

REGULAR COUNCIL MEETING
November 26, 2007 8:00 p.m.

The Regular Council Meeting of the Borough of Chatham was held on Monday November 26, 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

* speaker phone

DISCUSSION ITEMS

Farmers Market Review-Mr. Mikulewicz reported the market ran for 18 weekends. It rained only 1 ½ days. The market was very well attended. The residents and vendors were very happy with the way the market turned out. There were 9 vendors and 3 anchor vendors. Janice Piccolo, who managed the market, reported the location was excellent with the location being close to the downtown retail business. They had local businesses do demonstrations at the market. Ms. Piccolo thanked the many volunteers, DPW and the Police Department for their support. Mr. Mikulewicz reported the budget for the market next year would be \$8,250.00. They expect to break even for the year.

Fire Department Budget- Chief Glogolich presented the Fire Department's Capital Budget. The requests included replacement of doors at the fire house, replacement of four air cylinders and fifteen masks for the Scott Packs. Chief Glogolich would like to include money in the budget for the replacement of Rescue 1 in the future.

Full Time Engineer Position – Merging Zoning Officer Function into Engineer Position – Mr. Collins explained the Personnel Committee is recommending hiring a full time Engineer – Zoning Officer which will reduce cost by approximately \$50,000. Mayor Plambeck asked if additional engineering that may be required because the engineer does not have all the equipment had been factored in. Mr. Collins agreed that some major projects would probably require additional consulting, but the Committee considered that and still felt hiring a full time engineer was the right thing to do for the Borough. Council Member Mikulewicz asked if the engineer would be on the Planning Board. The Mayor explained that one Borough employee is required to be on the Planning Board. Mr. Collins stated the Construction Office would be open Wednesday nights from 7 to 9 to better serve the public. Council Member Fuller stated the Borough having a full time engineer was a good idea. Council Member Collander felt it was a gain for the Borough also. The Borough Council agreed.

Request to Place Nativity Scene Near Gazebo - Mayor Plambeck introduced Mary Mc Niff, a resident of Chatham. She explained that the Holy Night Society would like to donate a nativity scene to be placed at Reasoner Park.

COUNCIL COMMITTEE REPORTS

Budget and Finance

James J. Collander, Chairman reported the Committee will be meeting next month. Mr. Falzarano would like to meet with the new members within 2 weeks after the reorganization meeting. Council Member Collander reported that he attended 3 meetings at the League Conference that he found very interesting; Performance Measurements, OPRA, and Consolidation and Voluntary Cooperation.

Communications

Bruce A. Harris, Chairman stated the Committee is still working on improvements to the web site. Mr. Harris reported the seminars he attended at the League Conference focused on Verizon and their cable services. Mr. Harris also attended a seminar on limiting the building of McMansions.

Infrastructure & Strategic Planning

Cordelia O. Fuller, Chairwoman stated the Committee is still working on the road projects. Ms. Fuller attended a seminar at the League Conference on Public Employee Retirement Systems. Ms. Fuller moderated a seminar on Maintaining Decorum and Video Taping.

Personnel

Neal T. Collins, Chairman reported the Committee discussed moving all the parking functions into one office and tax collection would be assigned to the Finance Department. Mr. Collins attended a seminar on Ethics in Government at the League Convention.

Public Safety & Emergency Services

Richard E. Crater, Jr., Chairman reported at the last meeting the Committee discussed the Sergeant promotion list and the hiring of a 5th dispatcher. At the League Conference

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Mr. Crater attended a panel discussion of four former Governors. He also attended a seminar on Gang violence and a panel discussion on Police Chief vs. Director of Public Safety.

Shared Services & 3rd Party Agreements

Joseph Mikulewicz, Chairman stated he will be attending the Morris County Shared Services Committee meeting this Thursday November 29th. Mr. Mikulewicz attended a work shop at the League Conference on Financing NJ Sewer, Water and Storm water needs.

Mayor Plambeck reported that he attended several seminars at the League Conference, including one on Land Use Planning. He also attended two sessions on the State Plan. He also attended sessions on Cable T.V. and Business Improvement Districts.

ADMINISTRATOR'S REPORT

Bob Falzarano reported that Florham Park has rerouted their in coming school buses, but the outgoing buses are still using Passaic Avenue. The Borough received an honorable mention for the Borough website and the broadcasts of the council meetings. Mr. Falzarano reported that JCP&L is willing to remove the overhead lights on Main Street. Mr. Falzarano thanked the Women's Club for the wreaths at Borough Hall.

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.

Bob Penn of 165 North Passaic Avenue asked that the Council move forward with the 9/11 Memorial. Mr. Penn asked if wreaths could be put on the new lights downtown.

Shalom Rubin thanked the Council for approving the Menorah. The lighting will be on December 11th at 6:00 pm. Everyone is welcome to attend. The Menorah will be installed on Thursday November 29th at 3:00 pm.

Father Hines of St. Patrick's Church thanked the Council for approving the placement of the Nativity Scene and Menorah at Reasoner Park.

Michael Dean of 181 North Passaic Avenue had some questions about the wording of Resolutions #07-276 and Resolution #07-277.

CONSENT AGENDA

The following items are considered to be routine by the Chatham Borough Mayor and 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 #07-276

RESOLUTION TO PERMIT THE CHATHAM AREA CHAMBER OF COMMERCE TO PLACE A HOLIDAY TREE WITHIN THE GAZEBO AT REASONER POCKET PARK

WHEREAS, the Borough of Chatham governing body has completed its due diligence regarding the subject matter of the request by the Chatham Area Chamber of Commerce to place a Holiday Tree within the Gazebo at the Reasoner pocket park;

NOW, THEREFORE, BE IT RESOLVED, as follows:

A. The Chatham Area Chamber of Commerce shall be permitted to place and display a Holiday Tree within the Gazebo as part of the Chatham Borough Holiday Display at the Reasoner pocket park at its own expense;

B. The Chatham Borough Department of Public Works shall assist the Chatham Area Chamber of Commerce with necessary electrical utility connections and with other reasonable place and manner restrictions;

C. The Chatham Area Chamber of Commerce shall be responsible for the Holiday Tree and shall hold Chatham Borough harmless and indemnify the Borough for any property loss or property damage to the Holiday Tree;

D. The Chatham Area Chamber of Commerce may display the Holiday Tree within the Gazebo at the Reasoner pocket park from as early as Friday, November 23, 2007 to as late as Friday, January 4, 2008; and

- a. The governing body grants this permit to the Chatham Area Chamber of Commerce in reliance on its representation that it will post a sign clearly identifying the Chatham Area Chamber of Commerce as the sponsor of the Holiday Tree and that the Holiday Tree is not supported or sponsored by any government entity or official.

RESOLUTION #07-277

RESOLUTION TO PERMIT THE HOLY NIGHT SOCIETY TO INSTALL AND DISPLAY NATIVITY SCENE AT THE REASONER POCKET PARK

WHEREAS, the Borough of Chatham governing body has completed its due diligence regarding the subject matter of the request by the Holy Night Society, an unaffiliated local taxpayer organization, to install and display a Nativity Scene at the Reasoner pocket park;

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NOW, THEREFORE, BE IT RESOLVED, as follows:

A. The Holy Night Society shall be permitted to install and display a Nativity Scene as part of the Chatham Borough Holiday Display at the Reasoner Pocket Park at its own expense;

B. The Chatham Borough Department of Public Works shall assist The Holy Night Society with necessary electrical utility connections and with other reasonable place and manner restrictions;

C. The Holy Night Society shall be responsible for the Nativity Scene installation and removal and shall hold Chatham Borough harmless and indemnify the Borough for any property loss or property damage to the Nativity Scene;

D. The Holy Night Society may display the Nativity Scene at the Reasoner Pocket Park from as early as Thursday, November 29, 2007 to as late as Monday, January 7, 2008;

E. The governing body grants this permit to The Holy Night Society in reliance on its representation that the Nativity Scene to be installed and displayed consists of the following:

An eight foot square scene which includes: 1) a manger; 2) Mary; 3) Joseph) 4) the baby Jesus in a crib and 5) a star. Each figure will be life size fitting into the eight foot square scene. The star will be placed on top of the manger increasing its height by approximately two feet.

F. The governing body grants this permit to The Holy Night Society in reliance on its representation that it will post a sign clearly identifying The Holy Night Society as the sponsor of the Nativity Scene and that the Nativity Scene is not supported or sponsored by any government entity or official; and

G. The name and address of the responsible person for The Holy Night Society is:

Mary McNiff
53 Lincoln Avenue
Chatham, New Jersey 07928

**RESOLUTION #07-278
RESOLUTION TO PERMIT CHABAD TO INSTALL AND DISPLAY MENORAH
AT THE REASONER POCKET PARK**

WHEREAS, the Borough of Chatham governing body has completed its due diligence regarding the subject matter of the request by Chabad to install and display a Menorah at the Reasoner pocket park;

NOW, THEREFORE, BE IT RESOLVED, as follows:

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A. Chabad of Southeast Morris County shall be permitted to install and display a Menorah as part of the Chatham Borough Holiday Display at the Reasoner Pocket Park at its own expense;

B. The Chatham Borough Department of Public Works shall assist Chabad with necessary electrical utility connections and with other reasonable place and manner restrictions;

C. Chabad shall be responsible for the Menorah installation and removal and shall hold Chatham Borough harmless and indemnify the Borough for any property loss or property damage to the Menorah;

D. Chabad may display the Menorah at the Reasoner Pocket Park from as early as Thursday, November 29, 2007 to as late as Monday, December 17, 2007;

E. The governing body grants this permit to Chabad in reliance on its representation that the Menorah to be installed and displayed is approximately six feet tall and five feet wide; and

F. The governing body grants this permit to Chabad in reliance on its representation that it will post a sign clearly identifying Chabad as the sponsor of the Menorah and that the Menorah is not supported or sponsored by any government entity or official.

CONSENT AGENDA VOTE

Resolution #07-276 through Resolution #07-278

Council Member Collins moved to approve the Consent Agenda and Council Member Collander seconded. A vote was taken and it was approved unanimously.

NEW BUSINESS

ORDINANCE 07-31

**INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE
BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY,
ESTABLISHING CRIMINAL HISTORY BACKGROUND CHECKS FOR
EMPLOYEES AND FOR VOLUNTEERS IN JOINT RECREATION PROGRAMS**

Council Member Collander introduced Ordinance # 07-31 on first reading and moved that a public hearing be held on December 10, 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.

Council Member Collander explained the difference between the Chatham Township Ordinance and the Chatham Borough Ordinance.

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Mayor Plambeck asked for a vote. A vote was taken and Ordinance #07-31 was introduced with a vote of 6 to 0.

Council President Harris made a motion to include Mayor Elect Vaughan and Council Member Elect Marts in the Executive Session. Council Member Crater seconded. A vote was taken and it was approved on a vote of 6 to 0.

RESOLUTION #07-279
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:

Personnel: 1. 2008 Employee Salaries
 2. Police Promotions
Contracts: Professional Service Provider Evaluation

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.

Council Member Mikulewicz moved to approve Resolution # 07-279 and Council Member Crater seconded. A vote was taken and it was approved unanimously.

Adjourn 9:40 p.m.

Respectfully Submitted:

Susan Caljean
Municipal Clerk