins reported the Board discussed making all of Chatham smoke free and also prohibiting minors from smoking in public.

Local Assistance Board

Council Member Neal T. Collins reported they did not have a meeting.

Shade Tree Commission

Council Member Richard E. Crater, Jr. reported the Commission met on March 6th; they will plant 68 trees in the spring. They will celebrate Arbor Day May 5th at the Library. The Commission meets every two months.

9:50 p.m. recess

9:55 p.m. reconvene

MEETING OPEN TO THE PUBLIC

MAYOR'S 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 three minutes.

Joe Marts of 14 Coleman Avenue, West stated he does not think money should be spent on a study of the well at the end of Center Avenue because of the run off from the highway and the sludge drying beds at the Joint Meeting. He stated there is a well head between the road to the dump by Milton Avenue School and Center Avenue. There is also a well head at Memorial Park. Mr. Marts thanked Council Member Collander for the outstanding job on the Traffic Safety Committee. He also thanked Council Member Collins for his initiative with the no smoking in cars with children. Mr. Marts would like the sewer fees to be included in the municipal budget.

Mayor Plambeck stated to purchase water from New Jersey American Water is more expensive than adding a new well. A new well is not that expensive. It is the piping and pump house that is the largest cost. He also noted that the sludge drying beds at the Joint Meeting hadn't been used since 1990 and the test well at Milton Avenue School had been filled and sealed in 1995.

Barb Montague of 45 Dellwood Avenue had some questions about the ban on smoking in cars with children. She does not see people smoking in cars. She also wants to know how the law would be enforced. Council Member Collins stated he had a discussion with Chief Drake and Bob Falzarano about enforcement.

Council Member Fuller would like to see education on the dangers of smoking.

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Peter Kerns of 11 Oliver Street stated he does not agree with the banning of smoking or the banning of trans fats. He stated education is the only way to control this. It should be a personal choice.

Michael Dean of 181 North Passaic Avenue agrees with banning smoking in cars when children are present. Mr. Dean wants the sewer fees put back in the taxes. Mr. Dean had questions about the ECLC lease and the negotiations with LoBozzo and MacGregor. Mayor Plambeck and Bob Falzarano explained. Mr. Dean would like a restriction in any deed for a vacated street to include a provision to prevent using the additional property to add on to your home.

Bernie Vella of 58 North Summit Avenue agrees with banning smoking in cars when children are present.

Marsha Casais of 140 Watchung Avenue thanked the Council for the Proclamations on Autism Awareness and Women's History Month. Ms. Casais asked why the dog and cat license fees were raised. Mayor Plambeck explained.

Martha May of 20 Kimball Street asked Council Member Fuller about the determination of what structures exist under the sidewalks in the downtown. Council Member Fuller stated they have not gotten access to the basements yet. Mr. DeNave explained they would be doing that in the next several weeks. Ms. May asked if the repaving of Van Doren Avenue could be continued to the end of the street. Mr. DeNave said they would look into doing the entire street if there are funds available. Ms. May agrees with banning smoking in cars when children are present. She would like to see the police hand out information the first time someone is stopped rather than give them a ticket. She would like restaurants to state on their menus if trans fat is used, rather than ban the use.

Janice Perrone of 82 Fairmount Avenue stated she is in favor of the smoking ban. Ms. Perrone would like the ECLC lease to be year to year instead of the current five year lease agreement.

Martin Selzer of 72 Hedges Avenue had a question about Ordinance #07-17. Mayor Plambeck explained.

Council Member Collins made a motion to have David Lloyd draft an Ordinance banning smoking in cars when children are present. Council Member Mikulewicz seconded.

There was discussion among the Council Members concerning the age limit and what the fines would be.

A vote was taken on amending the motion to include specific age limit and fines in establishing the age limits and fines was defeated on a vote of 4 to 2. Council Members Collins and Mikulewicz voted yes.

A vote was taken on having David Lloyd draft an Ordinance banning smoking in cars when children are present. It was approved on a vote of 4 to 2. Council Member Fuller and Council President Harris voted no.

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Phelan, Gerard/Julia \$160.00
28 Thornley Drive
Chatham, NJ 07928

Kinol, Jon \$76.00
22 Peppermill Road
Chatham, NJ 07928

Randel, Daniel \$80.00
420 River Road
Apt. E-12
Chatham, NJ 07928

Harris, Andrea \$56.00
276 Fairmount Avenue
Chatham, NJ 07928

Forgione, Vincent \$20.00
75 Brooklake Road
Florham Park, NJ 07932

Northrop, Arthur \$56.00
38 Sandy Hill Road
Chatham, NJ 07928

Nisivoccia, Rocco \$32.00
52 Union Hill Road
Madison, NJ 07940

Price, Tom \$40.00
24 Rolling Hill Drive
Chatham, NJ 07928

Grom, Charles \$40.00
16 Glenmere Drive
Chatham, NJ 07928

Devecchi, John \$460.00
16 Rockwood Road
Florham Park, NJ 07932

Piserchia, Guy T. \$100.00
251 Deer Path
Meyersville, NJ 07933

Schuchman, John \$24.00
7 Deer Run Circle
Chatham, NJ 07928

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Lee, John \$76.00
33 Dale Drive
Chatham, NJ 07928

Philipp, Charles C. \$656.00
52 Sunset Drive
Chatham, NJ 07928

**RESOLUTION #07-120
RESOLUTION TO REFUND PRO-RATED MONEY FOR THE FOLLOWING
CONSTRUCTION PERMIT**

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that a refund for the return of construction permit be given to the following listed below:

Permit #03-846	Amount -	\$176.00
	Plan Review-20%	\$ 35.00
	State DCA	<u>\$ 11.00</u>
TOTAL REFUND:		\$130.00

Mike Kelz
173 Weston Avenue
Chatham, NJ 07928

**RESOLUTION #07-121
RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF LOCAL
GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER
FOR PUBLIC DEFENDER FEES PURSUANT TO PL 1997, CHAPTER 256**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, PL 1997 Chapter 256 allows municipalities to receive amounts for costs incurred for Public Defender fees, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Public Defender fees as per N.J.S.A. 40A:4-39.

2. The Municipal Clerk of the Borough of Chatham is hereby directed to forward two certified copies of this resolution to the Director of Division of Local Government Services.

**RESOLUTION #07-122
 RESOLUTION TO CANCEL TAX OVERPAYMENTS**

NOW, THEREFORE, BE IT RESOLVED, that the Borough Tax Collector is authorized to cancel \$55,329.07 of tax overpayments from the year 2004 as per the list maintained by the Chatham Borough Tax Collector to fund balance as of December 26, 2006.

**RESOLUTION #07-123
 CANCEL BALANCES AND RETURN TO THE WATER CAPITAL IMPROVEMENT
 FUND OR FUND BALANCE**

WHEREAS, there exist balances in certain Water capital accounts, and

WHEREAS, it has been determined that the projects are complete and the previously appropriated funds are not required for the purpose for which they were appropriated, and

WHEREAS, the Chief Financial Officer recommends canceling said balances thereby, returning the unused funds to the Water Capital Improvement Fund or Fund Balance.

NOW, THEREFORE, BE IT RESOLVED that the following account balances are canceled and the Chief Financial Officer be authorized to return the balances to the Water Capital Fund or Water Capital Improvement Fund.

<u>Water Capital Fund</u>				
W-06-55-905-001	05-11	CI	Water Plant Heat System	\$ 2,317.79
W-06-55-906-003	06-11	CI	Utility Truck	\$ 6,230.06
W-06-55-906-004	06-11	CI	Replace Water Heater	\$ 150.00
Canceled to Water Capital - Capital Improvement Fund				\$ 8,697.85
W-06-55-002-562	02-08	FB	Water Mains Willow	\$ 1,549.13
W-06-55-905-103	05-07	FB	Hydraulic Blow Off Valve	\$ 26,410.33
W-06-55-905-105	05-07	FB	Section 20 Expenses	\$ 2,184.05
Canceled to Water Capital Fund Balance				\$ 30,143.51

**RESOLUTION #07-124
 CANCEL BALANCES AND RETURN TO THE GENERAL CAPITAL
 IMPROVEMENT FUND OR FUND BALANCE**

WHEREAS, there exist balances in certain general capital accounts, and

Council President Harris

Building & Zoning Report (February 2007)
Fire Inspections (February 2007)

CONSENT AGENDA VOTE

Council Member Mikulewicz asked to have Resolution #07-118 removed from the Consent Agenda

Resolution #07-116 through Resolution #07-117 and Resolution #07-119 through Resolution #07-124 and the Monthly Reports have been placed on the Consent Agenda

Council Member Mikulewicz moved to approve the Consent Agenda; Council Member Crater seconded. A vote was taken and it was approved unanimously.

**RESOLUTION #07-118
RESOLUTION TO REFUND PROPERTY TAXES**

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that a refund of property taxes be issued to the individuals listed below as follows:

BLOCK/LOT	OWNER & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
34/73	Russell, Grace 181 North Passaic Avenue	\$769.65 (\$754.50 +15.15 5% interest due) NJ Tax Court Judgement	2006/4 Qtr.
56/26	Collins, Neal & Maria 19 North Hillside Avenue	\$764.50 (\$750.00 + 14.50 5% interest due) NJ Tax Court Judgement	2006/4 Qtr.
130/8.01	Parish, Jacqueline 81 Hillside Avenue	\$750.00 NJ Tax Court Judgement	2006/4 Qtr.

***Please make check payable to:**

**Howard B. Goldberg, Esquire
33 Clinton Road
West Caldwell, NJ 07006**

Council Member Collins recused himself.

Council Member Mikulewicz moved to approve Resolution #07-118; Council Member Collander seconded. A vote was taken and it was approved unanimously.

**UNFINISHED BUSINESS
ORDINANCE #07-01**

**SECOND READING AND PUBLIC HEARING OF AN AMENDMENT TO AN
ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF CHATHAM,
CHAPTER 165 THEREOF, ENTITLED "LAND DEVELOPMENT ORDINANCE,"
ARTICLE XX, ENTITLED "DEVELOPMENT APPLICATION REVIEW
PROCEDURES," SECTION 165-162 ENTITLED "APPLICATION
REQUIREMENTS."**

Council President Harris made a motion to open the public hearing on Ordinance #07-01 seconded by Council Member Fuller, and it was approved unanimously.

There were no public comments.

Council President Harris made a motion to close the public hearing on Ordinance #07-01, seconded by Council Member Crater, and it was approved unanimously. Council President Harris moved Ordinance #07-01, seconded by Council Member Crater and it was approved on vote as follows:

Council Member	Yes	No	Abstain	Absent
Fuller	x			
Crater	x			
Harris	x			
Collander	x			
Mikulewicz	x			
Collins	x			

ORDINANCE #07-13

**SECOND READING AND PUBLIC HEARING OF AN ORDINANCE TO AMEND
THE CODE OF THE BOROUGH OF CHATHAM, CHAPTER 165 THEREOF,
ENTITLED "LAND DEVELOPMENT ORDINANCE," TO CORRECT LANGUAGE
IN SECTION 165-25E. THEREOF**

Council President Harris made a motion to open the public hearing on Ordinance #07-13 seconded by Council Member Fuller, and it was approved unanimously.

Martha May of 20 Kimball Street asked to have the Ordinance explained. Mayor Plambeck explained.

Council President Harris made a motion to close the public hearing on Ordinance #07-13, seconded by Council Member Crater, and it was approved unanimously. Council President Harris moved Ordinance #07-13, seconded by Council Member Collander and it was approved on vote as follows:

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Council Member	Yes	No	Abstain	Absent
Fuller	x			
Crater	x			
Harris	x			
Collander	x			
Mikulewicz	x			
Collins	x			

ORDINANCE #07-14

SECOND READING AND PUBLIC HEARING OF AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Council Member Collander made a motion to open the public hearing on Ordinance #07-14 seconded by Council Member Mikulewicz, and it was approved unanimously.

There were no public comments.

Council Member Collander made a motion to close the public hearing on Ordinance #07-14, seconded by Council President Harris, and it was approved unanimously. Council Member Collander moved Ordinance #07-14, seconded by Council President Harris and it was approved on vote as follows:

Council Member	Yes	No	Abstain	Absent
Fuller	x			
Crater	x			
Harris	x			
Collander	x			
Mikulewicz	x			
Collins	x			

NEW BUSINESS

ORDINANCE #07-15

INTRODUCTION AND FIRST READING OF AN ORDINANCE TO AMEND CHAPTER 79 OF THE CODE OF THE BOROUGH OF CHATHAM ENTITLED "ANIMALS AND RABIES CONTROL" SECTION 16 THEREOF ENTITLED "FEES"

Council Member Collins introduced Ordinance # 07-15 on first reading and moved that a public hearing be held on March 26, 2007 at 8:00 p.m. in the Council Chambers of the Chatham Borough Municipal Building and prior to the hearing this ordinance shall be published according to law, and was seconded by Council President Harris.

Mayor Plambeck asked for a vote. A vote was taken and Ordinance #07-15 was introduced with a vote of 6 to 0.

ORDINANCE #07-16

INTRODUCTION AND FIRST READING OF AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF CHATHAM, CHAPTER 139 THEREOF, ENTITLED "VEHICLES AND TRAFFIC," TO ADD A PROVISION TO "EXCEPT SUNDAYS" FROM A LEFT TURN PROHIBITION FROM ELMWOOD AVENUE

Council Member Collander introduced Ordinance # 07-16 on first reading and moved that a public hearing be held on March 26, 2007 at 8:00 p.m. in the Council Chambers of the Chatham Borough Municipal Building and prior to the hearing this ordinance shall be published according to law, and was seconded by Council Member Crater.

Mayor Plambeck asked for a vote. A vote was taken and Ordinance #07-16 was introduced with a vote of 6 to 0.

ORDINANCE #07-17

INTRODUCTION AND FIRST READING OF AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF CHATHAM, CHAPTER 165 THEREOF, ENTITLED "LAND DEVELOPMENT ORDINANCE," SECTION 165-17 THEREOF ENTITLED "B-2 REGIONAL BUSINESS DISTRICT" AND SECTION 165-18 THEREOF ENTITLED "B-3 GENERAL BUSINESS DISTRICT" TO REMOVE "EATING AND DRINKING ESTABLISHMENTS" AND TO REMOVE "OUTDOOR EATING AND DRINKING ESTABLISHMENTS" THEREFROM

Council President Harris introduced Ordinance # 07-17 on first reading and moved that a public hearing be held on March 26, 2007 at 8:00 p.m. in the Council Chambers of the Chatham Borough Municipal Building and prior to the hearing this ordinance shall be published according to law, and was seconded by Council Member Mikulewicz.

Mayor Plambeck asked for a vote. A vote was taken and Ordinance #07-17 was introduced with a vote of 6 to 0.

RESOLUTION #07-125

RESOLUTION TO RECESS INTO CLOSED SESSION

BE IT RESOLVED by the Borough Council of the Borough of Chatham that it adjourn to executive 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 NEGOTIATIONS: 1. Nelson Easement-Mr. Lloyd & Mr. DeNave
2. Downtown parking
3. 221 Main Street

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.

Regular Council Meeting Minutes
March 12, 2007

Council Member Collins moved to approve Resolution # 07-125 and Council Member Fuller seconded. A vote was taken and it was approved unanimously.

Adjourn 11:18 am

Respectfully Submitted:

Susan Caljean
Municipal Clerk