

REGULAR COUNCIL MEETING
January 28, 2008 8:00 p.m.

The Regular Council Meeting of the Borough of Chatham was held on Monday January 28, 2008 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 V. Nelson Vaughan, III presiding

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 Independent Press, the Morris County Daily Record, the Star Ledger, and Chatham Courier and filed with the Borough Clerk, all on January 4, 2008.

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

Council Member Richard E. Crater, Jr.*
Council Member Bruce A. Harris
Council Member James J. Collander**
Council President Joseph Mikulewicz
Council Member Neal T. Collins, M.D.
Council Member Joseph L. Marts
Mayor V. Nelson Vaughan, III
Robert J. Falzarano, Borough Administrator
David J. Lloyd, Acting Borough Attorney
Susan Caljean, Municipal Clerk

*absent

**speaker phone

OATH OF ALLEGIANCE
Council President Mikulewicz

Borough Clerk Susan Caljean administered the Oath of Allegiance to Council President Mikulewicz.

RESOLUTION #08-79
RESOLUTION TO APPOINT A NEW MEMBER TO THE FIRE DEPARTMENT
WITH A PROBATIONARY PERIOD OF ONE YEAR

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that Gregory H. Sweetin be appointed to the Hose Company of the Fire Department for a probationary period of one year.

Regular Council Meeting Minutes
January 28, 2008

Borough Clerk Susan Caljean administered the Oath of Allegiance to Gregory H. Sweetin.

Council Member Marts moved to approve Resolution # 08-79 and Council Member Harris seconded. A vote was taken and it was approved unanimously.

**RESOLUTION #08-80
RESOLUTION TO APPOINT A NEW MEMBER TO THE FIRE DEPARTMENT
WITH A PROBATIONARY PERIOD OF ONE YEAR**

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that David S. Allan be appointed to the Rescue Company of the Fire Department for a probationary period of one year.

Council Member Marts moved to approve Resolution # 08-80 and Council Member Collins seconded. A vote was taken and it was approved unanimously.

Borough Clerk Susan Caljean administered the Oath of Allegiance to David S. Allan.

Meeting open to the public

Jayne La Jeunesse stated the Mayor explained to him why he was not reappointed to the Traffic Safety Committee. He feels that he was not reappointed because of political reasons not because of his attendance.

Council Member Collander asked the Mayor who was on the committee to select the Board and Committee members. Mayor Vaughan stated the committee was made up of Council Member Marts, Council Member Collins, Council Member Mikulewicz and himself.

**RESOLUTION #08-81
RESOLUTION TO APPOINT THE FOLLOWING:**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Thomas Sennett be reappointed to the Planning Board as Regular Member with a term to expire on December 31, 2011.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Chatham that Patricia Leithead be reappointed to the Sign Committee with an annual appointment to expire on December 31, 2008.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Chatham that Joseph M. Korkuch be appointed to the Traffic Safety Committee with a term to expire December 31, 2008.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Chatham that Patricia D. Gavalakis be appointed to the Historic Preservation Commission as 2nd Alternate with a term to expire on December 31, 2009.

Council Member Marts moved to approve Resolution # 08-81 and Council President Mikulewicz seconded.

Council Member Collander had questions about the nomination to the Traffic Safety Committee.

Council Member Harris stated that although he felt many of the appointees were well qualified he is disappointed in the partisan manner which the appointment process is being handled.

A vote was taken and it was approved by a vote of 3 to 2, Council Members Harris and Collander voted no.

**RESOLUTION #08-82
RESOLUTION TO ACCEPT A LETTER OF RETIREMENT FROM
LIEUTENANT STEPHEN AMBROSE**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Chief Drake received a letter of retirement from Lieutenant Stephen Ambrose on January 18, 2008 with an effective date of retirement on April 1, 2008; and

BE IT RESOLVED, that the Mayor and Council of the Borough of Chatham accept Lieutenant Ambrose's letter of retirement; and

BE IT FURTHER RESOLVED, that the Mayor and Council would like to thank Lieutenant Ambrose for his 28 years of dedicated service to Chatham Borough and wish him well.

Council Member Marts moved to approve Resolution # 08-82 and Council Member Collins seconded. A vote was taken and it was approved unanimously.

Mayor Vaughan presented Lieutenant Ambrose with a framed copy of Resolution #08-82.

DISCUSSION ITEMS

Shepard Kollock Field Renovation- Mr. DeNave stated he would like \$500,000.00 put in the capital budget for improvements to Shepard Kollock Park. The main portion of the renovation would be irrigation and drainage. They would also put sod on the fields and new benches. He also would like to pave the parking lot to maximize parking. Mr. DeNave stated this would be done in the fall, so the fields would be ready in the spring.

Regular Council Meeting Minutes
January 28, 2008

Mayor Vaughan announced there will be a special meeting on the budget on February 2, 2008 at 9 a.m. It will be a public meeting and everyone is invited to attend.

Downtown Snow Removal Policy- Mr. Venezia stated the snow removal in the center of town is always done on overtime; usually done at night. The cost is approximately \$2,100.00 for each occurrence. He would like a written policy on snow removal. Over the last two years it has cost approximately \$10,000.00 to remove the snow from the center of town. The Council Members had several questions. The Council asked Mr. Falzarano and Mr. Venezia to draft a policy on snow removal.

**RESOLUTION #08-83
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 meeting are approved as typed and filed in the Borough Clerk's office:

Council Meeting, January 7, 2008

Council President Mikulewicz moved to approve Resolution # 08-83 and Council Member Harris seconded. A vote was taken and it was approved unanimously.

MEETING OPEN TO THE PUBLIC

MAYOR'S NOTICE OF PUBLIC COMMENT TIME LIMIT

Hearing of citizens during the Public Comment Sections 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.

Borough Residents

Michael Dean of 181 North Passaic Avenue had questions about Resolution #08-93. Mayor Vaughan stated the Resolution will be removed from the Consent Agenda.

Ron Nicola of 25 Rowan Road suggested drafting an Ordinance restricting lighting poles in R-2 and R-3 zones.

Julie Muller of 51 Broadview Terrace had comments about Resolution #08-93. Mayor Vaughan stated the Resolution will be pulled and an amended Resolution will be submitted.

Bill Tackaberry of 21 Vincent Street asked that another meeting be held concerning the down town improvements before the Challenge Grant Application is submitted. Mayor Vaughan stated the application must be submitted by February 15, 2008.

Regular Council Meeting Minutes
January 28, 2008

Dick Plambeck of 28 Greenwood Avenue had some comments concerning the Board and Committee appointments.

Andrew Copp of 5 Center Street had questions about Resolution 08-92. Mayor Vaughan explained.

Patti Page of 17 John Street stated she feels Bill Heap, Jayme La Jeunesse and Andy Copp should be reappointed.

Bill Heap of 108 Hillside Avenue asked the Mayor if he has retired yet. The Mayor explained he has not retired yet but will as soon as he receives a package. Mr. Heap asked the Mayor why he disbanded the Open Space Committee. The Mayor explained that the Council will decide how the Open Space money is spent..

Michael Dean of 181 North Passaic Avenue made statements and had questions about the Open Space Committee's interest in purchasing some steep slope property.

Council Member Harris explained the Open Space Committees' handling of the Steep Slope purchases. He explained that the Open Space Committee never recommended that the properties be purchased, but only looked at the pros and cons. The Council never made an offer to purchase the properties.

Janice Perrone of 82 Fairmount Avenue commented that maybe people voted for the Open Space tax because it could now be used for historic preservation. Ms. Perrone had some comments about the committee appointment process.

Susan Kessler of Basking Ridge had questions about Resolution #08-92. Mayor Vaughan explained.

Dave Gruel of Morris Township who grew up in Chatham and is on the Great Reunion Committee stated he is in favor of Ordinance #08-2.

Council Member Marts made a motion to close the Public Session. Council President Mikulewicz seconded. A vote was taken and it was approved unanimously.

MAYOR'S REPORT

MAYOR'S COUNCIL MEETING REPORT - January 28, 2008

- Meet daily with Borough Administrator at 7:00 AM
- 1-4 attended Morris County Board of Chosen Freeholders Swearing In Ceremony to be on first name basis with members
- 1-7 attended tour of Madison-Chatham Joint Meeting Sewer Plant
- 1-8 attended Recreation Committee Meeting

Regular Council Meeting Minutes
January 28, 2008

- 1-9 attended Planning Board Meeting
- 1-10 attended Board of Health Meeting
- 1-12 attended NJ League of Municipalities Newly Elected Officials Orientation all day
- 1-13 four residents attended “Mayor’s Clinic”
- 1-15 attended Historic Preservation Meeting
- 1-16 attended NJLM Mayor’s Legislative Day Meeting in Trenton
- 1-16 Lunched with Governor Corzine in Morristown and thanked him for arranging for a meeting with DEP for approval for turfing Shunpike Field, asked for invitation to proceed with a request for a NJ State TEA-21 Grant for downtown transit village improvements and made a Homeland Security request
- 1-19 attended Great Reunion 2008 Committee meeting
- 1-19 three residents attended “Mayor’s Clinic”
- 1-22 attended Library Board
- 1-22 attended Joint Madison-Chatham Meeting
- 1/26 6 residents attended “Mayor’s Clinic”
- In the coming week will attend:
 - 1-29 Mayor’s Committee for a Green Future meeting, Rutgers
 - 1-30 Department of Environmental Protection meeting with Mayor Kevin Tubbs, Chatham Township to obtain preliminary approval for turfing Shunpike Field

10:10 pm Council Member Collander disconnected from the meeting.

COUNCIL COMMITTEE REPORTS

Budget and Finance

Council Member James J. Collander absent.

Communications

Council Member Bruce A. Harris reported the Committee will meet later this year. They will be working on web site improvements.

Infrastructure & Strategic Planning

Council Member Richard E. Crater, Jr. absent.

Personnel

Council Member Neal T. Collins, M.D. reported the personnel Committee has met several times and will be discussing the Borough Attorney position in closed session tonight.

Public Safety & Emergency Services

Council Member Joseph L. Marts reported all of our Public service agencies are doing well and they have not brought any problems to the attention of the Committee.

Shared Services & 3rd Party Agreements

Council President Joseph Mikulewicz reported he attended a meeting with the County on shared services. He also met with council members from Madison concerning jointly purchasing property for playing fields at the old Exxon property.

Borough Administrator

Robert J. Falzarano reported NJ Transit is doing a lighting study and will let the Borough know what overhead lights can be removed in the center of town. The Municipal and Capital budgets will be introduced Saturday February 2, 2008. The finger printing for the recreation department has been going well. The green garbage bag prices have increased in price the small bags are now \$6.80 and the large bags \$13.00. Mr. Lloyd is reviewing the solid waste contract.

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 #08-84 through Resolution #08-99 have been placed on the Consent Agenda.

RESOLUTION #08-84

RESOLUTION TO AWARD A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE VAN DOREN AVENUE RESTORATION PROJECT TO DYNAMIC ENGINEERING CONSULTANTS, PC, CHESTER, NJ

WHEREAS, the Borough of Chatham has received one (1) bid for professional engineering services for the Van Doren Avenue Restoration Project; and

WHEREAS, the summary of the bid received is as follows:

Section 1: Design and Bidding of Roadway Improvement Project:	\$34,500.00
Section 2: Construction Observation & Contract Administration:	\$18,750.00
	Total: \$53,250.00

and

WHEREAS, the Borough Engineer had advised that the Borough of Chatham is only awarding the design portion for \$34,500.00: construction observation and contract administration will be accomplished in house; and

WHEREAS, the Borough Engineer for the Borough of Chatham has reviewed the Dynamic Engineering Consultants, PC bid and advised that the bidder is both qualified and responsible for the type of work contemplated; and

WHEREAS, the Borough Attorney has reviewed the Dynamic Engineering Consultants, PC bid and has advised that the bid is satisfactory in form and content; and

WHEREAS, the Finance Director has determined sufficient funds are available for the afordescribed professional engineering services required to be undertaken for the Van Doren Avenue Restoration Project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, County of Morris, State of New Jersey that a contract for the professional engineering services required to be undertaken for the Van Doren Avenue Restoration Project in the total amount of \$34,500.00 for the design and bidding of the Van Doren Avenue Roadway Improvement Project (only) be processed and awarded to Dynamic Engineering Consultants, Chester, NJ; and it is further

RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute a contract for the professional engineering services required to be undertaken for the Van Doren Avenue Restoration Project in the total amount of \$34,500.00 duly awarded to Dynamic Engineering Consultants, Chester, NJ.

RESOLUTION #08-85
RESOLUTION ADOPTING CHANGE ORDER NO. 1 FOR THE
JACKSON AVENUE PUMP STATION IMPROVEMENTS

WHEREAS, Change Orders are regulated by Local Finance Board regulation N.J.A.C. 5:34-4; and

WHEREAS, approval by the Council is required for all Change Orders; and
WHEREAS, the Council has considered the letter report of Vincent J. DeNave, P.E., Borough Engineer, dated January 18, 2008; and

WHEREAS, the Council has determined based upon this fact-finding that it is fitting and proper to amend the Contract in order to include a reduction for Item 4 – Miscellaneous Work Allowance (see Change Order No. 1 for additional details) to reflect actual quantities and also includes a supplementary item (S-1) for costs associated with additional roof repair work authorized previously by the Borough. These costs include removal and replacement of damaged rafters, soffits, fascia, top sill plate and gutters; and

WHEREAS, the change order results in no increase to the total contract amount of \$388,000 pending closeout of the project.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Chatham as follows:

1. Change Order No. 1 to the contract between the Borough of Chatham and Coppola Services, Inc. concerning the Jackson Avenue Pump Station Improvements is authorized by the Borough;
2. The Council has determined that the change order results in no increase to the total contract amount of \$388,000 pending closeout of the project; and
3. The Mayor is hereby authorized to execute Change Order No. 1.

**RESOLUTION #08-86
RESOLUTION TO AWARD A CONTRACT FOR THE DESIGN SERVICES
REQUIRED TO BE PREPARED FOR THE PARROTT MILL PUMP STATION
IMPROVEMENTS PROJECT AND THE RIVERVIEW PUMP STATION
IMPROVEMENTS PROJECT TO THE PROFESSIONAL ENGINEERING FIRM
OF T&M ASSOCIATES, CLIFTON, NEW JERSEY**

WHEREAS, the Borough of Chatham has received three (3) bids for the design services required to be prepared for the Parrott Mill Pump Station Improvements Project and the Riverview Pump Station Improvements Project; and

WHEREAS, the three bids received are as follows:

T&M Associates	\$ 36,000.00
PS & S, LLC	\$ 44,500.00
CDM	\$103,850.00

and

WHEREAS, T & M Associates has submitted the lowest bid proposal in the aforesaid amount of \$36,000.00; and

WHEREAS, the Borough Engineer for the Borough of Chatham has reviewed the bid proposal of T&M Associates and advised that the bidder is both qualified and responsible for the type of work contemplated; and

WHEREAS, the Borough Attorney has reviewed the T&M bid proposal and has advised that the bid is satisfactory in form and content; and

WHEREAS, the Finance Director has determined sufficient funds are available for the design services required to be prepared for the Parrott Mill Pump Station Improvements Project and the Riverview Pump Station Improvements Project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, County of Morris, State of New Jersey that a contract for the design services required to be prepared for the Parrott Mill Pump Station Improvements Project and the Riverview Pump Station Improvements Project in the total amount of \$36,000.00 be processed and awarded to the professional engineering firm of T&M Associates, Clifton, New Jersey, and it is further

RESOLVED, that the Mayor and Clerk are hereby authorized and directed to execute a contract for the design services required to be prepared for the Parrott Mill Pump Station Improvements Project and the Riverview Pump Station Improvements Project with the professional engineering firm of T&M Associates, Clifton, New Jersey.

**RESOLUTION #08-87
RESOLUTION TO APPROVE PAYMENT OF VOUCHERS**

WHEREAS, vouchers for payment have been submitted to the Mayor and Borough Council by the various municipal departments.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough 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 #08-88
RESOLUTION FOR SHARED SERVICES WITH MORRIS COUNTY FOR THE
PARIS GRANT PROGRAM**

Be it resolved by the Mayor and Council of Borough of Chatham, THAT:

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2008-09 grant cycle, priority funding will be given to county projects to perform shared services with their municipalities; and

WHEREAS, the Borough of Chatham desires to collaborate with the **COUNTY OF MORRIS** in the performance **RECORDS PURGING AND TAXONOMY STUDY**; and

WHEREAS, the Borough of Chatham is acknowledging that their eligible funding of **\$50,000.00** will be leveraged with the **COUNTY OF MORRIS**; and

WHEREAS, the Borough of Chatham is acknowledging that the **COUNTY OF MORRIS** would be both the lead agency and the applicant for such a proposal; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Borough of Chatham, that the Borough of Chatham does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

RESOLUTION #08-89

RESOLUTION TO AUTHORIZE AN AGREEMENT BETWEEN THE BOROUGH OF CHATHAM AND THE COUNTY OF MORRIS, DEPARTMENT OF LAW AND PUBLIC SAFETY FOR THE 2008 INTERLOCAL SERVICE AGREEMENT FOR MOBILE DATA TERMINAL SERVICES

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that the Mayor is hereby authorized to sign an agreement with the County of Morris, Department of Law and Public Safety for the 2008 Interlocal Service agreement for Mobile Data Terminal Services.

RESOLUTION #08-90

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY

WHEREAS, N.J.S.A. 40A:11-36 requires a resolution of the governing body authorizing the sale of surplus property; and

WHEREAS, the Borough Administrator has recommended the sale of said surplus personal property; and

WHEREAS, the items listed are no longer needed for public use.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Chatham authorize the Borough Clerk to properly advertise for public sale of the items listed herein:

	<u>Minimum bid</u>
1997 Ford Crown Victoria Vin# 2FALP71W2VX189785 Miles 85,530	\$ 500.00
Katolight 15KW Generator 120-208 Volts- Natural Gas-Hours 563	\$ 250.00
HP 6110 printer-MY44MJ63RC	No Minimum

Regular Council Meeting Minutes
January 28, 2008

Epson Stylus C62 Printer	No Minimum
Lexmark E322 Printer	No Minimum
Dell Computer-GX 260 with Windows XP, serial #Q9324y, 8CK9221 Inventory #1342 and Planar 17" Monitor CT1904Z Inventory #1343	No Minimum
Picture frames	No Minimum

*The auction will take place on Thursday, February 7, 2008 at 10:00 a.m. located at the Department of Public Works, 446 Main Street, Chatham, NJ 07928.

RESOLUTION #08-91
RESOLUTION TO AUTHORIZE MONTHLY REPORTS FROM ALL
FULLTIME AND PART-TIME DEPARTMENT HEADS/SUPERVISORS

WHEREAS, the Mayor and Council have requested the Borough Administrator to undertake due diligence regarding the activities of each department of the Borough of Chatham;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Chatham, in the County of Morris, State of New Jersey that the Borough Administrator is directed to require monthly reports from all fulltime and part-time department heads / supervisors, on a form that is approved by the Borough Administrator, commencing in the month of February 2008.

RESOLUTION #08-92
RESOLUTION TO AUTHORIZE MR. DAVID BIAGINI TO SUBMIT THE
CHALLENGE GRANT APPLICATION

BE IT RESOLVED by the Council of the Borough of Chatham, in the County of Morris, State of New Jersey that the Council authorizes Mr. David Biagini to submit the Challenge Grant Application at no cost to the Borough of Chatham and no obligation; and

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign the letter of agreement with First Team Management.

RESOLUTION #08-93
RESOLUTION TO ADOPT A POLICY FOR CITIZEN PARTICIPATION ON
CHATHAM BOROUGH BOARDS/COMMISSIONS

WHEREAS, the Mayor and Council have undertaken due diligence regarding citizen participation on Borough of Chatham boards and commissions; and

WHEREAS, the Mayor and Council find and determine that to allow a large number of citizens to serve on boards and commissions, a policy to allow individuals to serve on only one standing board or commission at a time is in the best interest of the public.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Chatham, in the County of Morris, State of New Jersey that it herewith adopts a policy which provides as follows:

A. Individual citizens will be allowed to serve on only one standing board or commission at a time;

B. A current member of a board/ commission who is a successful applicant for another board/commission will be required to choose one board/commission on which to serve;

C. This policy does not apply to ad hoc committees or departmental committees or positions that are designated for members of specific advisory groups; and

D. This policy does not apply to the Mayor and Council, the Borough Administrator, or department heads/employees of the Borough of Chatham.

Resolution #08-93 tabled

**RESOLUTION #08-94
RESOLUTION TO CANCEL OUTSTANDING CHECKS**

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that the following outstanding checks be cancelled:

From General Operating Fund Account #7850235925 dated in 2006:

#23623	Bobby Binning	\$30.00*
#24123	Aaron Prelinda	\$20.00*
#24462	Anna Von Heill	<u>\$60.00*</u>
Total		<u>\$110.00</u>

- These funds are due back to the recreation account #7850235685.

From Recreation Trust Account #7850235685 dated 2005:

#5536	Katie Ringwood	\$100.00
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BE IT FURTHER RESOLVED that the above amounts be distributed to the Borough of Chatham per approval by the auditors.

**RESOLUTION #08-95
RESOLUTION TO REFUND CONSTRUCTION PERMITS**

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that refunds of construction permits be issued to the individual listed below as follows:

Andrea Sickler 107 Hillside Ave. Chatham, NJ *CCO not needed	Permit #07-639	\$ 50.00
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Michael/Patricia Hart 178 Fairmount Ave. Chatham, NJ *Did not do all the work	Permit #07-788	\$2,485.00
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**RESOLUTION #08-96
RESOLUTION TO APPOINT CHARLES DZIEDZIC AS RECYCLING
ENFORCEMENT OFFICER**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Charles Dziejdzic be appointed as Recycling Enforcement Officer with a term to expire on December 31, 2008.

**RESOLUTION #08-97
RESOLUTION TO APPOINT ROBERT VENEZIA AS CO-RECYCLING
COORDINATOR**

BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham that Robert Venezia be reappointed as Co-Recycling Coordinator with a term to expire on December 31, 2008.

**RESOLUTION #08-98
RESOLUTION TO TRANSFER BUDGET RESERVES**

WHEREAS, N.J.S.A. 40A: 4-59 provides that during the first three months of any fiscal year, when the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserves over and above the amount deemed to be necessary to fulfill its purpose, the municipality may transfer from accounts in which there are excess amounts of appropriations to an appropriation reserve deemed insufficient ; and

WHEREAS, no transfers shall be made form appropriations for contingent expenses or deferred charges;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Chatham in the County of Morris and state of New Jersey that the Chief Financial Officer is hereby authorized to make the following line-item transfers in the Appropriation Reserve Budget 2007 Current Fund:

<i>Transfer From</i>			<i>Transfer To:</i>		
<u>Account #</u>		<u>Amount</u>	<u>Account #</u>		<u>Amount</u>
01-23-220-000	Group Insurance	\$2,000.00	01-31-430-2	Electric	\$6,000.00
01-25-240-299	Police Homeland OE	\$10,000.00	01-31-435-2	Street Lights	\$ 4,000.00
01-27-335-201	Environmental OE	\$ 4,000.00	01-25-240-2	Police OE	\$10,000.00
01-22-195-010	Construction OE	\$ 6,000.00	01-20-165-2	Engineering	\$ 2,000.00
		\$22,000.00			\$22,000.00

**RESOLUTION #08-99
 RESOLUTION ADOPTING CHANDLER ROAD CHANGE ORDER NO. 1 TO A
 CONTRACT BETWEEN THE BOROUGH OF CHATHAM AND PMK GROUP
 FOR THE DESIGN OF 2007 ROAD AND DRAINAGE CAPITAL
 IMPROVEMENTS**

WHEREAS, Change Orders are regulated by Local Finance Board regulation N.J.A.C. 5:34-4; and

WHEREAS, approval by the Council is required for all Change Orders; and

WHEREAS, the Council has considered the letter report of Vincent J. DeNave, P.E., Borough Engineer, dated January 23, 2008; and

WHEREAS, the Council has determined based upon this fact-finding that it is fitting and proper to amend the Contract in order to enable the additional surveying that is required to assure proper alignment of the roadway within the 20 foot right-of-way of Chandler Rd; and

WHEREAS, the Finance Officer has certified that funds are available in the total amount of \$8,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Chatham as follows:

1. Change Order No. 1 to the contract between the Borough of Chatham and PMK Group, for the 2007 road and drainage capital improvements as described therein, is authorized by the Borough;

Regular Council Meeting Minutes
January 28, 2008

2. The Council has determined that the appropriate amount to allocate to Change Order No. 1 is \$8,000; and
3. The Mayor is hereby authorized to execute Change Order No. 1.

MONTHLY REPORTS

Accept Monthly Reports received from the following Departments:

Council Member Collander	Bills & Warrants List (December 2007) Monthly Financial Statement
Council Member Collander	Recreation Committee (December 2007)
Council Member Crater	Department of Public Works (Dec. 2007)
Council Member Marts	Police Report (December 2007) Emergency Squad (December 2007) Municipal Court (December 2007) Fire Department Report (December 2007) Emergency Management (December)
Council Member Harris	Building and Zoning Report (Dec. 2007) Fire Inspections (December 2007)

CONSENT AGENDA VOTE

Resolutions #08-84 through Resolution #08-92 and Resolution #08-94 through #08-99 and the monthly reports

Council Member Collins moved to approve the Consent Agenda and Council Member Marts seconded.

Resolution #08-93 tabled.

Council Member Harris had questions about Resolution #08-86. Mr. DeNave explained.

A vote was taken and it was approved unanimously.

NEW BUSINESS

ORDINANCE #08-01

**INTRODUCTION AND FIRST READING OF AN ORDINANCE AMENDING
ORDINANCE #07-08 IN THE CODE OF THE BOROUGH OF CHATHAM,
CHAPTER 139 THEREOF, ENTITLED "VEHICLES AND TRAFFIC," TO
RESTRICT LEFT TURN PROHIBITION FROM ELMWOOD AVENUE TO
CERTAIN HOURS**

Council Member Marts introduced Ordinance # 08-01 on first reading and moved that a public hearing be held on February 25, 2008 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 Mikulewicz.

Mayor Vaughan asked for a vote. A vote was taken and Ordinance #08-01 was introduced with a vote of 4 to 0.

Mayor Vaughan explained the reasons for introducing Ordinance #08-02.

ORDINANCE #08-02

**INTRODUCTION AND FIRST READING OF AN ORDINANCE TO AMEND
THE CODE OF THE BOROUGH OF CHATHAM BY ADDING A NEW
CHAPTER 3 TO BE ENTITLED "APPOINTED POSITIONS REGISTRY"**

Council Member Marts introduced Ordinance # 08-02 on first reading and moved that a public hearing be held on February 25, 2008 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 Collins.

Council Member Harris indicated that he felt the Ordinance required further changes and asked that it be postponed.

Council Member Marts moved to postponed the first reading of Ordinance #08-02 until February 11, 2008.

Mayor Vaughan asked for a vote. A vote was taken and Ordinance #08-02 was postponed to the next meeting on February 11, 2008 with a vote of 4 to 0.

RESOLUTION #08-100

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:

CONTRACTS: 1. St. Paul's agreement- Mr. Lloyd

2. Shaw License agreement- Mr. Lloyd

LITIGATION: 221 Main Street- Mr. Bell, Esq.

PERSONNEL: Selection of Borough Attorney-Dr. Neal Collins

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 Collins moved to approve Resolution # 08-100 and Council President Mikulewicz seconded. A vote was taken and it was approved unanimously.

Adjourn 10:15 p.m.

Respectfully Submitted:

Susan Caljean
Municipal Clerk