

REGULAR COUNCIL MEETING
March 10, 2008 8:00 p.m.

The Regular Council Meeting of the Borough of Chatham was held on Monday March 10, 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
Joseph J. Bell, Borough Attorney
Robert J. Falzarano, Borough Administrator
Susan Caljean, Municipal Clerk

Mayor Vaughan read the following Proclamation

PROCLAMATION

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 of the American Red Cross and its contribution to making Chatham Borough, New Jersey, and the United States, a stronger, safer and healthier place, and

WHEREAS, for more than 90 years, the American Red Cross Colonial Crossroads Chapter has led the effort to prevent, prepare and respond to disasters. It has been the place 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 Colonial Crossroads Chapter makes every effort to save lives long before tragedy strikes by helping individuals and entire communities learn to prepare for disasters. It prepares people to save lives through first aid and CPR training, water safety, and use of automated external defibrillators (AEDs) to save victims of sudden cardiac arrest.

WHEREAS, the Colonial Crossroads Chapter needed you, and you responded. The citizens of Chatham Borough made tremendous sacrifices and extended considerable generosity to support the California wildfires relief efforts; rolled up their sleeves and gave blood to save their friends, neighbors and strangers; and volunteered their time to help those in need, and

WHEREAS, during the past year, the Colonial Crossroads Chapter trained over 17,000 people through Red Cross Health and Safety Courses; assisted 11 local families impacted by a fire, storm damage or flooding; provided more than 9,500 free rides to medical appointments for seniors; and generated nearly 1, 100 unites of blood through 44 blood drives.

WHEREAS, to the Red Cross, there are no “small disasters”-only neighbors in need. The Colonial Crossroads Chapter of the American Red Cross- and its 500 volunteers-provide valuable tools and education to individuals, families, workplaces and schools, making us all stronger and more resilient, and

WHEREAS, as we celebrate and acknowledge the contributions of the Colonial Crossroads Chapter of the American Red Cross to building a better quality of life in Chatham Borough, New Jersey, we must also look forward and each do our part to ensure that the Red Cross remains vital, ready to help us prevent, prepare for and respond to the unknown challenges that lie ahead.

NOW, THEREFORE, I, Mayor Vaughan by virtue of the authority vested in me by Chatham Borough, New Jersey, do hereby proclaim March 2008 as

“AMERICAN RED CROSS MONTH”

In Chatham Borough and urge all citizens to continue to give or your time, blood and money, to make a difference in the humanitarian fabric of this community and participate in American Red Cross activities.

Council Member Marts moved to approve the Proclamation and Council President Mikulewicz seconded. A vote was taken and it was approved unanimously.

RESOLUTION #08-126
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, February 25, 2008

Council President Mikulewicz moved to approve Resolution #08-126 and Council Member Collander seconded. A vote was taken and it was approved unanimously.

Council Member Harris suggested that a process be put into place to unredact Executive Session Minutes. Mr. Bell agreed.

DISCUSSION ITEMS

2008 Municipal Budget - Mr. Collander explained the Governor's proposal to cut state aid to municipalities with a population under 10,000. The aid cut to Chatham Borough would total \$212,000.00. The tax increase had been 1.9 cents which would total \$123.00 increase for the average home valued at \$647,000.00. With the cut in state aid the increase will be 3 cents a total of \$195.00 for the average home. Mr. Vrabel explained the reasons that we need to raise the taxes now and adjust the budget later if the state aid is not cut.

Open Space Tax - Mayor Vaughan proposed a reduction in the Open Space Tax from 1 cent to ½ cent annually; the reduced tax will be sufficient to cover the debt service on the bonds. Council Member Harris stated the voters approved an expansion in the Open Space Tax to do some things that we hadn't done before; and to use it for historic preservation. Council Member Collander stated the voters did not vote to extinguish the Open Space Account. Council Member Harris explained how the Open Space Tax could be used on many projects. Council Member Marts supports the Open Space process but states some of the purchases made in the past were a waste of money.

Senior Parking at Library- Mr. Harris reported he has received a petition signed by approximately 70 residents who would like to have more parking by the library and more handicapped spots. Council Member Harris would like something done by spring. Council Member Harris suggested they reserve some places behind the library for seniors.

Inter Local Agreement with Bd. Of Education for Field maintenance-Mrs. Nauta explained the Inter Local Agreement for field maintenance between the Board of Education, Chatham Township, and Chatham Borough. The Council Members had several questions.

MAYOR'S ACTIVITIES REPORT

First, I want to thank Joe Mikulewicz for running the meeting last time. He did an outstanding job. I was hit pretty hard by the flu, but I'm much better now. Thank you to everyone who sent me get well wishes. Since my last report, in addition to my normal duties, which include daily meetings with the Borough Administrator and others and Saturday office hours, I have also appeared in a promotional video by a Manhattan advertising firm describing Chatham's many attractions to be used by several real estate sales companies to draw home buyers. I was the guest speaker at a Chatham Area Chamber of Commerce breakfast. Also, as most residents know, this past Saturday night Chatham Borough and many other places in New Jersey were hit by a terrible wind storm, and we had an unsafe situation in the Borough with downed power lines. The storm started about 7 pm Saturday, and a lot of people lost electricity. I was in my office by 7:30 pm and much of Sunday. The multiple problems were professionally handled according to predetermined emergency plans.

On February 18 our Borough attorney, Joe Bell, and I met with local reporters to clarify Borough press contact practices. I had decided before Mr. Bell came on board that it would be best if there was one official Borough spokesman and had hoped to relieve the staff of this responsibility. There are lots of organizations where people can speak for themselves but only certain people can speak to the press on behalf of the organization. But Mr. Bell recommended leaving the media policy the way it was, so we are doing that.

I also want to put in a plug for volunteers for Meals on Wheels, a most worthwhile organization. I delivered meals to the Borough's elderly today, and it's a great feeling knowing how helpful you are being to others, and they can always use more volunteers.

Finally, I want to note that I will NOT be in my office this coming Saturday, March 15, because I will be marching in the St. Patrick's Day parade, so if anyone had planned to see me please call me and we'll arrange a different meeting time.

Council Member Marts gave a presentation on the storm that hit Chatham Borough last Saturday; and the response by the Mayor, Council, Police Department, Fire Department and Emergency Management.

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.

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Len Resto of 35 Center Street commended the volunteers and the Police Department for the jobs they did over the weekend. He would like the Council to communicate to the residents the importance of contacting their Assemblyman and State Senators about their displeasure with Governor Corzine's plan to cut state aid. Mr. Resto would like the Board of Education meetings changed so they do not fall on the same night as Council Meetings.

Paul Suszczynski of 23 Kimball Street had complaints about lawn services and the noise and odors they create. He asked if there are any Ordinances in place to restrict the noise. The mayor stated we have a noise Ordinance in place. Council Member Marts explained he could call the Police who would stop the activity.

Roseanne Maraziti of 50 Inwood Road, President of the Board of Health, distributed information to the Council Members. Ms. Maraziti requested the Borough void the contract with Madison for additional Sanitarian hours. The Board of Health feels they should not fill out the monthly report, that the monthly minutes of each meeting should be sufficient. The Board of Health is concerned that the Borough Organization Chart shows the Sanitarian reporting directly to the Borough Administrator when it should show that the Sanitarian reports directly to the Board of Health.

Barbara Montaque of 45 Dellwood Avenue thanked the Council for considering the Senior Parking at the Library; but feels there should be stricter regulations.

Michael Dean of 181 North Passaic Avenue suggested Woodland Park be sold that it has no value to the Borough. Mr. Dean had some comments about the Open Space Tax and some of the purchases. Mr. Dean stated mothers with toddlers also need parking at the Library.

Donna Cali-Charles of 131 Center Avenue thanked the Police and DPW for their quick response to a fallen limb on Milton Avenue. Ms. Cali-Charles suggested because of the cut in state aid the Open Space Tax should be reduced.

Bill Heap of 108 Hillside Avenue thanked the Council Members for the time they spent over the weekend. He does not want to see the Open Space Tax reduced.

Cory Fuller of 19 Inwood Circle stated if the Borough had not purchased Woodland Park it probably would have been developed.

RESOLUTION #08-135
RESOLUTION TO INTRODUCE THE BOROUGH OF CHATHAM 2008
MUNICIPAL BUDGET

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the local Municipal Budget for the year 2008; and

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BE IT FURTHER RESOLVED, that said Budget be published in the Chatham Courier in the issue of March 13, 2008 together with a notice to the public that the public hearing will be held in the Municipal Building on April 14, 2008 at 8:00 p.m. or as soon thereafter as the matter can be reached by the Governing Body of the Borough of Chatham, and does hereby appropriate the following as the budget for the year 2008:

Appropriations	
Municipal Purposes	\$11,522,038.75
Reserve for Uncollected Taxes	<u>\$ 2,725,504.18</u>
Total General Appropriations	\$14,247,542.93
Less Anticipated Revenue other than	
Current Taxes	<u>\$ 7,156,026.05</u>
Amount to be raised by taxation	\$ 7,091,516.88

Council Member Collander moved to approve Resolution #08-135 and Council Member Harris seconded and it was approved on vote as follows:

Council Member	Yes	No	Abstain	Absent
Mr. Collander	x			
Mr. Collins	x			
Mr. Crater	x			
Mr. Harris	x			
Mr. Marts	x			
Mr. Mikulewicz	x			

COUNCIL LIAISON REPORTS

Board of Education

Council Member Joseph Mikulewicz stated the next meeting will be Wednesday March 19th at 7:30 pm in the Township Municipal Building. He encouraged people to attend because the budget will be discussed.

Board of Health

Council Member Neal T. Collins, M.D. stated the next meeting will be March 13th at 8 pm.

Chamber of Commerce

Council Member Richard E. Crater, Jr. reported the Fishawack Festival is scheduled in June and the Chamber could use volunteers. There will be an Easter Egg Hunt at the Library next Saturday.

Communications Technology

Council Member Bruce A. Harris stated they met with Verizon and that Mr. Falzarano will report.

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Community Development

Council Member Joseph Mikulewicz had nothing to report.

Environmental Commission

Council Member Bruce A. Harris reported at the last meeting the Commission discussed their goals and objectives. There is a scout who is interested in doing an open space project but he can not do that project until the Borough does some clean up. Annual Trail Clean up at Shepard Kollack Park will be on April 12th. The berm at the park will be dedicated to Bob Thompson that day.

Historic Preservation Commission

Council Member Bruce A. Harris stated 4 members of the Commission attended a Historic Preservation course at Drew University.

Library Board of Trustees

Mayor V. Nelson Vaughan, III stated he did not attend the meeting.

Local Assistance

Council Member Neal T. Collins, M.D. reported there are two general assistance cases and two cases involving seniors.

Municipal Alliance

Council Member Neal T. Collins, M.D. stated the Alliance has not met but he discussed the Alliance with Carol Nauta who is a member.

Planning Board

Council Member Bruce A. Harris report the Board selected a new attorney Ann Marie Rizzuto. They are working on a minor subdivision on Hillside Avenue. They are also working on a request to teardown and rebuild at 390 Main Street.

Recreation Committee

Council Member James J. Collander stated the next meeting is tomorrow at 7:30. The Committee has been working on the Inter Local Agreement. Baseball, Softball and Lacrosse have started; there are approximately 2,000 children participating.

Senior Center

Mayor V. Nelson Vaughan, III stated the last meeting was held on March 8th. The Senior Center Board is looking for members; you do not need to be a senior to become a member. On April 15th there will be a new ride service available. The Senior Center is hosting a Garden Tour on June 17th.

Shade Tree Commission

Council Member Richard E. Crater, Jr. reported the Commission will be planting 60 trees in the next few weeks. They will dedicate two trees on Arbor Day April 19th at Fire House Plaza. They are working on a nuisance tree policy for trees in the Borough right of way that have become a nuisance to the property owner.

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Streetscape Committee

Council Member Richard E. Crater, Jr. report the Committee did not meet this month. The Committee will meet next month.

Traffic Safety Committee

Council Member James J. Collander stated the next meeting is Wednesday March 12th at 6:30. Mr. Collander, Mr. DeNave, Captain Sullivan and Sgt. O'Connor met with Traffic Logics, a company that has very good things for traffic safety. The Police Department spends 50% of its time on traffic safety.

9/11 Memorial Committee

Council Member Joseph L. Marts reported the Committee is moving forward. Attorney Pribula is setting up a not for profit corporation for donations. Three Chatham Township family members would like to be involved with the memorial. The next meeting will be April 15th in the Commons Room at 7:30 pm.

Farmers Market Committee

Council Member Joseph Mikulewicz reported the next meeting will be March 27th at 7:30 in room 212. The Committee reviewed the vendors from last year and will invite most vendors to return; some local business will participate this year. The Committee adopted a Mission Statement which will be on the web site.

Madison Chatham Joint Meeting

Council Member James J. Collander reported the budget was passed at the last meeting. There is an opening for an entry level employee at the plant. Chris Manak will handle the hiring.

Project Community Pride

Council Member Marts stated tomorrow morning there will be a business meeting.

Administrator's Report

Robert J. Falzarano reported the 2008 Annual Reports were submitted on March 7th. Mr. Venezia submitted the cost for the February 22nd snow storm \$14,408.00 and the cost of the February 12th and 13th snow storm \$14,386.00. Mr. Falzarano met with Verizon the Fios installation should be complete in 4 to 8 weeks. By installing a splitter at Borough Hall Verizon will be able to broadcast the Council Meetings. PSE&G started trimming vegetation along the power lines on February 29th. They will continue until May 1st. Mr. Falzarano is researching text messaging to use in an emergency. Mr. Falzarano is also investigating making the video recordings of meetings available on the web site.

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.

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Resolution #08-127 through Resolution #08-134 have been placed on the Consent Agenda.

**RESOLUTION #08-127
RESOLUTION FOR TONNAGE GRANT APPLICATION**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the Borough of Chatham to apply for such tonnage grants for 2008 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Chatham to the efforts undertaken by this municipality and to the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Chatham, County of Morris, that the Borough of Chatham hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Robert Venezia, Director of the Department of Public Works, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**RESOLUTION #08-128
RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW**

**JERSEY, APPROVING THE MILTON AVENUE ELEMENTARY SCHOOL
FUNDRAISER “NUNC PRO TUNC”**

WHEREAS, the Milton Avenue Elementary School wishes to raise money for playground purposes and would like to conduct a silent auction on Friday, February 29, 2008: and

WHEREAS, it is a requirement of Ordinance 83.1 et seq. that said auctions need to be approved by the Chief of Police at least ten (10) days prior to their occurrence; and

WHEREAS, said unreasonable restriction would impede their ability to raise funds for this most worthwhile project and the Mayor and Council are authorized to enact a resolution granting said approval being “Nunc Pro Tunc”.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, County of Morris and State of New Jersey authorizing the Milton Avenue Elementary School to conduct said auction for funds being made available to improve their playground area and said resolution and approval are hereby granted “Nunc Pro Tunc” for an event that will have taken place on February 29, 2008.

RESOLUTION #08-130

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING
AN INTERLOCAL AGREEMENT AMONG THE BOROUGH OF CHATHAM,
TOWNSHIP OF CHATHAM AND THE SCHOOL DISTRICT OF THE
CHATHAMS REGARDING BALLFIELD MAINTENANCE FOR 2008**

WHEREAS, the Borough of Chatham, Township of Chatham and School District of the Chathams utilize each other’s fields for various athletic activities, including, without limitation, baseball and softball; and

WHEREAS, there exists a need for preparation of the ball fields owned by the School District at Milton Avenue School and Washington Avenue School in the Borough and the Southern Boulevard School in the Township (hereinafter collectively “the ball fields”), and used by the joint recreation program of the Borough of Chatham and the Township of Chatham (hereinafter “the joint recreation program for baseball, softball and t-ball; and

WHEREAS, there may also exist a need for minor maintenance and repair of the ball diamonds, deemed a part of “the ball fields,” owned by the School District at the Middle School in the Borough and Chatham High School in the Township, and used by the joint recreation program for baseball, softball and t-ball; and

WHEREAS, the Borough and the Township have offered, and the School District is willing to accept said offer, for the Borough and the Township to prepare fields for games, i.e. raking, lining, grooming of pitchers mounds and batters boxes using

volunteers during the 2008 Spring and Summer Recreation Season (March through July);
and

WHEREAS, there may also be a need for minor repairs and renovation work to be performed by volunteers before the start of the Spring Season, under the supervision of the Public Works Departments of the Borough and the Township and/or the Board of Education; and

WHEREAS, this Agreement is authorized pursuant to State Law, specifically, N.J.S.A. 40:8A-1, et seq., N.J.S.A. 40:12-9, and N.J.S.A. 18A20-22;

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Chatham, County of Morris, State of New Jersey, that the Mayor and Clerk are hereby authorized and directed to execute an Interlocal Agreement with the Township of Chatham and the School District of the Chathams providing that:

1. The Borough and the Township, as part of their joint recreation program, agree to perform minor maintenance and minor repairs of the ball fields prior to the 2008 Spring Recreation Season, under the supervision of the respective Public Works Department of the Borough and the Township, and to perform routine game preparation work during the season.
2. The School District grants permission for, and the right of access to, the Borough and the Township to prepare said ball fields and that the School District agrees to indemnify and hold harmless the Borough and the Township, and the volunteers, from any and all liability that may arise as a result of said maintenance.
3. The term of this Agreement shall commence on Monday, March 10, 2008 and end on Monday, July 31, 2008;
4. The Borough, the Township and the School District represent to each other that all necessary municipal or School District actions, as the case may be, to authorize and effectuate this Agreement have been taken and that each entity will take all future action reasonably necessary to effectuate the terms and conditions of said Agreement during its term; and
5. The laws of the State of New Jersey govern this Agreement.

BE IT FURTHER RESOLVED, that an original fully executed copy of the Interlocal Agreement shall be maintained in the Office Clerk.

**RESOLUTION #08-131
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:

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BLOCK/LOT	OWNER & PROPERTY ADDRESS	AMOUNT	YEAR/QTR
99/1.04	Crimmins, David & Elizabeth 7 Woods Lane	\$3,699.08	2007/4 Qtr.
		*Overpayment (mortgage company paid and so did homeowner)	
60/23	Valenzuela, Augusto 60 Weston Avenue	\$4,961.79	2007/4 Qtr. 2008/1 Qtr. (duplicate payment)
31-12.12	Anderson, Trevor & Nicole	\$2,280.74	2007/4 Qtr. (duplicate payment by mortgage company)

Make check payable and mail to:
Flagstar Bank
P.O. Box 961232
Fort Worth, TX 76161-9812

RESOLUTION #08-132
RESOLUTION TO REFUND PRO-RATED MONEY FOR THE FOLLOWING
PARKING TOKENS AND SMART CARDS

BE IT RESOLVED by the Mayor and Council of the Borough of Chatham that a refund for the return of parking tokens and Smart Cards be given to the following listed below:

Greis, Frederick 28 Woodland Road Madison, NJ 07940	\$20.00
Rooney, Stephen/Janine 11 Meadowbrook Road Chatham, NJ 07928	\$ 308.75
Driscoll, Thomas 70 Union Hill Road Madison, NJ 07940	\$ 60.00
Lundberg, Eric 33 Stafford Road Chatham, NJ 07928	\$12.00

RESOLUTION #08-133
RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY,
AUTHORIZING THE EMPLOYMENT OF ANTHONY LOMBARDI AS A FULL-
TIME SCHOOL CROSSING GUARD FOR THE BOROUGH OF CHATHAM
POLICE DEPARTMENT

WHEREAS, the Chief of Police has recommended that Anthony Lombardi be employed as a full time school crossing guard for the Chatham Borough Police Department, at a pay rate of \$18.41 per hour, effective March 10, 2008; and

WHEREAS, the Chief Financial Officer has certified that funds are available and said certification shall be attached to this Resolution and kept on file in the offices of the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Chatham, in the County of Morris, New Jersey, authorizing the employment of Anthony Lombardi as a full time school crossing guard at the rate of \$18.41 per hour, effective March 10, 2008, and,

BE IT FURTHER RESOLVED, that the Chief of Police hereby is authorized to undertake and execute such employment documents as is necessary to implement this Resolution.

RESOLUTION #08-134
RESOLUTION OPPOSING THE FAILURE OF THE GOVERNOR'S PROPOSED
STATE BUDGET FOR THE 2008-2009 FISCAL YEAR TO TREAT PROPERTY
TAX RELIEF AS OUR PRIORITY

WHEREAS, on February 26, 2008, in Trenton, Governor Jon S. Corzine presented his FY 2009 Budget proposal to a Joint Session of the State Legislature, which proposal now goes to the Legislature, which must pass a balanced budget by the start of the State's next Fiscal Year, which begins on July 1; and

WHEREAS, the proposal, which represents what the Governor called "many unpleasant choices," calls for the elimination of two Departments of State Government (the Departments of Agriculture and Personnel) and the State Commerce Commission, and asks all other Departments to absorb funding cuts, and further calls for sacrifice in a number of other areas, including direct property tax relief, hospital aid, higher education assistance and Medicaid, with the inordinately deep cuts in municipal property tax relief funding; and

WHEREAS, one year after the historic Special Session for Property Tax Reform, which purportedly eliminated the need for a Citizens' Convention, our property taxpayers will once again be asked for patience, and they will be asked to shoulder more than their fair share of the funding burden; and

WHEREAS, local officials have done so much with so little for so long, that State Budget-makers now believe some can do everything with absolutely nothing; and

WHEREAS, municipal property tax relief will be slashed by \$189.6 million; and

WHEREAS, for municipalities with a population of less than 5,000, there will be no CMPTRA funding this year; for municipalities with a population total between 5,000 and 10,000, this relief will be limited to one-half of the amount received in the State's 2006-2007 budget; and the \$32.6 million distributed according to the CMPTRA formula, which municipalities received last year as 2008 Municipal Property Tax Assistance, is gone; and

WHEREAS, all municipalities will receive level Energy Tax Receipts Property Tax Relief funding, despite State Law that 'requires' annual inflationary adjustments of this (and CMPTRA) funding; and

WHEREAS, last year, municipal efficiency was promoted to the tune of \$34.8 million, but in this proposal, this funding has been eliminated; and

WHEREAS, last year's \$32 million in Municipal Homeland Security Funding is gone, Special Municipal Aid funding is cut from \$153 million to \$145.4 – a loss of \$7.6 million, Extraordinary Aid funding is reduced by \$1.7 million – from \$34 million to \$32.3 million, and the \$8 million Regional Efficiency Aid Program will not be funded; and

WHEREAS, beyond these cuts, certain municipalities served by the State Police will be asked to contribute \$20 million to the State's General Fund, and Homestead Rebates for Homeowners will be cut by \$257 million, and for Renters by \$124 million; and

NOW, THEREFORE, BE IT RESOLVED, that the governing body of Borough of Chatham calls on its elected representatives in Trenton, Senator Joseph Pennacchio and Assembly members Alex DeCroce and Jay Weber, to work with their colleagues in the Legislature and with the Governor to take affirmative action to restore program funding sufficient to honor state statutes and their stated commitment to the cause of property tax relief in all New Jersey municipalities; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Jon S. Corzine, Acting State Treasurer R. David Rousseau, Senate President Richard J. Codey, Senate Minority Leader Thomas H. Kean, Assembly Speaker Joseph J. Roberts, Assembly Minority Leader Alex DeCroce, the Chairs and Members of the Senate and Assembly Budget and Appropriations Committees, our own Senator Alex and Assembly members Joseph Pennacchio and Jay Weber and to the New Jersey State League of Municipalities.

MONTHLY REPORTS

Accept Monthly Reports received from the following Departments:

Council Member Collander	Bills & Warrants List (February 2008) Monthly Financial Statement
Council Member Collander	Recreation Committee (February 2008)

Council Member Crater	Department of Public Works (Feb. 2008)
Council Member Marts	Police Report (February 2008) Emergency Squad (February 2008) Municipal Court (February 2008) Fire Department Report (February 2008) Emergency Management (February 2008)
Council Member Harris	Building and Zoning Report (Feb. 2008) Fire Inspections (February 2008)

CONSENT AGENDA VOTE

Resolutions #08-127 and Resolution #08-128 and Resolution #08-130 through #08-134 and the Monthly Reports

Council Member Harris asked to have Resolution #08-129 removed from the Consent Agenda.

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

RESOLUTION #08-129 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.

Council Member Harris had concerns about the amount of money being paid for legal expenses. He noted that Mr. Bell's bill for December and January, at \$6,300.00, was only slightly less than the total legal bills paid to the Omnipoint and Shailja litigation matter.

Council Member Harris moved to approve Resolution #08-129 and Council President Mikulewicz seconded. A vote was taken and it was approved unanimously.

UNFINISHED BUSINESS ORDINANCE #08-03 SECOND READING AND PUBLIC HEARING OF A CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$500,000 FOR THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO SHEPARD KOLLOCK PARK IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, NEW JERSEY, TO TRANSFER AN UNEXPENDED BOND ORDINANCE BALANCE

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IN THE AMOUNT OF \$500,000 AND REAPPROPRIATE SAME TO FINANCE SUCH APPROPRIATION AND TO CANCEL AN UNEXPENDED BOND ORDINANCE BALANCE IN THE AMOUNT OF \$403,151.84 TO CAPITAL FUND BALANCE.

Council Member Collander made a motion to open the public hearing on Ordinance #08-03 seconded by Council Member Marts, and it was approved unanimously.

No Public Comment.

Council Member Harris stated he would like someone to look into the irrigation system to see if there is an alternative.

Council Member Collander made a motion to close the public hearing on Ordinance #08-03, seconded by Council Member Harris, and it was approved unanimously. Council Member Collander moved Ordinance #08-03, seconded by Council Member Marts and it was approved on vote as follows:

Council Member	Yes	No	Abstain	Absent
Mr. Collander	x			
Mr. Collins	x			
Mr. Crater	x			
Mr. Harris	x			
Mr. Marts	x			
Mr. Mikulewicz	x			

ORDINANCE #08-04

SECOND READING AND PUBLIC HEARING OF AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THEBOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATEOF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 267, ENTITLED “WATER”, ARTICLE II “WATER RATES”, SUBSECTION 10 “UNIFORM WATER RATE EFFECTIVE DATE”, OF THE REVISED GENERAL CODE OF THE BOROUGH OF CHATHAM

Council Member Collander made a motion to open the public hearing on Ordinance #08-04 seconded by Council Member Harris, and it was approved unanimously.

Donna Cali-Charles of 131 Center Avenue asked if public use buildings and fields would be metered.

Council Member Collander made a motion to close the public hearing on Ordinance #08-04, seconded by Council Member Harris, and it was approved unanimously. Council Member Collander moved Ordinance #08-04, seconded by Council Member Crater and it was approved on vote as follows:

Council Member	Yes	No	Abstain	Absent
Mr. Collander	x			
Mr. Collins	x			
Mr. Crater	x			
Mr. Harris	x			
Mr. Marts	x			
Mr. Mikulewicz	x			

**NEW BUSINESS
ORDINANCE #08-05**

**INTRODUCTION AND FIRST READING OF AN ORDINANCE TO PROVIDE
FOR VARIOUS PURCHASES AND TO MAKE CERTAIN IMPROVEMENTS
FOR THE BOROUGH OF CHATHAM FOR THE YEAR 2008 AND TO
APPROPRIATE A TOTAL AMOUNT OF \$90,000 FROM THE GENERAL
CAPITAL IMPROVEMENT FUND**

Council Member Collander introduced Ordinance # 08-05 on first reading and moved that a public hearing be held on March 24, 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 and it was approved on vote as follows:

Council Member	Yes	No	Abstain	Absent
Mr. Collander	x			
Mr. Collins	x			
Mr. Crater	x			
Mr. Harris	x			
Mr. Marts	x			
Mr. Mikulewicz	x			

ORDINANCE #08-06

**INTRODUCTION AND FIRST READING OF AN ORDINANCE TO PROVIDE
FOR VARIOUS PURCHASES AND TO MAKE CERTAIN IMPROVEMENTS
FOR THE BOROUGH OF CHATHAM FOR THE YEAR 2008 AND TO
APPROPRIATE A TOTAL AMOUNT OF \$72,000 FROM THE WATER
CAPITAL IMPROVEMENT FUND**

Council Member Collander introduced Ordinance # 08-06 on first reading and moved that a public hearing be held on March 24, 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 Harris and it was approved on vote as follows:

Regular Council Meeting Minutes
 March 10, 2008

Council Member	Yes	No	Abstain	Absent
Mr. Collander	x			
Mr. Collins	x			
Mr. Crater	x			
Mr. Harris	x			
Mr. Marts	x			
Mr. Mikulewicz	x			

ORDINANCE #08-07

INTRODUCTION AND FIRST READING OF A BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CHATHAM, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,667,494 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Council Member Collander introduced Ordinance # 08-07 on first reading and moved that a public hearing be held on March 24, 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 and it was approved on vote as follows:

Council Member	Yes	No	Abstain	Absent
Mr. Collander	x			
Mr. Collins	x			
Mr. Crater	x			
Mr. Harris	x			
Mr. Marts	x			
Mr. Mikulewicz	x			

ORDINANCE #08-08

INTRODUCTION AND FIRST READNIGN OF A BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF CHATHAM, IN THE COUNTY OF

MORRIS, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$61,800 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Council Member Collander introduced Ordinance # 08-08 on first reading and moved that a public hearing be held on March 24, 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 Marts and it was approved on vote as follows:

Council Member	Yes	No	Abstain	Absent
Mr. Collander	x			
Mr. Collins	x			
Mr. Crater	x			
Mr. Harris	x			
Mr. Marts	x			
Mr. Mikulewicz	x			

ORDINANCE #08-09

INTRODUCTION AND FIRST READING OF AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2008 (N.J.S.A. 40A:4-45.14)

Council Member Collander introduced Ordinance # 08-09 on first reading and moved that a public hearing be held on March 24, 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 and it was approved on vote as follows:

Council Member	Yes	No	Abstain	Absent
Mr. Collander	x			
Mr. Collins	x			
Mr. Crater	x			
Mr. Harris	x			
Mr. Marts	x			
Mr. Mikulewicz	x			

Council President Mikulewicz moved to approve Resolution #08-136 and Council Collins seconded. A vote was taken and it was approved unanimously.

RESOLUTION #08-136
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: Planner- Mr. DeNave and Mr. Montague

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.

Adjourn 11:00 p.m.

Respectfully Submitted:

Susan Caljean
Municipal Clerk